



Policy Legacy FOI Team  
Headquarters 38 (Irish) Brigade and Northern Ireland  
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Reference: FOI: 2019/07174

Date: 4 September 2019

Dear [REDACTED]

**REQUEST FOR INFORMATION – INFORMATION RELATING TO THE MURDER OF COLIN NICHOLL ON 11 DECEMBER 1971**

I can confirm that your request has been considered under the provisions of the Freedom of Information Act 2000 (FOI(A)), and the process is now complete.

You asked the following:

***“we are requesting information on the murder of Colin Nicholl on 11 December 1971, outside Balmoral Furnishing, Belfast.”***

I can confirm that the MOD holds some information relating to the murder of Colin Nicholl on 11 December 1971. This information has been located in a range of documents which I have provided relevant extracts at Annex A. These would have been highly redacted as the remaining information they include is outside the scope of your request.

All Police Service of Northern Ireland (PSNI) cases remain open and if new evidence comes forward the PSNI will reinvestigate. Release of these documents must be carefully considered under Section 31 (Law Enforcement) of the FOI(A). I have completed this consideration through a public interest test including consultation with the PSNI who have advised that release of some of the information could adversely impact on any investigative process and may jeopardise any future prosecutorial process. On this basis I am withholding some of the information under Section 31 of the FOI(A).

I appreciate that this incident took place 48 years ago and the passage of time can be a factor in diminishing the applicability of exemptions to information. However, in this instance the passage of time is less relevant as the PSNI continue to investigate Troubles-related murders and the overall balance is in favour of partial exemption.

In addition, some of the information falls within the scope of Section 38 (Health and Safety) of the FOI(A), as its release could endanger the physical or mental health of any individual or endanger the safety of any individual.

Section 38 is a qualified exemption and we have conducted a public interest test to determine whether the information should be released or withheld. The factors for this public interest have determined that whilst disclosure would demonstrate openness and transparency this is outweighed by the detrimental effect disclosure could have on those mentioned in the documents, or their family members and friends. I have concluded that whilst disclosure may be of historical interest, the health and safety of individuals must be taken into account especially where release would be likely to endanger, the physical or mental health of any individual. Some information has therefore been redacted under Section 38 of the FOI(A).

Additionally, some of the information contained within the disclosure constitutes personal information, such as names and addresses. Under FOI(A) this information is exempt under Section 40 (2) by reason of the first condition under Section 40 (3) (a) (i), as disclosure would contravene data protection principles under the Data Protection Act 2018 (DPA 2018). This is an absolute exemption and does not require a public interest test to be conducted in order for this information to be exempt from disclosure. Therefore, all personal information has been redacted.

Some of the information contained within the disclosure constitutes personal information, such as names and addresses. Under FOI(A) this information is exempt under Section 40 (2) by reason of the first condition under Section 40 (3) (a) (i), as disclosure would contravene data protection principles under the Data Protection Act 2018 (DPA 2018). This is an absolute exemption and does not require a public interest test to be conducted in order for this information to be exempt from disclosure. Therefore, all personal information has been redacted.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.gov.uk](mailto:CIO-FOI-IR@mod.gov.uk)). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the FOI(A). Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely

38 (Irish) Brigade FOI Team

Enc:

Annex A Verbatim Extracts from Various Documents

**Verbatim Extracts from Various Documents Relating to the Murder of Colin Nicholl on 11 Dec 1971**

**Director of Operations Brief – 11-12 December 1971**

1. 39 AIR PTPL BDE AREA

Belfast

Explosion

- a. At 1249 hrs the Balmoral Furnishing Shop, Shankill Rd a bomb exploded completely demolishing the building, killing two men and two babies, and injuring several, most of them were released from hospital.

**1 RS – Log Sheets – dated 11 Dec 71**

Serial	DTG	To	From	Event	Action	Sign
(a)	(b)	(c)	(d)	(e)	(f)	(g)
43	1234	1RS	RUC	Explos in Balmoral Showrooms Carlow St/Shankill Rd.	B Coy tasked	
44	1245	Ø	G2	RUC and fire bde at scene of explos ambl on way		
45	1248	1RS	Bde	I have been info by RUC that damage to Balmoral furnishing store is considerable. Am sending Sapers		

46	1252	1RS	RUC	Car wanted in connection with explos [Redacted] van containing 2 youth	
47	1255	1RS	RUC	Wanted persons Descriptions 2 male 1 female 1. Male 5` 8" long black hair, black coat, scruffy appearance. 2. Male – Heavy Build 3. Female 5` 3" long black hair, wearing black velvet ( <i>illegible</i> ) coat. Seen running down Downing St after Explos.	All Coy info
48	1300	1RS	B Coy	Have the following at Shankill Rd. OC Mbl standby pl arrive 3 mins. 1 immed	
50	1310	1RS	Bde	Sappers having difficulty reaching scene of explos due to crowd.	B Coy info
51	1315	1RS	Bde	Ref Serial 46 [Redacted] Austin Van Reg no [Redacted] heading towards city centre	All stas info
52	1323	1RS	1QIR	Coy attached to us this afternoon – could CC come to Flak St when convenient	Ops Offr info
53	1324	1RS	G29	One woman taken to hosp by amb seriously injured	
54	1325	Ø	G29	Recovered two children 1 dead the other still being dug out.	
55	1330	Ø	G29	Ref children both dead	
56	1332	Ø	G29	We can get no one at the moment who can give any info.	
57	1335	Ø	G29	Beside 2 children 2 male and 1 female (1 man and woman dead) have been found	
61	1347	1RS	Bde	CLF to visit scene of explos on route now	RTC info to await ( <i>illegible</i> )
62	1400 (sic)	1RS	G29	Most of the rubble cleared – unlikely that anymore bodies trapped. Ian Paisley has arrived. Crowd of 300 peaceful rd still blocked with ambes and fire engines. CLF has not yet arrived	
64	1330	1RS	B	Suspicious man seen near scene of explos 2 mins before by [Redacted] of [Redacted] Aberdeen St 5` 10" – 6` Brown Suit.	
65	1410	Ø	G29	A crowd of approx 200 at Hope Town/Shankill RUC have someone.	
66	1411	Ø	G29	Mr Paisley at scene talking to and trying to calm crowd.	

68	1418	Ø	G2	Wanted van [Redacted] seen in Crumlin Rd heading for Horseshoe.		
70	1423	Ø	Q5	Ref ser 68 spoke to rd block from G/S L not seen		
73	1430	Ø	G29	Crowd quieting down.		
75	1432	Ø	G2	Crowd slowly dispersed		
76	1434	Ø	G2	The man from Ainsworth was seen giving the V sign on the Shankill he was mistaken for [Redacted]		
77	1440	Ø	G29	Sitrep Shankill crowd 600/700 in area of explos and can handle situation with troops on the ground. reserves not required	In a moment of inspriation CO B fabricated details about the man giving V sign being a Prot. crowd believed him and withdrw	
83	1505	Ø	G29	Will RUC Guard be placed in scene of explos	No unless nearby shops have not completed boarding up	
85	1515	GWS	Ø	Official list of cas 4 dead 19 injured		
91	1559	1RS	G29	Now Allowing pedesterians through 10 at a time to avoid congestion		
92	1600	1RS	B	Rd now open to pedesterians from Craven St end. 1602 St completely open for pedestrians		
93	1605	1RS	B	Mechanical digger clearing rd. Foothpath open		
95	1615	1RS	B	Rd being swept should soon be able to allow tfc to pass. RUC requested keep blocks on until sweeping finished.		
<b>12 Dec 71</b>						
33	0950	1RS	B	Ptl has a green Rover Reg [Redacted] at the scene of explosion Shankill Rd, dvr in No2 dress with anorack covering. [Redacted], [Redacted], Belfast This man states he is in the TA 220 Sqn RCT, REME, Sunnyside St has no means of indentification	Checked with 25 Lt that he is a Cpl with REME – B Coy info	

**1 Q O Hldrs Log Sheets – dated 10/11 Dec 71**

Serial	DTG	To	From	Event	Action	Sign
(a)	(b)	(c)	(d)	(e)	(f)	(g)
15	1255		Ø	Ref explosion at Shankhill Rd ( <b>sic</b> ). Wanted - 3 men in [Redacted] van driven by Hippy type last seen movings ( <b>sic</b> ) towards Crumlin Rd.	Info CCA	
16	1255		Ø	Stolen car [Redacted] Morris 1100 [Redacted]	Info CCA	
17	1315		Ø	Ref [Redacted] van wanted in explosion (Ser 15) 1 Glosters report a [Redacted] Austin van [Redacted] travelling toward City Centre.	Info CCA	

**1 Q O Hldrs Log Sheets – dated 13 Dec 71**

Serial	DTG	To	From	Event	Action	Sign
(a)	(b)	(c)	(d)	(e)	(f)	(g)
			RUC	[Redacted]. Ardoyne area mother lives in [Redacted], Belfast he has a rifle and he would be able to hely ( <b>sic</b> ) with enquires into the explosion at the Shankill Rd on Sat.	Info 1 Qlr	

**1 Glosters Log Sheets – dated 11 Dec 71**

Serial	DTG	To	From	Event	Action	Sign
(a)	(b)	(c)	(d)	(e)	(f)	(g)
63	1235	O	B	Explosion in my area am investigating		
64	1235	B	O	Explosion is at Albert Hall shankill Rd Info recd from Rucksack means	1 RS infoed Bde info	
65	1250	Bde	O	Person from our Northern sub unit are assisting at scene of explosion	1 RS infoed	
66	1255	All Coys	O	Wanted in connection with explosion serial 64 [Redacted] van no further discription 2 persons 1 male 1 female Female wearing long black velvet coat Info recd from Rucksack means		
67	1303	O	B	Enough troops fm 1 RS now at scene of explosion serial 64 CS 2 with drawing	Bde Info	
68	1310	O	B	[Redacted] Austin van reported moving south down Townsend St into Divis St and then east.	Bde Info	
69	1317	O	B	[Redacted] van Regd No [Redacted] apprehended	Bde Info	
70	1328	O	B	[Redacted] and Rucksack req at Percy St to check out van	Bde and Rucksack	
78	1430	O	B	[Redacted] van serial refers is clean		

**1 QLR Log Sheets – dated 11 Dec 71**

Serial	DTG	To	From	Event	Action	Sign
(a)	(b)	(c)	(d)	(e)	(f)	(g)
21	1250	Ø	Bde	Wanted car [Redacted] van No further description believed to be	Passed to Coys	

				involved in recent Expl occupants of car 2 hippy type people		
24	1315	Ø	Bde	Ref expl in Shankill. Keep eye open on Ardoyne and in case of spread	Passed to B,C & Sp Coys	

**1 QLR Log Sheets – dated 13 Dec 71**

Serial (a)	DTG (b)	To (c)	From (d)	Event (e)	Action (f)	Sign (g)
15	1130	Ø	1 RS	Funerals fo pers killed by bomb on Shankill( <b>sic</b> ). The following are from 1 QLR area. 1. Harold King, [Redacted] Cliftondeane Cresent 2. Colin Nichol ( <b>sic</b> ) 19 Elmgrove St. 3. Tracy Nunn, [Redacted] Alloa St Date and time of funerals not yet known	1730 remains to Deanby Gdns 0900 High Mass	
17	1215	Ø	RUC	Funeral at serial 15. 1. Harold King, remains to Deanby Gdns Chapel 1730 Monday. Mass 0900 hrs Tuesday. Procession, Deanby – Cliftonville?. 2. Colin Nichol ( <b>sic</b> ) leave house 1100 Tues Elmgrove – Cliftonville. 3. Tracy Nunn, leaves house 1100 Tues, Alloa St – Manor St – Cliftonville St. The two funeral then meet. Proceed down Brookhill Ave		
23	1300	Ø	RUC	Route of Mr King. Now chapel-Deanby Gdns – Old Park Rd – Alliance Ave – Ardoyne Rd – Woodvale Rd – Springfield Rd	Passed to A & B Coys	
26	1408	Ø	Bde	Report of numbers of people attending funeral	B Coy all quiet no people C Coy report women and children coming out of Etna & Northwick	
28	1420	Ø	D3	Cortege now clear of Etna. approx 400, some now leaving procession	Passed to Bde	
29	1425	Ø	D2	End of procession clear of the ring approx 300 in cortege	Passed to Bde	
30	1430	Ø	D2	2 Funeral cars following cortege, plus approx 10 civilian cars behind then		



