

Bloody Sunday Inquiry hears evidence suggesting deliberate "shoot-to-kill" policy by British Army

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Before the inquiry into "Bloody Sunday" adjourned last week, it heard evidence suggesting that the British Army had followed a deliberate "shoot-to-kill" policy. The Saville inquiry, now adjourned until May 8, concerns the events of January 30, 1972 in Derry (Londonderry), when British soldiers from the 1st Parachute Regiment opened fire on a civil rights march called to protest anti-Catholic discrimination in Northern Ireland. Thirteen demonstrators were killed on the spot, and 17 were wounded, one of whom died later in hospital.

That day's events have been subjected to a cover-up by the British establishment ever since, but the British government acceded to a fresh hearing in order to secure Sinn Féin support for the May 1998 Good Friday Agreement, aimed at ending paramilitary conflict in Northern Ireland. The Saville inquiry, based in Derry, is expected to take two years to complete.

The concluding remarks of tribunal counsel, Mr. Christopher Clarke QC, centred on establishing the circumstances surrounding the shooting of the first victims: Damien Donaghy, then 15 years old, and John Johnston, 59. Establishing the course of events before the Paratroops entered the Catholic Bogside area was crucial with respect to allegations that the shootings were part of a pre-planned military operation aimed at intimidating and crushing the civil rights movement.

The inquiry has heard evidence that then Conservative Prime Minister Edward Heath had been warned three months before Bloody Sunday that "it may become imperative to go into the Bogside and root out the terrorists and the hooligans", and that the Army's second-in-command in Northern Ireland suggested that it might become necessary, after giving clear warnings, to shoot riot ringleaders in order to restore law and order in Londonderry.

However, Clarke claimed that "there is at present no evidence to support this". "It is of course possible for plans to be hatched in secret and kept out of documents that are themselves secret," Clarke continued, but "No indication is to be found, or has yet been found of the existence, fulfilment or non-fulfilment of any such plan."

Clarke concentrated on presenting alternative scenarios for the killings—mostly focusing on the tension and bravado of individual soldiers who feared attack, "increasing[ly] feeling that forces of disorder were on the verge of victory over the forces of civilisation." This contention is at odds with the evidence

presented to the inquiry.

The hearing heard that preparations had begun to move 1 Para from Belfast to Londonderry the day before the march. This was despite reservations about their use by senior officers, such as Royal Ulster Constabulary (RUC) commander Frank Lagan, who feared that a confrontation between the 12,000-strong march and security forces would "shatter such peace as is left in the city, create intense violence and remove the last vestige of moderate goodwill".

1 Para is one of Britain's top elite military forces and is used for specialised security operations. Clarke said that it had been suggested that as "one of the roughest and toughest units" in the army, they were "quite unsuitable" to carry out arrest operations during a riot. He noted that evidence concerning 1 Para's equipment showed "a use of lethal weaponry justifiable in time of war but not otherwise", but referred to notes of orders issued by the commanding officer, Lt. Col Derek Wilford, before the rally stating that the aim of the operation was to "arrest max. no. of rioters".

The inquiry was read the contents of a confidential memorandum from General Sir Robert Ford, then the second-in-command of the army in Northern Ireland, to his superior Gen. Sir Harry Tuzo, General Officer Commanding. Ford expressed concern at the number of no-go areas that the army was prevented from entering in Londonderry by pro-Republican youth, nicknamed the Derry Young Hooligans (DYH). In his memo, Ford claimed, "Against the DYH... the Army in Londonderry is for the moment virtually incapable". He added, "I am coming to the conclusion that the minimum force necessary to achieve a restoration of law and order is to shoot selected ringleaders amongst the DYH, after clear warnings have been issued."

Ford had discussed issuing soldiers with rifles adapted to fire .22 rounds "to enable ringleaders to be engaged with this less lethal ammunition". Thirty of the rifles were sent for "zeroing and familiarisation" training, although they were not to be used without authorisation. Ford stated, "we would have to accept the possibility that .22 rounds may be lethal."

In a submission by Gen. Ford to the inquiry, he stated that the suggestion "to shoot a few leaders was not an instruction to kill. Shoot and kill are obviously different words".

Clarke suggested that "in some quarters it was believed that the

time had come to deal with the 'Derry Young Hooligans' with greater firmness than before and to teach them the lesson that they were not immune from capture or, in more robust terms, to sort them out".

Lt. Gen. Sir Michael Jackson (who led the NATO forces in Kosovo) was a captain with the 1st Battalion of the Parachute Regiment in 1972. In his evidence, he claimed, "People should be careful not to make a ridiculous jump from a memo like that to an allegation that there was a deliberate policy to shoot people."

Jackson also told the hearing that he could not remember giving details of the 1 Para's only other operation in the city—one week before Bloody Sunday—to a *Sunday Times* journalist. According to the journalist's notes at the time, Jackson had complained that operation Hailstone, aimed at arresting rioters, "never got off the ground.... We couldn't get the yobbos out. They had been throwing stones for weeks.... We tried a bit of aggro, searches and things, to bring them out but they weren't falling for it." According to the notes, the young captain Jackson had said that his battalion had since wanted to "sweep through the no-go areas of the city". If he had said such things, Jackson told the inquiry, "then I suspect they were the bravado of a young officer."

Evidence from some of the demonstrators, who had attended a rally prior to the banned civil rights march in Derry, recalled being threatened by Paratroopers "that they would see them next week". The inquiry also heard of graffiti displayed after the shootings, including one written on a shop's wooden shutter stating, "Para's [sic] were here T E. and they f***ing hammered f*** out of you." It was accompanied by drawings of six coffins and six crosses and dated 16.45 hrs, Jan 30. Clarke said that none of this established the disposition of the army. The graffiti could represent a "celebration" for having defeated what were or what were thought to have been gunmen without army loss "or an indication of an over-hyped soldiery".

He also stated that a briefing document prepared by an unnamed colonel on the General Staff, indicating that the possibility of firing live rounds at rioters was being contemplated at the time of Bloody Sunday, had not been agreed by headquarters and was awaiting the outcome of the Londonderry parade.

Entirely contradictory accounts were presented of the events surrounding Donaghy's shooting, one of the very first victims, who was hit in the leg minutes before Paratroopers opened fire on the march. Statements submitted by soldiers on duty on January 30 claimed that they had come under fire first, just before 4 p.m. They described a high-velocity shot aimed at paratroopers located beside a church on the edge of the Bogside, and cited this as the justification for opening fire on the march. Most soldiers' accounts claimed that the shot came from the roof of the Rossville Flats. However the hearing heard that the high-velocity shot was not recorded in any army logs, nor did it feature in any of the civilian or journalists' accounts of events.

The hearing heard from Donaghy's friend, Sean O'Neill, 16 years old at the time. O'Neill described how he had left the main body of the parade and had seen a paratrooper crouching inside a building carrying a rifle. He said: "I was ready to throw a bottle at him when a gun came out of the window and fired. Within a second of hearing the shot I threw the bottle at the soldier and it hit him in

the chest.

"I presumed that the bullet fired by the Para had hit Bubbles [Donaghy] because he was hit in the upper part of his left leg and I assumed that when the soldier saw my head pop up beneath him he must have changed his angle of fire and perhaps hit Bubbles."

Clarke said that none of the civilian witnesses had seen Donaghy throw a nail bomb, the offence cited by the British army to justify the shooting, and many had stated categorically that he had nothing in his hand when he was shot. Civilians also denied that there had been any nail bombing in the area at the time. Charles Meenan, a former police officer, had made a statement at the time of Bloody Sunday in which he stated that he had seen a soldier in a derelict building off William Street open fire and hit a youth, who was dragged away before a second youth was hit. In his statement he added: "I must make it clear that no one where I was standing was involved in riotous or disorderly behaviour."

Civilian witnesses have also identified the first shots fired by soldiers prior to the paratroopers entering the Bogside as coming from different locations, suggesting that the military opened fire from a number of locations early on in events, and that more rounds were fired than previously recorded.

Despite evidence that the 13 protesters were shot down in cold blood, the inquiry has witnessed repeated attempts to divert attention away from the British army by blaming the IRA. The inquiry heard an account, submitted by British security forces and based on a submission by an IRA informer, that Sinn Féin MP Martin McGuinness had admitted to having fired the first shot. McGuinness, known to be a leading IRA member at the time, has played a crucial role in securing Republican endorsement of the Good Friday Agreement. He was Education Minister in the Northern Ireland Assembly prior to its suspension.

The informer, code-named "Infliction", claimed that McGuinness had admitted "that he had personally fired the shot (from a Thompson machine gun on 'single shot') from the Rossvill [sic] flats in Bogside that precipitated the 'Bloody Sunday' episode".

McGuinness condemned the material as "a pathetic fabrication" and "an attempt by the British military to divert attention from the fact that the Paras killed 14 innocent civilians on that day". Nonetheless, Clarke called on McGuinness to appear at the inquiry to answer the charge. Clarke said the importance of the evidence, if true, was obvious, and if false, "it is important that Mr. McGuinness should come forward at the earliest possible time to set the record straight. Now is the time to speak, not least because if people remain silent it may be said by some that silent they were because they had something to hide."



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