

## **Afternoon Session**

### **Public Hearings on the Barron Report for 17/02/2004.**

*The sub-committee went into private session at 3.40 p.m. and resumed in public session at 3.55 p.m.*

**Chairman:** I have to mention that Members of the Oireachtas have parliamentary privilege and hope Mr. Colin Wallace has been advised that he does not have this same privilege and is fully aware of the situation in this regard. I have one question for him. There are a number of names in the report which are in the public domain such as Hanna, Jackson and the Mitchells. There is a general understanding that these people actually committed the bombings. From where does this belief emanate?

**Mr. Colin Wallace:** By 1974, the security forces had established a fairly effective intelligence system throughout Northern Ireland. The Army had a number of agencies. In addition, there were also the two main civilian intelligence organisations, the Secret Intelligence Service and the Security Service, MI5, as well as the RUC special branch. We produced intelligence reports on a daily basis on all terrorist activity throughout the province. In addition, there were weekly intelligence summaries looking at the activities of the past week.

By 1974, it is true to say that probably most terrorist organisations were fairly well infiltrated by the intelligence services by one means or another and it was very unusual that we did not know, certainly within a week of the activity at the outside, who was responsible. That is not to say we had evidence to say they were responsible that would stand up in a court of law, but we certainly knew who carried out most of the terrorist activities. Looking back on the Dublin-Monaghan

bombings, I am satisfied that within 48 hours at most we had a fairly comprehensive list of the people who actually took part in it, not in the planning as such, but certainly the key figures in it.

**Chairman:** For the record, would you state what your position was and what expertise and professional qualifications you had?

**Mr. Wallace:** In 1974 I was the senior information officer at army headquarters in Northern Ireland. I was part of the psychological operations team. The psychological operations team sounds like jargon, but our task was to use psychological methods to support the army's operations. We dealt largely in black intelligence more than operational intelligence. My job was to study individuals and organisations. We looked at their weapons, their tactics, where they were getting money from and any supporters and links they had outside the United Kingdom. My role then was to use that information offensively against specific targets.

**Chairman:** You went to Mr. Justice Barron. Why are you coming forward and why are you so determined to assist in the resolution of the Dublin-Monaghan bombings?

**Mr. Wallace:** This is nothing new. I helped the Yorkshire Television programme when it was set up originally. I believe passionately that the people who died and who were injured in these bombings were let down by both Governments, north and south of the Border. The vast majority of the security forces I worked with, including the RUC, were thoroughly professional and did not get involved in collusion, but I have no doubt at all that collusion did happen.

At the same time I was a serving officer in the Ulster Defence Regiment. I was in the Ulster Defence Regiment because the army was seriously worried about infiltration, where members of paramilitary groups were joining the UDR for training, expertise and access to republican targets. Most of my colleagues feel the same as I do, that this was totally wrong. We feel that over the years this particular outrage in Dublin and Monaghan stands out, perhaps more than anything else that happened in the North of Ireland, because there is absolutely no reason at all to suspect that any of the people who were killed or injured had any guilt or involvement in paramilitary activity.

I was also involved in the original Widgery inquiry on Bloody Sunday and, more recently, in the Saville inquiry. What struck me was the amount of effort the British Government put into the Saville inquiry by disclosing documents - a vast amount of documentation, more than we ever saw during the Widgery inquiry - and I felt that this inquiry, which actually involved a greater loss of life than Bloody Sunday, had seemed to go by default.

As the first witness this morning stated, I still believe that the people who died were abandoned, particularly by the Government in the South. If the Government at that stage had put pressure on our Prime Minister, Harold Wilson, and Merlyn Rees and Stan Orme - the Minister and Secretary of State for the Northern Ireland Office - I believe we would not be here today because there would have been action taken against the people involved. We knew enough about them. The fact that there was no pressure to bring these people to book seemed totally wrong to me. This, to me, is the one really good opportunity where the Irish Parliament now can do something to redress the failures of the past.

**Chairman:** Were you fairly treated by the army at all times during the period you were with it?

**Mr. Wallace:** I was fairly treated by the army. I took up my post at headquarters in Northern Ireland in 1968 during the civil rights disturbances. I left in February 1975. I was forced out of Northern Ireland as a result of a dispute with the security service over the Kincora boys' home scandal in Belfast and then spent a number of years working with Mr. Mansfield, who was here this morning, trying to sort my life out as a result of what happened to me. By 1990 - I think it is germane to your studies - the Government - Margaret Thatcher was then Prime Minister - admitted after 20 years that Ministers had inadvertently misled Parliament over my role in Northern Ireland. To put it bluntly, the Minister for Defence had lied about what my real job was. There have now been three separate inquiries into my case and each one has upheld my position. I was awarded compensation as a result.

I stress this because, as Mr. Mansfield said this morning, getting information about intelligence matters is not easy. It took a long time but I must admit that after 20 years the Government did eventually come fairly clean about my case and I got it resolved but if I had given up in those early years when things were very difficult, they would not have been resolved. I have no conflict with the army whatsoever, far from it. I am still a very strong supporter of the security forces but in 1974 and the years that followed there were people who acted illegally for their own ends, and they have largely got away with it.

**Deputy P. McGrath:** I too welcome Mr. Wallace and once again our good friends, Mr. O'Neill and Mr. Ó Dúlacháin. Mr. Wallace indicated that he was head of security and as such had regular updates on a 24 hour basis I think he said-----

**Chairman:** Were you head of security, Mr. Wallace?

**Mr. Wallace:** No, I was a senior information officer, not head of security.

**Deputy P. McGrath:** Sorry, senior information officer. As such, you got briefings at 24 hour intervals-----

**Mr. Wallace:** Yes.

**Deputy P. McGrath:**-----on incidents, atrocities and so on in Northern Ireland.

**Mr. Wallace:** Correct.

**Deputy P. McGrath:** Generally, you would have had a list of suspects very quickly after something happened.

**Mr. Wallace:** On most occasions, yes.

**Deputy P. McGrath:** You used your office and the information you got. What exactly did you use it for? What was the purpose of your office?

**Mr. Wallace:** It had a wide range of roles, I suppose. First, we were trying to stop the supply of weapons and money to terrorists. During the 1970s, particularly, a lot of that money was coming from the United States, so we were trying to stop the traffic in arms from the United States to the North of Ireland. Second, we were trying to stop the sectarian killings.

To put this in context, at the time the bombings in Dublin and Monaghan took place, we were in the middle of the Ulster Workers Council strike. Those of you who can remember back to that time will realise that in England there was the

three day week, a massive programme of industrial unrest which largely brought down the Heath Government. A Labour Government came into power to implement the power sharing Executive which the Heath Administration had drawn up. The political scene was changing frenetically, and behind the scenes the British intelligence community had established dialogue with both the UVF and Sinn Féin with a view to bringing them into the political arena to take part in the Assembly elections. It was felt that the sectarian killings that were happening during 1974 were making that political initiative very difficult. My job, and that of my unit, was to try to target the assassination groups throughout the whole of Northern Ireland to try to stop the killings. One of the most active assassination teams was the UVF group in mid-Ulster. Largely, that was, of course, the group we suspected of carrying out the attacks in Dublin and Monaghan.

**Deputy P. McGrath:** You tried to infiltrate these groups and use the information you were gathering to discredit them, individuals perhaps-----

**Mr. Wallace:** The intelligence services did. I was getting the product of the information from those sources.

**Deputy P. McGrath:** You were subsequently aware very quickly of assassinations. Were you aware sometimes that specific people were being targeted for assassination?

**Mr. Wallace:** Very rarely. It was clear that the people doing the killings were getting their information from well informed sources but quite often the killings were quite motiveless. We felt they were designed purely to cause tension within the community. They were not hitting the IRA and the IRA was not hitting the

UVF, it was basically just killing people to cause tension between the two communities.

**Deputy P. McGrath:** So on occasions you were aware a particular group was targeting or intending to carry out an assassination?

**Mr. Wallace:** I would not normally know that in advance. I am not saying we did not know about them in advance. I am quite sure we did on some occasions.

**Deputy P. McGrath:** If you knew in advance of a particular assassination, what kind of action might your office take?

**Mr. Wallace:** We would do several things. If the target was a person we could easily approach, we would quite often stake out their premises and even put members of the security forces into their houses. We did this on a number of occasions.

**Deputy P. McGrath:** What happened when it was someone you could not approach?

**Mr. Wallace:** I do not know. That was not my role. That information would be passed on to the operational intelligence people in each battalion. Every Army battalion had an intelligence officer and each brigade has its own intelligence staff.

**Deputy P. McGrath:** What would you do if you were aware of the attack in advance?

**Mr. Wallace:** If we had the information in advance, it would be down to the unit to take such action as it felt it could at the time.

**Deputy P. McGrath:** I put it to Mr. Wallace that if anyone here today was told a person down the road was to be killed, we would take dramatic action. Did you not feel it was your role to take dramatic action to prevent the death of someone you knew was to be killed?

**Mr. Wallace:** No-----

**Chairman:** We must get back to the terms of reference of the report. This is not a trial of Mr. Wallace.

**Deputy P. McGrath:** This is important in setting the scene in terms of what was happening at the time. Mr. Wallace is telling us he was gathering intelligence and knew what was happening in a range of communities in Northern Ireland----

**Chairman:** Could the Deputy use the briathar saor, más é do thoil?

**Mr. Wallace:** The Deputy is misinterpreting my role. The role of the unit on the ground was to deal with the operational day-to-day matters. My job was in headquarters, sifting information. I had no role in working with brigades or battalions. The battalion commanders undertook that role, as did the RUC. I had no active role from a day to day point of view with the troops on the street. The army, like the police, work to a very strict command system. That was not my function.



**Chairman:** We have 15 minutes more in which to question Mr. Wallace. Representatives from the Pat Finucane Centre have come to Dublin especially for the hearing and we will hear from them at 4.30 p.m. I ask that questions and answers be kept brief.

**Deputy P. McGrath:** I am trying to establish the type of approach taken by intelligence and possibly active units to activities that were to take place. To what extent would they have condoned "hits" on particular communities? That is the type of information I am seeking. That would put in context for us whether it was possible that it was known a particular group was targeted to do a particular job in Dublin and Monaghan. I find it difficult to understand a mindset like that. I thought Mr. Wallace, with his background and access to information, might be able to tell us if that mindset existed, how it came about and if it was possible to facilitate movement of such people.

**Chairman:** I must ask the Deputy to allow Mr. Wallace to answer that question. We must move forward.

**Mr. Wallace:** It is fairly straightforward. If I got information, through headquarters, from an informant that somebody was being targeted I would pass it to the relevant brigade to take action. Usually the information came to me in another way; it came from units and was passed up. The information I got was usually information that was no use operationally; it was about people and what they were doing and related to a much more long-term operation. It came up through the channels for me to collate. In a way, it is a little like a librarian or an archivist. I was collecting a vast amount of information not directly involved with operations. If I got information of the type described by the Deputy, then I would of

course have passed it down to the brigade where the attack was likely to take place.

**Deputy F. McGrath:** I welcome Mr. Wallace and thank him for making his oral and written submission to the sub-committee.

Mr. Wallace mentioned that part of his brief was psychological operations. You say you were targeting people directly involved in sectarian murders. Were there any people involved in such murders whose names emerged lately as suspects in connection with the Dublin bombings?

**Mr. Wallace:** Yes.

**Deputy F. McGrath:** You said you were involved in helping Yorkshire TV in the "Hidden Hand" programme. You also mentioned that you felt that the families had been let down. Is your criticism directed at both and successive Governments in not looking after the citizens of the State?

**Mr. Wallace:** It is directed at both Governments. Had there been an inquiry of the Bloody Sunday type, despite its weaknesses, there were many people within the security forces who would have welcomed the opportunity to come forward and give evidence but no one inside the security forces was willing to take the risk of actually complaining about what was going on. We actually have to give them the platform. My view is that if either Government had done that, if the Irish Government had pressed Howard Wilson and Merlyn Rees for support, I believe passionately that that would have happened but because that did not happen, those people within the security forces who probably found collusion useful were all too willing to allow it to go on.

**Deputy F. McGrath:** You mentioned the 1974 strike, the workers council and the fact that Rees and Wilson were in power. From your experience in your previous job, is there any evidence that the politicians were in any way aware of these types of activities being carried out by the security forces or do you think they were operating on their own?

**Mr. Wallace:** I do not believe for a moment that Merlyn Rees, whom I knew, would have condoned any type of collusion. I imagine he was kept totally in the dark about what was happening.

**Deputy F. McGrath:** Do you think that they could have been involved in assassinations, murders and bombings, planned in an open way at a farm at Market Hill, and that the political Establishment was not aware of it?

**Mr. Wallace:** I think it was possible at that stage in 1974. It would not have been later on because there was a major shake-up of the intelligence community. If you look at the inquiry by Mr. Stevens and others into some of the collusion that went on, I think in 1974, perhaps because there was not the control that there should have been, people got away with it because they knew there would not be an inquiry. It was all just too easy to turn a blind eye to it. That cannot happen quite so easily today. I am not saying it cannot happen but it is much more difficult to do that.

**Deputy Costello:** I very much welcome Mr. Wallace and thank him for coming along. In your submission, on page 170, in the second paragraph, you say that between 1973 and 1975 the militant approach won out as MI5 gradually gained

overall control of intelligence operations in the North and that MI5 preferred military over political means. In your opinion, would that have had a significant bearing on what happened during that period and shortly afterwards?

On page 172 you state there is good evidence that the Dublin bombings in May were a reprisal for the Irish Government's role in bringing about the Executive and that the people you name, the Hannas, Youngs and so on, worked closely with the Special Branch, military intelligence, etc. Are you saying there was level of political nous among loyalist paramilitaries at that time, that they were seriously into political-military decisions combined to achieve a political objective, so to speak?

On page 174 you state army intelligence had identified a list of suspects within 24 to 36 hours of the bombings taking place, received further information from meetings between the two Governments and that there was very good information on who was responsible for the bombings. Are you saying that, were we able to access them, there should be original files or information with the list of people who were responsible for the Dublin-Monaghan bombings?

**Mr. Wallace:** I believe so. If I can deal with the last question first, when I was recently working on the Saville inquiry, the reports released from Special Branch and intelligence sources showed that the intelligence authorities and Whitehall kept very good archives on all the documents produced during that period. That was three years before the Dublin-Monaghan bombings. Bearing in mind that they had such a good range of documents, I believe a similar amount of information would have been kept on this activity.

Bearing in mind that the Dublin and Monaghan bombings created a greater loss of life than any other incident up to that time, it was a major issue for the intelligence services. If we look at the UWC's strike, the army's biggest concern

was that the loyalist paramilitary groups, who for the first time were working in unison, were using their muscle to intimidate people from going to work. It is true that there was a major difference of opinion within the intelligence community. The security service felt that a military solution was the easiest to achieve. They disliked and indeed were very opposed to the behind the scenes negotiations MI6 was carrying out with the UVF and Sinn Féin. We had the UVF and Sinn Féin both de-proscribed in April 1974, just one month before the bombings. We do not believe at that stage, having just been made legal to take part in political dialogue, the UVF would then, from the brigade point of view, have initiated these bombings but what there was within the UVF was a break-away group in north Belfast, east Antrim and mid-Ulster and these were the hard liners. Largely, we felt that because they were so opposed to the Anglo-Irish Agreement and the increasing role Dublin was playing in Northern Ireland affairs, which was of benefit to the political side, that that perhaps was the catalyst. They used the coming to power of the Wilson Government, who was probably regarded as being pro-republican, which was not the case but certainly sympathetic to the Nationalist community. Therefore, you largely had the RUC Special Branch and the security service on one side of the intelligence fence and, predominantly, the army and MI6 on the other side.

**Deputy Hctor:** I thank Mr. Wallace for being with us today. Lists given to you in the targeting of certain people were occasionally returned to you with the names deleted of people who were no longer to be targeted. Was this a common practice or was it unusual for you to receive such documentation?

**Mr. Wallace:** It was a fairly common practice because sometimes the individuals were informants for the security forces or perhaps were being targeted

for other reasons. To ensure we did not compromise any ongoing operation, we would quite often just be warned off. It was fairly normal. The interesting thing is that some of the figures who were excluded were key members of the mid-Ulster UVF who were so active in terrorism at that time.

**Deputy Hctor:** I see.

**Chairman:** You also stated to Mr. Justice Barron that it would be wrong to attach too much significance to the fact that clearance had not been granted. You do not recall any specific reasons for the withholding of clearance on that particular occasion but it did occur fairly frequently on other projects.

**Mr. Wallace:** That is absolutely correct, yes.

**Deputy Hctor:** I turn to the relationship between the Garda and the various forces in Northern Ireland at the time. In your statement you state that there was a good relationship with the Garda and the forces in Northern Ireland.

**Mr. Wallace:** Yes.

**Deputy Hctor:** As I recall the visit of the Garda Síochána representatives who spoke to us in this room, they said it was on a very casual basis, that there was not a lot of interaction between them. Would you agree, that the relationship was quite formal?

**Mr. Wallace:** Yes. I think that is true. While we had fairly good links at high level, because of the nature of the two armies and the political structures of both

countries, there was not a political structure which allowed co-operation. Between the units on the ground, particularly in the Border area, they got on very well and we had no difficulties whatsoever.

**Deputy P. Power:** I thank Mr. Wallace for coming. In the document dated 28 June 1974, which you submitted to Judge Barron and which he refers to on pages 172 and 173 of his report, you submitted a list of individuals to senior people in the information policy unit. As he told Deputy Hctor, some of those names came back blanked out. He obviously cannot tell us the name of the individual who gave him those directions but can he tell us how senior that person was?

**Mr. Wallace:** They would have been jointly shared by the head of British Army intelligence and the Special Branch. Normally on the command tree was a joint staff colonel in charge of army intelligence who would have at least weekly meetings with the head of the Special Branch. Usually, decisions would be taken to make sure that both organisations at least had a common agreement on major operations. For example, a target could be an RUC informant, or the RUC could ask for that individual not to be targeted because it had a particular interest in him or her. It did not necessarily mean that the army was involved with that person.

**Deputy P. Power:** Mr. Wallace subsequently wrote to Mr. Justice Barron to say that it would be wrong to attach too much significance to the fact that clearance was not granted.

**Mr. Wallace:** Yes. That is right.

**Deputy P. Power:** The witness does not see this as of huge significance.

**Mr. Wallace:** Not at all.

**Deputy P. Power:** Arising out of Mr. Wallace's extensive experience in the intelligence area, could he speculate as to whether the genesis of the Dublin and Monaghan bombings came more from the intelligence, Special Branch side rather than from the paramilitary side? In other words, is it plausible for someone on the intelligence side to say to UVF contacts that it would be a great idea to bomb Dublin and Monaghan - or did the genesis come from within the loyalist paramilitaries? Could it have come from the British side?

**Mr. Wallace:** It could. The problem is that in 1974, because of the intense atmosphere and the hostility towards the power-sharing executive, it is very difficult to draw a line between the two. As I said to Mr. Justice Barron, the people we suspected of doing the Dublin and Monaghan bombings were either members of the security forces or had been, that is either RUC or UDR. That does not exclude the possibility that intelligence officers from one of the other agencies manipulated the people and gave them information to help them plan the operation. At a rough guess, it would take about 30 people to carry out that type of operation, in terms of all the support and so on involved. My concern is that, bearing in mind that intelligence was effective in 1974, that group was a major threat to the security forces. I cannot believe that we did not get information about those bombings, bearing in mind how closely the group worked with former serving members of the security forces. The relationship was too close for it not to be seen.

**Deputy P. Power:** Was that at a senior level?



**Mr. Wallace:** I think it was at ground level, but my argument is that the people sitting back at my level would have been looking at patterns of violence, and targets, and there would have been indicators raising very serious questions about the capability of that group. It never before or afterwards carried out an operation on that scale or with that efficiency.

**Chairman:** Can you confirm whether there is specific evidence to show that any members of the British security forces were involved in the Dublin and Monaghan bombings? Is there specific evidence?

**Mr. Wallace:** I am sure that evidence exists.

**Chairman:** Can you confirm it?

**Mr. Wallace:** I cannot, because the sole information source I have is what the sub-committee has seen. I am no longer part of the service, so I do not have access to it.

**Chairman:** That is fine. I am sorry for being short, but there is a difficulty with time.

**Senator J. Walsh:** Mr. Wallace mentioned that the security forces would have had informants within all the paramilitary organisations in Northern Ireland. Given that most of them operated within cells, is he saying that they would have been sufficiently widespread to be involved in the cells right across Northern Ireland?

Specifically, does Mr. Wallace know if there were informants involved in the Glenanne group?

**Mr. Wallace:** In terms of the people we targeted, it is now public knowledge that the intelligence officers, for example, for the UDA, Brian Nelson and his predecessor, were now both army agents. If one targets a key person like an intelligence officer, he tends to know what is going on in the cells as well or the quartermasters, for example, because they make sure the weapons get to the right place to carry out terrorist activities. Of course one cannot say we would have access to the information on every cell but if one was dealing with a major operation, which goes way beyond cell structure, I find it difficult to accept that we would not have had some sort of prior warning that there was a major movement of explosives or personnel.

**Senator J. Walsh:** I do not know how many are on the list we have before us. Is it 30? How many of those would have been serving members of the British forces at the time or the police forces?

**Mr. Wallace:** Of the people involved in the bombing of Dublin and Monaghan, I would have thought probably about six were still serving. The person who organised it, or the main organiser, had been convicted of possession of bomb-making materials a month before and had resigned from the UDR, but had been a UDR member up until then. Two others had been members of the UDR a short time before so there was quite a strong percentage.

**Senator J. Walsh:** Who would have controlled the informants within those paramilitary groups? Would they have been reporting to different agencies and personnel? At what level would that control have been exercised?

**Mr. Wallace:** It is very-----

**Senator J. Walsh:** Also, to go back to an earlier question from my colleague on the knowledge Mr. Wallace would have acquired, throughout this document, and other similar situations, there would have been evidence to suggest that information within the remit of the security forces would not have been acted upon to prevent certain occurrences-----

**Mr. Wallace:** Yes.

**Senator J. Walsh:** -----because of the danger of exposing individual informants and therefore cutting off sources of information.

**Mr. Wallace:** That is true. In terms of agent handling, it depended on the value and the position the informant held. Quite often, low level informants were handled by junior officers, or indeed senior NCOs, but once the quality of information merited it, it would then be passed up through battalion, brigade and eventually would probably be handed over to one of the specialist intelligence people at Lisburn. One could almost judge the value of the informant by the person who was handling him.

The other thing to say is that because of the "need to know" principle, we did not know the names of informants, even from our colleagues. Everyone had code numbers so one was only dealing with a number. There was a fairly strong flow of

information coming from a paramilitary group and that would indicate perhaps that both the Special Branch and the army were running agents inside that group at the same time. Sometimes, from my own experience, we were running the same person but we did not know it.

**Senator J. Walsh:** Mr. Wallace did not know because different agencies were doing it.

**Mr. Wallace:** That has now changed. There is a much more structured system now but that was the case in 1974.

**Senator J. Walsh:** Mr. Wallace operated within the psychological unit, if that is the correct terminology.

**Mr. Wallace:** Yes.

**Senator J. Walsh:** That unit had sources of information and presumably those sources were feeding information into the system, but Mr. Wallace mentioned the word "manipulation". Would it be fair to say that the purpose of the unit was to try to ensure that actions were prevented-----

**Mr. Wallace:** Yes.

**Senator J. Walsh:** -----which might have a political knock-on effect when one was trying to achieve something politically? Would it be fair to say also that sometimes actions would have been promoted through manipulation in order to achieve the same objective?

**Mr. Wallace:** Yes. That is absolutely true.

**Senator J. Walsh:** Would some of the activities promoted have been criminal activities?

**Mr. Wallace:** Yes.

**Senator J. Walsh:** Such as atrocities?

**Mr. Wallace:** Yes.

**Senator J. Walsh:** And killings?

**Mr. Wallace:** Yes. That could happen.

**Chairman:** Mr. Wallace, thank you very much for coming in today. His contribution was very insightful and useful for the committee. I am very grateful to you for attending. We will see you, Mr. Ó Dúlacháin and Mr. O'Neill at 10 a.m. tomorrow morning.

*Sitting suspended at 4.35 p.m. and resumed at 4.37 p.m.*

**Chairman:** I apologise to representatives of the Pat Finucane Centre for the delay. I know they have spent a good deal of time here with families and with people who expected to be out of here by now. We apologise for that.

Proceedings ran over but, unfortunately, that happens. I hope we can still do our business in an effective manner.

I welcome Mr. Paul O'Connor, Mr. Alan Brecknell and Ms Johanna Keenan of the Pat Finucane Centre. I would remind you that members of the sub-committee have parliamentary privilege but that privilege does not apply to the witnesses. I invite Mr. O'Connor to commence.

**Mr. Paul O'Connor:** We wish to thank the sub-committee for the invitation to make an oral presentation today. I especially want to acknowledge the attendance of a number of relatives from both sides of the Border here joining us. We do not intend to revisit every aspect of our written submission but rather hope to expand on certain aspects.

**Senator J. Walsh:** I ask that you hit the salient points because we received your submission only this morning and have not had the opportunity to analyse it thoroughly. Therefore, please ensure you hit all the salient points.

**Mr. O'Connor:** We will restrict ourselves to approximately 25 minutes. We understand you have had a long day and we will then take questions. The Pat Finucane Centre is a human rights NGO based in Derry. We are not aligned to any political party. The ethos of the group is anti-sectarian and non-violent. We believe human rights have been violated by all participants to the conflict in the North.

Work on the research project on collusion in Armagh, Down, Tyrone and the Border areas in the 1970s, including the murder triangle, has been ongoing since 1999. We call the project "The Recovery of Living Memory Archive". Since 1999, we have been involved in extensive research including meetings with survivors,

relatives, witnesses, elected representatives at the time, journalists, solicitors and clergy. In the course of this we have traced and spoken to witnesses and survivors throughout Ireland, Britain and as far afield as the United States and Sweden. We have also engaged in extensive correspondence with the Public Records Office, the Courts Service, coroner's courts, the Director of Public Prosecutions, former secretaries of State, the Lord Chief Justice in the North and the Barron commission. Meetings have been held with former members of the RUC and British Army intelligence. Having spoken both to an RUC officer who carried out attacks and to an officer who investigated attacks, we believe we gained a unique insight into collusion at the time. In addition, we have been involved in protected correspondence with various divisional crime units of the then RUC and the present PSNI in Newry, Dungannon, Banbridge, Armagh, Lurgan and at headquarters. We have also accompanied family members to meetings with designated PSNI officers from various divisions where we have gained partial access to investigation files. We are convinced this research has yielded valuable results. It is on that basis we have made this submission and on that basis that we intend to impress on the members on this sub-committee that the events of 17 May 1974, which resulted in the deaths of 33 people and an unborn child, and injury to hundreds more, are connected to events prior and subsequent to the Dublin and Monaghan bombings.

The sub-committee has been given the task of recommending whether, according its terms of reference, "a further public inquiry into any aspect of the report would be required and fruitful". It is our submission that a further public inquiry would be required, would be fruitful and, indeed, is unavoidable.

**Mr. Alan Brecknell:** Therefore, why are we sitting here today? On 19 December 1975, Donnelly's Bar in Silverbridge, County Armagh, was attacked by

loyalist paramilitaries. During the gun and bomb attack, three people were killed, 14 year old Michael Donnelly, Patsy Donnelly and my father, Trevor Brecknell. Many people also suffered horrific injuries. Earlier that same night, some ten miles away in Dundalk, Jack Rooney and Hugh Waters were killed and scores of others injured when another loyalist bomb exploded outside Kay's Tavern in the town. My parents had moved to my mother's home in south Armagh because they felt that Belfast, where my mother was a nurse, was too dangerous.

My sister Roisin was just two days old and my father was on his way home from hospital. He called in to Donnelly's to have a celebratory drink with his workmates. It was the last Friday before Christmas. The car drew up with a number of men in it. Suddenly, the men opened fire outside the bar. Then they came inside and sprayed the customers with gunfire. Before leaving, they shouted "Happy Christmas, you Fenian bastards" and threw in a bomb which destroyed the building.

My father was originally from Birmingham in England. After his murder, his family in England were led to believe that their son had been killed by the IRA and were told that it would not be safe for them to travel to south Armagh for his funeral. His mother, my grandmother, went to her grave two years later believing this to be the case. His father, brother and sister now know that this is not so.

At the time of my father's murder, I was seven years old, my brother was six and, as I have already said, my sister was two days old. Even at this young age, I was aware that local people believed that members of the security forces were involved in the attack. In 1999, the families of those killed came together and decided they wanted to know as much as they could about the murders of their loved ones. We had received no information from the RUC in relation to their investigation. This is when I contacted the Pat Finucane Centre.



We took statements from all those who were in the bar that night. For many, this was the first time they had been asked to give a statement. However, some of those who had spoken to the RUC investigating officer after the attack believed that he was a genuine and decent man and that he was determined to bring those who were responsible to justice. In January 2000, a meeting was held with this RUC officer, who had been promoted in the meantime to the rank of chief superintendent and was based at RUC headquarters. During the meeting, this police officer, who had led the original investigation, told us that members of the RUC and UDR had carried out the attack with loyalist paramilitaries, that details of the investigation were being leaked to a suspect in circumstances that he found suspicious - we should add that this man was also a suspect for the Monaghan bombings - that he, the investigating officer, became fearful for his own safety as the investigation progressed and that permutations of the same gang were involved in the bombing at Kay's Tavern in Dundalk, the murders of Sean Farmer and Colm McCartney on 24 August 1975 at Alnamacken in County Armagh, the murders of the Reavey brothers, Whitecross, County Armagh, on 4 January 1976 and the Dublin and Monaghan bombings of 17 May 1974. This information made us realise that the events of 19 December 1975 were more than just a personal tragedy for five families in south Armagh and Dundalk.

**Mr. O'Connor:** In our written submission we argued that the Dublin and Monaghan bombings and the crucial issue of whether there was collusion in these attacks can only be understood within a broader context. Our core assertions are that permutations of the Glenanne group carried out a large number of terrorist attacks, resulting in dozens of deaths and hundreds of people injured with virtual impunity; that the failure to bring the perpetrators of Dublin and Monaghan to account enabled them to continue to perpetrate terrorist attacks on both sides of

the Border; that the criminal justice agencies in Northern Ireland covered up the widespread activities of this group and that the activities of the Glenanne group demonstrate a culture of collusion and impunity in the mid-Ulster and Border areas in the mid-1970s, which thwarted attempts to bring charges against the perpetrators of the Dublin and Monaghan bombings.

I want to deal with the first two points together. Justice Barron referred to the Glenanne group. Permutations of the same group were responsible for a large number of fatal attacks throughout the mid-Ulster and Border areas in the mid-1970s, including the Dublin and Monaghan bombings and the bombings at Dundalk and Castleblayney. The gang operated out of a farm at Glenanne, Markethill, owned by James Mitchell, a member of the RUC Reserve. The group was predominantly made up of serving RUC officers and UDR soldiers. This group often operated with loyalist paramilitaries from the Portadown-Lurgan, Moy and Dungannon-Moygashel areas. The use of this farm was known to the security and intelligence community as early as 1972 - see Barron, page 176. Its role as a staging post for the perpetrators of the bombings in Dublin in 1974 is believed to have been known within a short period of time - see Barron, page 287.

It was at this farm that weapons were stored, bombs were made and attacks were planned. Despite its central role in relation to attacks in South Armagh and beyond in the mid-1970s, it was not until admissions were made by Constable William McCaughey in 1978 that the farm was finally raided. Although weapons, ammunitions and bomb-making components were recovered at the farm, Mitchell received a suspended sentence. The failure to bring the perpetrators of Dublin and Monaghan to account - our second allegation - enabled them to continue to perpetrate attacks on both sides of the Border.

The extent of the activities of the group is perhaps best demonstrated by focusing specifically on the cases that are linked to the Glenanne group. I invite Johnanna

to make a contribution at this point and I want to ask if each member has his or her coloured chart.

**Ms Johanna Keenan:** I shall talk members through the three charts provided. These are not in the correct order so I will point to each one as I progress. First, I refer members to the chart entitled "Perpetrator Links". This chart was compiled using information obtained from official sources, information relating to convictions and information about the alleged perpetrators of the attacks.

At the centre of the chart, in the grey box, are the Dublin and Monaghan bombings and the Miami Showband attack. As you will have seen from the Barron report, individuals from each of the four areas - Glenanne, Portadown, Annaghmore and Dungannon - in the red boxes were involved. Available information also points to individuals from each of the areas being involved in the Miami Showband attack. We should remind ourselves that these were perpetrated by a combination of security force personnel in collusion with loyalist paramilitaries.

The chart shows that the distinct groups were carrying out attacks independently of each other. A number of these attacks are documented in the yellow boxes. We have included a number of these attacks but believe there are many more linked. For example, we see that loyalist paramilitaries from Annaghmore and Dungannon were carrying out shootings and bombings throughout the period and many sectarian murders were also perpetrated by members of the Portadown UVF.

The green boxes demonstrate attacks when individuals from two different areas came together to carry out attacks. Of central relevance to this hearing today is the dark green box, outlined in red. These were perpetrated by individuals linked to Glenanne, that is, security force personnel, along with loyalist paramilitaries.

These include gun attacks at family homes, gun and bomb attacks on bars, a bogus UDR checkpoint and car bombs. This evidences a special relationship between those operating out of Glenanne and the Portadown UVF. Seventeen people died and many more suffered injuries and trauma. Furthermore, individuals from Glenanne, Portadown and Dungannon came together to carry out the car bomb attack in Dundalk also currently under consideration by Justice Barron, which left two more people dead and is included in the blue box.

Why is this important? It is important because we are demonstrating that not only did individuals come together from various geographical areas to carry out the attacks at Dublin and Monaghan but that individuals came together on more than one occasion to perpetrate other attacks. If we take the Glenanne group and look at the boxes emanating from it, we can see that their activities, in conjunction with loyalist paramilitaries, resulted in the deaths of dozens of people. Literally dozens more were killed by loyalist paramilitaries in the other attacks documented in the chart. It is central to our argument that this not only should but could have been prevented.

The wider activities of the Glenanne group can also be illustrated by focusing solely on ballistic links. I now refer you to the chart entitled "Ballistic Links - Weapons". If we take Glenanne as our starting point, again in the red box, we can trace eight weapons to the attacks carried out by this group. Four weapons, a Parabellum sub-machine gun, a Webley revolver, a Luger and a .45 ACP pistol, have been linked to attacks predominantly involving individuals from the Glenanne group. In addition, the Star pistol was used in at least one attack in which individuals from Portadown UVF and the Glenanne group came together.

Then we come to the Sterling sub-machine gun, a second Luger and a second Parabellum sub-machine gun in the centre of the chart. All of these weapons are linked to individuals from each of the four areas. Out of the perpetrators' links

chart, this chart demonstrates the other activities of the various groups carrying out attacks independently of each other. We see clearly through the three central boxes that there was co-operation between the four areas in terms of the weapons they were using to carry out multiple murders. These attacks include some of the most notorious killings of the conflict, including the Miami Showband attack, the murder of several members of the Reavey and O'Dowd families and the killing of both parents in the cases of the Mullan, McKearney and Devlin families. This is a graphic example of the extent of co-operation between individuals operating in the various areas throughout the mid-1970s, as they had in Dublin and Monaghan in 1974. We should remember that while we are looking at charts and data and colour codes, these weapons have a real and horrific meaning for families in this room today who witnessed at close hand family members being killed with these weapons.

If we now turn to the chart entitled "Ballistic Links - Attacks", we can begin to see the human cost of the activities of the groups as evidenced by links made solely by virtue of confirmed ballistic links. For purposes of clarity we have inserted the attacks perpetrated using each individual weapon in boxes coloured to correlate to the previous chart. For example, the bright blue box at the top left of each chart demonstrates that a Webley revolver was used in the murder of Seán Farmer and Colm McCartney at Altnamackan and in the murder of three brothers from the Reavey family.

We focused on the attacks using weapons linked to the Glenanne group by tracing the arrows emanating from the Glenanne box. In these attacks alone, 30 people were killed, killed with weapons linked to the policemen and soldiers operating out of Glenanne. Again, the boxes on the right hand side of the chart document other attacks linked to individuals from the Annaghmore and Dungannon areas resulting in many more deaths.

You may wonder what relevance this has to the work of this sub-committee, after all no weapons were used in the Dublin and Monaghan attacks. However, we believe that this is of key relevance to you in your determination of whether further inquiry is required. The ballistic links charted here, to use the words of Justice Barron on page 285 of his report, demonstrate "part of a continuous course of conduct existing since at least 1973".

The Dublin and Monaghan bombs were not a one-off event in terms of the coming together of members of the security forces and loyalist paramilitaries. The individuals came together on numerous occasions, as clearly illustrated by the ballistic links outlined in these charts, to carry out multiple murders. Significantly, it should be noted that the majority of the attacks documented in the chart took place in the two years subsequent to the Dublin and Monaghan bombings. The failure to bring the perpetrators of those bombings to justice clearly had fatal consequences for subsequent victims.

These links become all the more relevant in light of Mr. Justice Barron's findings that weapons "were obtained from some central quartermaster to whom the guns were returned after use". Other information at the same time suggested that whoever the quartermaster may have been, the guns may have been kept at James Mitchell's farm at Glenanne, to which Appendix 3 of the Barron report refers. This is corroborated in other information provided to the PFC. In the case of Donnelly's Bar, for instance, the PSNI has recently admitted that the attackers returned to Mitchell's farm after carrying out the attack.

**Mr. O'Connor:** This brings us to our third point, the response of the criminal justice system in the widest sense of those tasked with investigating wrongdoing - the RUC at the time - those charged with prosecuting wrongdoers - the Director of Public Prosecutions - and those who responsibility it was to judge and sentence

anyone convicted of a crime - the Judiciary. We contend that the criminal justice agencies of Northern Ireland covered up the widespread activities of this group. In a memorandum submitted to this committee, the Secretary of State, Paul Murphy, stated "it is a matter of record that some members of the RUC and UDR were convicted of collusion with loyalist paramilitaries in 1970s." The fact that they were successfully prosecuted and convicted indicates that the authorities in Northern Ireland took such matters seriously - paragraph 15 refers.

It is reasonable in our view to extrapolate from this that if there is evidence that the authorities failed to fulfil their legal obligations to successfully prosecute and convict members of the security forces who colluded, then that is evidence to the contrary, that is, the authorities did not take such matters seriously. Does such evidence exist? It does in abundance. It is our contention that the actions of two Chief Constables, the Office of the Director of Public Prosecutions, the then Lord Chief Justice and the Northern Ireland Office raise the most serious questions in regard to the Glenanne group and the rule of law.

Contrast the Secretary of State's assertion to this committee with the reality. In 1976, Joe McGleenan was the owner of a small rural bar, the Rock Bar, just 15 minutes drive from Glenanne. In a night in June of that year a car stopped outside his pub. Several men alighted from the vehicle just as a customer, a local farmer, was leaving. They opened fire and left him seriously wounded. They then placed a bomb at the door and fired through the window into the bar with a submachine gun.

Such events regrettably were not unusual in the North. What was unusual was the employment status of the gang. All were members of the RUC. The second getaway vehicle was a police car. The police radio was used to clear the escape. One of the perpetrators even boasted that they were back in the police station in time to get the emergency call. As a measure of how seriously the authorities took

such matters - to quote what the Secretary of State said to this committee - the trial judge, the then Lord Chief Justice, who misrepresented the facts of the case, in his summing up-----

**Chairman:** I cannot accept that type of statement here. We are not in a place where statements can be made against people, the opportunity does not-----

**Mr. O'Connor:** He is deceased.

**Chairman:** I accept he is deceased, but we would not like to even libel a deceased person, such a person's representatives cannot come here. We do not have the facilities to allow that type of refutation. I ask you to bear that in mind.

**Mr. O'Connor:** Okay. The Lord Chief Justice who, in his summing up, presented the facts of the case in a way that did not reflect the reality of what happened that night, then demonstrated how seriously he regarded an attempt at mass murder carried out entirely by serving RUC officers. Three of the accused received suspended sentences. One of those who walked out of court that day in 1980, a key member of the Glenanne group, faced further charges in regard to the Donnelly's Bar atrocity where Alan's father was murdered. In the most bizarre of circumstances, these were dropped by the Director of Public Prosecutions using an legal mechanism, a *nolle prosequi*. The British Attorney General has since confirmed to us that the DPP was not empowered to issue this direction. The Rock Bar attack was therefore portrayed as a one-off incident not linked to the wider activities of loyalist paramilitaries. Ms Keenan has already referred the sub-committee to the ballistic histories of the weapons used. Had the charges in relation to Donnelly's bar proceeded, a web of collusion would have become



evident, inevitably linking back to Glenanne and the Dublin and Monaghan bombings. Meanwhile, Joe McGleenan, the bar owner who later became an SDLP councillor, was advised not to attend the trial and heard no more. At least one of those convicted is now receiving his police pension.

Lastly, we went on to assert that the activities of the Glenanne group demonstrate a culture of collusion and impunity in the mid-Ulster and Border areas in the mid-1970s which thwarted attempts to bring charges against the perpetrators of the Dublin and Monaghan bombings. The Rock Bar trial and the circumstances under which charges were dropped are a case in point. The actions of the Lord Chief Justice and the Office of the DPP are questionable in this case.

Another graphic example concerns the murder of Seán Farmer and Colm McCartney on 24 August 1975, only three weeks after the Miami Showband massacre. As thousands travelled home from the GAA All-Ireland semi-finals in Dublin - as some of the members may remember, Dublin was playing Derry in the senior match and Tyrone faced Kildare in the minor match - GAA fans Seán Farmer and Colm McCartney were stopped at a bogus security forces checkpoint in the townland of Altnamackan in south Armagh. They were taken from the car and Seán was executed, shot in the back of the head. Colm made a run for it but he, too, was cut down. The attackers fled. Within minutes, other car-loads of supporters came on the scene. Deeply shocked, they drove on to Keady, where they reported the murders to Keady RUC.

What do we now know about these terrible events and what do they tell us about the investigation? We know that the witnesses had their names and addresses taken but were not called to the inquest, were never asked to give statements and heard no more until we traced them many years later. One of the witnesses was a cousin of the deceased and of Seamus Heaney, who later wrote a poem about the

murders. We know that a regular police patrol drove through the bogus checkpoint almost an hour before the murders and realised that the checkpoint was illegal. Despite this realisation, documented in its own statements, no action was taken and no helicopters were scrambled. Instead, it confirmed by radio that the checkpoint was not official and continued on its way. Those manning the checkpoint meanwhile felt no need to flee the scene despite having been rumbled by three police officers. They stayed for almost an hour.

We know that a witness - a civilian - was standing concealed by a hedge when the murders took place. The RUC interviewed this witness. However, this evidence was suppressed and withheld from the inquest and the families. They were only made aware of the existence of this witness when it was inadvertently let slip during a meeting with the PSNI that we attended with family members. To this day, the PSNI has refused to divulge the full contents of the witness's statement. This is perhaps to be seen in the context that the PSNI admitted at the same meeting to us that its chief suspect in this double murder was a serving police officer. That officer, whose name we are aware of, was a key member of the Glenanne group. Had the evidential trails been followed both in terms of perpetrators and ballistics, this would have inevitably led back to the Miami Showband attack, back to Glenanne and back to the Dublin and Monaghan bombings. One example of non-investigation and failure to prosecute is unfortunate; multiple examples point to the existence of a culture of collusion and impunity in the area.

Let us return briefly to the memorandum submitted to the sub-committee by the Secretary of State and endorsed by the Chief Constable. It makes the claim that there is no evidence that senior members of the security forces were aware of and condoned the activities of those individual RUC and UDR members who were involved in collusion with the loyalist paramilitaries. The presumption of this

statement is that senior members of the security forces were unaware of the activities of those who were involved in multiple attacks on both sides of the Border and emanating from Glenanne. Colin Wallace disputes this, as does John Weir. Were senior officers unaware who the chief suspects were - members of the UDR and RUC, some of whom had intelligence links - and unaware where they operated from, a farm that was mentioned in intelligence reports from 1972 onwards?

The Glenanne base essentially functioned as a drop-in centre for the RUC, UDR, British Army and for loyalist paramilitaries. According to Mr. Justice Barron, it functioned as a major UVF arms dump and the Secretary of State would have us believe that senior officers were unaware of this. Were senior officers also unaware of the ballistic histories of the weapons used at the Rock Bar, at Donnelly's, at the Reavey's, at the O'Dowd's in Altnamackan, where the two GAA supporters were murdered, in the killing of John Francis Green, when the children of three families, the Mullan's, McKearney's and Devlin's, were left orphans, or at the Eagle Bar, at Tully's and in the Miami ambush?

Mr. Justice Barron notes that, following police interviews with a number of the Glenanne suspects in 1979, "what can be said is that in relation to the attacks on Donnelly's Bar ... , John Farmer and Colm McCartney, the Reavey family, and the O'Dowd family, information was given by one or more of the interviewees which confirmed Weir's account of who was responsible in each case." Senior officers will have been aware of the startling information which emerged at those interviews. Indeed it is difficult to believe that the Chief Constable, the general officer in command of the British Army, the Director of Public Prosecutions and the Secretary of State would not have been advised that there was evidence that members of the RUC and UDR had been involved in crimes of the most serious nature.

The activities of the Glenanne group in late 1975-----

**Chairman:** Mr. O'Connor, this is not a forum in which the Secretary of State for Northern Ireland can be attacked, as such, and I would ask you to defer any comments on the Secretary of State.

**Mr. O'Connor:** The activities of the Glenanne group in late 1975 and early 1976, the attacks at Donnelly's Bar and Kay's Tavern in Dundalk, and the multiple murders in the O'Dowd and Reavey households, were followed by the murders of ten workmen by republicans at Kings Mill. These events brought the North to the edge of the precipice. Members of the security forces played a key role in this chain of events and yet we were asked to believe that no one at a senior level was aware of this.

It might be argued that senior officers may have been aware of certain activities but did not condone them. In this context, it is appropriate to ask two final questions. When this information did emerge at interview, what action was taken? Did a rigorous investigation take place followed by multiple prosecutions and convictions? Nothing could be further from the truth. As a result of the 1978-79 interviews, a damage limitation exercise was undertaken through a careful selection of charges which eventually led to the farce of the Rock Bar trial. We contend that the security and intelligence community was aware of the activities of this group.

**Chairman:** Mr. O'Connor, I am going to have to ask you to cease at this point. Allegations are being made about the conduct of trials which cannot be addressed in this forum. Could you please make your final points when we will then proceed to questions.

**Mr. O'Connor:** Would the sub-committee be interested in understanding the matter to which we refer on a purely factual basis as we have the trial transcript?

**Chairman:** We are not in any way-----

**Mr. O'Connor:** Without making any inferences about conclusions one could draw from that.

**Chairman:** Is that in writing?

**Mr. O'Connor:** We have the trial transcript.

**Chairman:** If you could make that available to the sub-committee.

**Mr. O'Connor:** Can I briefly give one example without inferring anything?

**Chairman:** We have gone nearly 30 minutes now and we are reducing our question time.

**Mr. O'Connor:** I am almost finished. If I can make this very brief,-----

**Chairman:** Okay.

**Mr. O'Connor:** -----I will give one example of what I am referring to in the Rock Bar trial. The farmer who walked out the door at the Rock Bar confronted the gang, not knowing it was there. He was called Michael McGrath. One of the gang

opened fire and shot him in the stomach with a sub-machine gun at close range. He was charged with attempted murder. That charge was changed to grievous bodily harm because the man did not die, and the judge at the trial said - I am simply quoting from the judge's own comments - he accepted that the accused did not mean to murder the man when he shot him in the legs. He was not shot in the legs; he was shot in the stomach at close range but of course the witness was not there to challenge this because he was instructed by the RUC beforehand not to attend the trial. That is one example, of which there are many. We have the summing up, but I will not make any references to any individuals. I will be finished in two paragraphs, if you will bear with me.

**Chairman:** Again, we cannot make any insinuations or references to trials, what was said or what a witness who did not attend might have said. It reflects badly on individuals who are not here to protect themselves. We are not in a position to adjudicate in any way. We are in danger of ending up in the High Court, which is the last thing I want. Help us out on this one please, Mr. O'Connor.

**Mr. O'Connor:** I accept that there are difficulties and I also accept that we are being extremely careful not to make any assertion that we cannot absolutely back up. We are working off official documents.

**Chairman:** That is fine but I do not want that to have to be done in court. Our terms of reference are well known to you, Mr. O'Connor, and I would appreciate it very much if you would stick to matters which refer to those terms of reference.

**Mr. O'Connor:** In light of what I have highlighted, to simply assert that senior officers were unaware of the activities of the Glenanne group and did not condone

their activities is not good enough for the families of those who were murdered in the incidents. The sub-committee is being asked to recommend whether a further public inquiry into any aspect of this report would be required and fruitful. We submit that a further public inquiry would be required and that it would be fruitful.

Our own work over the last four years has convinced us that there is ample evidence that, where even a group such as our own can research these activities, a public inquiry would be the appropriate mechanism to do so. I have left out a number of paragraphs that may cause difficulty.

**Chairman:** I appreciate that and thank you, Mr. O'Connor. I know about the great work your NGO does with limited resources, having to look around for help and assistance. It is difficult, and I appreciate you coming here and making that statement. I am sure that it will help us in our deliberations. The sub-committee has agreed that questions will be funnelled through two of its members, Deputy Joe Costello and Senator Jim Walsh.

**Deputy Costello:** I thank the representatives of the Pat Finucane Centre for making such a fine presentation. They are very welcome, and I also note the good work that they do. My first question relates to the links between ballistic attacks, weapons and their perpetrators, and I wish to explore that a little further with Ms Keenan. If we take the first page and the various linkages noted in it, is Ms Keenan saying there is an overall link in terms of ballistic and attacks between Glenanne, Portadown, Belfast, Dungannon and Annaghmore and that an interchange of weapons can be ballistically shown?

**Ms Keenan:** Can I clarify which chart the Deputy is working from?

**Deputy Costello:** In other words is Glenanne at the heart of what Ms Keenan would argue is collusion, but that there is-----

**Chairman:** Which chart is the Deputy referring to?

**Deputy Costello:** The first chart on ballistic links attacks.

**Ms Keenan:** Basically, what we are trying to show in these charts is that there were four independent groups operating in each of the different areas which had their own activities, but there was a relationship between them, and on occasion weapons were used by individuals from each of those different areas-----

**Deputy Costello:** The first chart relates to weapons that can be connected to five groups - Glenanne, Portadown, Belfast, Dungannon and Annaghmore - in various attacks. While Glenanne would, apparently, have been the central and most active, there was some sort of loose connection. Is that what Ms Keenan is saying?

**Ms Keenan:** We are not necessarily saying that Glenanne is the most active, but there is a unique dynamic there, and we are trying to demonstrate that serving security force personnel had a special relationship with the Portadown UVF in particular but also with individuals from these different areas. The ballistic links have emerged from Appendix 3 in the Barron report and from the PSNI in meetings and correspondence with us. There are overlaps in these attacks, both in the weapons used and between individuals who perpetrated the attacks.



**Deputy Costello:** I am sure there would have been a linkage between Portadown and Belfast but Annaghmore and Dungannon would have been something new.

**Ms Keenan:** Ted Sinclair's farm is actually named in Appendix 3 of the Barron report as a location where a number of these weapons were recovered. We use the word "Annaghmore" to encompass the group which was operating loosely in that area of which his farm was an essential element. They had a closer relationship with Dungannon than with Glenanne but there were times when weapons that had been used in attacks by people in the Glenanne group were then recovered in Annaghmore.

**Deputy Costello:** We will now move on to deal with the perpetrator links. Are you saying there was a link between all those areas in the attacks on Dublin and Monaghan and the Miami Showband?

**Ms Keenan:** In terms of the individuals, there was at least one or more from each area involved.

**Deputy Costello:** Finally, we come to deal with the ballistic links with all of the weapons. Have you determined, in relation to the various weapons mentioned, which weapons are Army type and which are available from other sources to paramilitaries?

**Ms Keenan:** We are still trying to clarify that. The only one that really comes out looking like it could be is the Star pistol because of its unique nature and generally the fact that it is a special forces weapon.

**Deputy Costello:** Or RUC or UDR weapons.

**Ms Keenan:** We are still trying to clarify that with the PSNI.

**Deputy Costello:** That matter is still be clarified.

**Ms Keenan:** Yes.

**Deputy Costello:** This area of your presentation deals with weapons and attacks with guns. What we are dealing with, of course, is a bomb attack. You have not presented us with any information on car bombs in the Republic of Ireland. Do you have information on the type of material used for home-made or commercial bombs?

**Mr. O'Connor:** The type of explosives being used in the Republic?

**Deputy Costello:** Yes.

**Mr. O'Connor:** That is not what we have pursued. It is our understanding that Justice for the Forgotten were pursuing the issues related to this jurisdiction. As we all know, we are waiting for Mr. Justice Barron to report on the Dundalk bombing. We pursued those issues up North which are within our remit but we asked for meetings on behalf of families.

**Deputy Costello:** This is certainly very interesting new information for which I thank you. Another aspect of our brief is to see whether a further public inquiry

would be either required or fruitful. You have not elaborated on that issue to any degree other than to state rather baldly that there should be a further public inquiry. A further public inquiry, as presented to us by a number of people who made submissions, would require co-operation by the British authorities and Northern Ireland and access to original documents and files which have not been accessed. Do you have any comment to make on the likelihood of an inquiry being successful in accessing that necessary documentation and co-operation?

**Mr. O'Connor:** It would certainly be our view that our work over the last four years has actually produced results. I can best characterise it as such: when we began, you could say we were looking down a long corridor with closed doors. We have opened a considerable number of those doors. We have opened some of them with the threat of legal action and we have opened some of them by using the mechanisms that are available. For instance, the PSNI has a set of guidelines governing the type of information that relatives now have a right to. We opened those doors by going down what was for us an unusual route of asking for meetings with the PSNI. At those meetings, often quite startling material would emerge. I have referred to the fact that we have discovered that there was actually a witness at the Altnamackan massacre whose existence has never been admitted to. Another example of what can emerge and a matter that could be further inquired into relates directly back to Mr. Justice Barron's work. He put a question to the PSNI and asked for information on the multiple use of weapons by loyalists in the mid-Ulster area. He dropped back a significant amount of information but the way the question was posed, the PSNI chose to restrict their understanding of mid-Ulster. The information that was not supplied to him but which we received officially at a meeting with them was that, for instance, the weapons used in the murder of the O'Dowd family were also used in the Miami

massacre. The O'Dowd attack was connected to the Reavey attack which emanated from Glenanne.

We see an abundance of issues that could be inquired into further. On a daily basis we find different ways of getting answers to questions in the North from different authorities, such as the Director of Public Prosecutions. It took a long time to get the trial transcript for the Rock Bar. We did eventually get it. We have pieced together a significant part of the jigsaw. We will continue to do so and if there is an inquiry, we believe that families in the North who are seeking information would have important and vital information to supply to that inquiry.

**Deputy Costello:** I do not believe that you are not making good progress or doing good work. However, would a trial transcript not be available for public disclosure? There might be an attempt to not make it available but surely-----

**Mr. O'Connor:** If I offered you the different reasons we were given as to why we could not have a trial transcript, we would be here until 6 p.m. One of them was that there were four transcribers and that one of them had a problem with his arm. That reason was given for a year as to why they could not transcribe it, etc. The Office of the Lord Chief Justice - I will be legally very careful - informed Mr. Joe McGleenan who owned the Rock Bar, which was attacked by four serving police officers, that if he wanted to find out what sentences they received he should consult the contemporaneous press reports. We did not leave it at that; we have now got the criminal conviction certificates.

If I might hark back to a different case that has been mentioned today, namely, Judge Cory's inquiries and the Pat Finucane case. Two months before Sir John Stevens was due to report, he suddenly received 20,000 documents that had been

withheld from him. The documents do re-emerge; there is documentation. It can be sought.

**Deputy Costello:** Have you received any original documents other than the trial transcript?

**Mr. O'Connor:** The type of information we seek would be inquest documents, witness statements and partial access to police investigations. We seek full access, we get partial access. It is our belief that information that has been refused us to date will eventually emerge because at the moment we have a number of separate legal actions ongoing through judicial review in the North.

**Deputy Costello:** Has the Northern Ireland Ombudsman, Ms Nuala O'Loan, any powers to look into that matter? Has she exercised any powers she might have?

**Mr. O'Connor:** The Police Ombudsman from Northern Ireland has discretionary powers to look at allegations of criminal misconduct by officers who may have left the force in the past. It is a discretionary power. This is clearly a very serious matter which would in all probably receive a positive answer. The problem with the Police Ombudsman, for whom we have some regard and with whom we have co-operated, is that even where she is working on just one case, it can take three years. We recently worked on the case of Sean Browne, the GAA man in Bellaghy, County Derry who was murdered in 1997. That case took three years to come to fruition, so it is not necessarily a route. The problem with the Police Ombudsman is that she is not empowered to look at the activities of alleged members of the UDR and British Army or loyalist paramilitaries, she can only look at allegations against police officers.

**Deputy Costello:** Ex-RUC?

**Mr. O'Connor:** Yes.

**Deputy Costello:** And she has power to seize documents in respect of such matters.

**Mr. O'Connor:** She does.

**Deputy Costello:** To your knowledge, she has not exercised those powers in respect of anything to do with the Dublin-Monaghan bombings?

**Mr. O'Connor:** To do with these cases, she has not.

**Deputy Costello:** And you have not explored that avenue?

**Mr. O'Connor:** We have unofficially discussed the case with her. However, we would not pursue that avenue because there is only a very limited section of the case that she could pursue and that is exclusively the part which pertains to police officers.

**Mr. Costello:** I have one final question. Mr. O'Connor's final comment on the summary of conclusions was a little weak given the strength of the centre's presentation on the various reasons collusion might have taken place. I quote:

The people of Ireland and Britain, Catholic and Protestant, Unionist and Nationalist, have a right to know whether the activities outlined above were the result of collusion by toleration or were as a result of a deliberate policy.

Is not that what we are seeking to establish? Is not that our starting, rather than our concluding, point? Is it possible that all the things that were said about Glenanne etc. could be due to a number of rogue elements in the UDA, UDR and RUC? Can it be said that even at the time of the Dublin and Monaghan bombings there was quite a difference between the political perception in the main UDA and UVF thinking and what Mr. Justice Barron seemed to perceive as the thinking of a breakaway group which was down here?

**Mr. O'Connor:** We seriously dispute the entire theory of the "bad apple" explanation of rogue elements. Anyone who talks about the "bad apple" theory usually adds "the bad apples who were rooted out". Therefore, the Rock Bar is often offered as an example of how they rooted out bad apples. I submit to the sub-committee that police officers who are found guilty of attacking a bar with a bomb and submachine guns and who attempt mass murder and receive suspended sentences are not examples of the rooting out of bad apples. That is not evidence that evidence of collusion is being taken seriously. We should particularly take into account the fact that in respect of the attack there were charges against at least one of the police officers involved which related directly back to the attack on Donnelly's Bar. Those charges were dropped under a mechanism which the DPP was not entitled-----

**Chairman:** We are not going to go into that.

**Mr. O'Connor:** The evidence does not point to a rooting out of bad apples. We contend that the activities at Glenanne, which continued from 1972 to at least 1978, were known to the security and intelligence community and nothing was done.

**Senator J. Walsh:** I join in the welcome to the deputation from the Pat Finucane Centre and to Mr. Alan Brecknell, who I am sure found it as difficult as other family members to recount matters when the scars are still wide open. I join the Chairman and other members who complimented the Pat Finucane Centre on its persistence in pursuing human rights issues in Northern Ireland.

In the first paragraph on page 2 of the centre's submission, it is stated under the heading "central allegations" that there were a large number of fatal attacks across the mid-Ulster and Border areas throughout the mid-1970s. The group involved is said to have consisted of members of the UDR and the RUC. On what basis is that statement made leaving aside the contents of Mr. Justice Barron's report and evidence from Mr. Colin Wallace?

**Mr. O'Connor:** Is it where the reference is made to "a loose gang referred to was operating in mid-Ulster"?

**Senator J. Walsh:** That is correct. Half-way down that paragraph it says the group consisted of members of the UDR and RUC.

**Mr. O'Connor:** We would allege that the culmination of the activities of this group was in the Rock Bar trial which involved four police officers, a number of whom were members of the special patrol group whose task was to combat terrorism in the area at the time. The police have admitted that a police officer was



their chief suspect in the Altnamackan murders. His name is known to us, but we are not going to divulge it today. We know that a police officer was one of the suspects in the Donnelly's Bar attack as was a member of the UDR. Mr. Bracknell has referred to the meeting we had with the police officer who investigated the Donnelly's Bar attack and I refer the sub-committee to what he said. According to that officer, Donnelly's Bar was attacked by members of the RUC, UDR and loyalist paramilitaries. He also said the same group and permutations of it were involved in the attack on the Reavey household, at Altnamackan and in the Dublin and Monaghan bombings. He did not specify the O'Dowd household, but we linked it in. A serving officer at RUC headquarters said that to us.

**Senator J. Walsh:** It was also based on a number of convictions which occurred in some of those cases.

**Mr. O'Connor:** Finally, if one does the ballistic trace on the weapons used in the Rock Bar attack, they can be traced back to Donnelly's Bar, Reavey's and Altnamackan, while the weapons used in the other attacks were used in the O'Dowd and Miami attacks as well as in the murders of the McKearney parents, the Mullen parents and others.

**Senator J. Walsh:** Was the ownership of those weapons underpinned by decisions of the courts?

**Mr. O'Connor:** Yes, and Mr. Justice Barron's evidence when he suggested there a central quartermaster and that the guns may have been kept at Glenanne.

**Senator J. Walsh:** In the next paragraphs, the witness mentioned that the members of the group had been able to perpetrate terrorist attacks with the knowledge of the RUC and intelligence officers etc. Given the remit we have on this issue, and in particular module five where we are looking to see if there are matters needing further inquiry, how would collusion have operated in practice on the ground, in so far as it relates to the Dublin and Monaghan bombings and the activities of the Glenanne group in that regard?

**Mr. O'Connor:** It would probably be helpful if we first saw something specific which would possibly be unusual. We do not believe that collusion was an issue involving the entire RUC, UDR or British Army, along with all the structures and criminal justice agencies. We believe that collusion existed because some people knew that bad things were happening, but were too terrified to intervene, while others knew that bad things were happening and reluctantly thought them necessary in the war against the IRA. Some others, we believe, participated directly in collusion. That would approximate very much to John Stephens's definition of collusion. We have already seen that there was a link from Glenanne to the Dublin bombings. We know from the report who owned the farm at Glenanne, and his status within the security forces. The sub-committee is aware of the evidence presented by ourselves and others of the centrality of Glenanne to the activities of the group. I would be very hesitant today to suggest that we have an clear understanding that this is exactly what happened at Glenanne. We have read what John Weir has said, and we note, in terms of reference of a future public inquiry, that the judge said that John Weir's allegation deserves serious consideration. We ask ourselves where it should be given such consideration, if not in an inquiry. John Weir appears to have been correct in his allegations about Glenanne.

**Senator J. Walsh:** I have a question to which the response might be a simple "Yes" or "No". If "No", then we need not elaborate. Has the witness any information on where the Glenanne group might have been sourcing its bomb materials, or any evidence of the group's capability to undertake such a mission?

**Mr. O'Connor:** We are aware of the allegations that explosives may have been supplied by a UDR captain and have spoken at length of them to John Weir. Mr. Justice Barron notes that this may not have been possible because this person did not have access to the explosives held in quarries, as they were usually delivered by police escort. When we read that, we felt that given the evidence of police collusion at the time, a police escort to a quarry in order to safeguard explosives may not necessarily have fulfilled its legal purpose.

**Senator J. Walsh:** Is that supposition?

**Mr. O'Connor:** It is supposition. We are following up other information available to us about a close relation of one of the main suspects who worked at a quarry in the Moy area.

**Senator J. Walsh:** At the bottom of page two of the submission, mention is made of the arrest by the RUC of a number of members. An attached note suggests that there would have had to be collusion or conspiracy between the RUC officers, the Director of Public Prosecutions and the Attorney General in this regard, and that seems a bit fanciful. I believe that ten RUC officers were arrested but only seven were convicted and I do not know what happened the other three. Also, on page 3 there is a similar question in the first paragraph on the activities of

the Glenanne group. It states: "There is significant information available that demonstrates collusion ..." between the various forces. Further on it states: "Our research and that of other individuals ... reveals that the Glenanne group operated with virtual impunity". Is there any evidence to back up that statement? I do not want Mr. O'Connor to repeat what he said but does he have any specific evidence that would underpin those statements?

**Mr. O'Connor:** The Senator will understand I feel somewhat constricted at this stage, and anything I might say in relation to the Rock Bar trial might overstep the mark. What I will do is supply the sub-committee with a summing up and the documents we have regarding the Rock-----

**Senator J. Walsh:** Are you saying that judgment, in its own way-----

**Mr. O'Connor:** It is not just the judgment on its own. It would be useful to supply the sub-committee with legal documents that have just gone into the High Court in Belfast in relation to why charges were dropped in relation to Donnelly's Bar and why a *nolle prosequi* was entered. I have been passed a note by a colleague. We met one senior officer in the PSNI on a number of occasions. On one occasion we spent eight hours with him in a hotel asking questions with family members.

**Senator J. Walsh:** Is that Superintendent McCann?

**Mr. O'Connor:** No, a current PSNI officer who has been tasked to-----

**Chairman:** Perhaps those are details you could send to us.

**Mr. O'Connor:** Yes, I will send that to you but to quote him, when we asked him was there collusion in the Donnelly's Bar, the Reavey, the O'Dowd, the Altnamackan and the Rock Bar cases, his quote was that a blind man on a galloping horse could see that there was collusion.

**Senator J. Walsh:** I want to ask Mr. O'Connor about Chief Superintendent McCann, whom he met in connection with the Donnelly's Bar shootings in Silverbridge. He asserted that in his belief permutations of the same group were responsible for the Dublin and Monaghan bombings. First, was there any follow-up to any of that and, second, was the information at the disposal of Mr. O'Connor conveyed to Mr. Justice Barron?

**Mr. O'Connor:** The follow up is that it was conveyed to Mr. Justice Barron because we considered his commission to be the appropriate authority to follow it up. We know Mr. Justice Barron attempted on a number of occasions to speak to that officer. The officer is no longer-----

**Senator J. Walsh:** Serving.

**Mr. O'Connor:** He is no longer serving and he is in neither jurisdiction. I am aware of where he is, as is Mr. Justice Barron. I do not think it is necessary to put it in the public domain.

**Senator J. Walsh:** I think Mr. Justice Barron told us.

**Mr. O'Connor:** He did. He was aware. We gave him his telephone number. We know he was aware of where he was.

**Senator J. Walsh:** Further on is listed the number of the RUC officers that were arrested, based on the evidence of Constable William McCaughey. To Mr. O'Connor's knowledge, how many of those would have been involved in the bombings? Also-----

**Chairman:** I ask Senator Walsh to desist from naming names like that.

**Senator J. Walsh:** I have named nobody. On a point of order, I am fastidious about not naming names.

**Chairman:** One name was mentioned about ten seconds ago.

**Senator J. Walsh:** Mr. Justice Barron's report mentions Constable William McCaughey. There is nothing new in that. I am asking Mr. O'Connor if any of the other names mentioned were, to his knowledge, directly associated with the bombings. The next paragraph states: "This has been portrayed by some commentators as evidence of the commitment of the RUC to upholding the rule of law, evidenced by the rooting out of the 'bad apples'." This matter was also referred to by Paul Murphy in correspondence with us. It is on page 8 of Mr. O'Connor's submission. I appreciate if-----

**Mr. O'Connor:** We also will not mention names. I want to be very careful about that.

**Senator J. Walsh:** I am just asking about numbers.

**Mr. O'Connor:** I do not have any information available that the officers whose names I am looking at have been named on a Garda list in connection with Dublin. I am aware that a number of them have been named regarding other multiple attacks emanating from Glenanne, except for one who owned the farm and who plays the most prominent role throughout Mr. Justice Barron's document.

**Senator J. Walsh:** My final question relates to a comment you made on page 11, which is also in the Barron report under the maxim that "my enemy's enemy is my friend." When and where did Brigadier Kitson make that statement?

**Mr. O'Connor:** It is my understanding - I can revert back to you with the document - it was made in a book he wrote about counter insurgency strategy. You asked me another question regarding the bad apple theory, which I have not answered.

**Senator J. Walsh:** Yes.

**Mr. O'Connor:** Our justification for saying that surrounded the issue of the charges being dropped and of officers receiving suspended sentences having been convicted of a gun and bomb attack on a bar.

**Senator J. Walsh:** From your investigations in your various activities that you have looked at and from convictions that have been made in the North of personnel within the RUC and the security forces generally, to your knowledge to what extent does that type of involvement go up the chain of command within the British forces?

**Mr. O'Connor:** Several years ago, had I asserted to the Senator that there is substantial evidence of involvement of Special Branch, the Force Research Unit and the intelligence community in the murder of a prominent solicitor in Belfast, Pat Finucane, he might have said that I was exaggerating. As more evidence emerges in the Finucane case, it is proof of the pudding that the further we research the more documents come to light. One other aspect that plays a role is that the greater the research the more the agencies begin to point the finger at each other and contend the big boys and not they were involved. The Director of Public Prosecutions say it was up to the police, the police say it was not them but the DPP, the army, or whatever. That can also be a very useful exercise. However, had I alleged several years ago that there was extensive collusion in Pat Finucane's case, the Senator might have thought I was exaggerating. I do not think anybody could doubt that statement today because it is difficult to find anyone involved in Pat Finucane's murder who was not working for the intelligence services.

In view of this, we believe questions must be answered - I am referring to people who are dead and where there is an acceptance of their role. There are serious questions on what role Robin Jackson had in his relationship to the intelligence services, for instance, because Robin Jackson was directly involved in a murder at the O'Dowd household and many other murders and is implicated. There are questions surrounding others. At this point I am worried again as I look at the legal adviser to the team about whom I can and cannot name of those who are dead, but there are serious questions surrounding many of the suspects in Dublin and Monaghan and their relationship to the intelligence community.

I find we have erred on the side of caution. We have never published names. In fact, we have never gone public with our research until today. The further we look into this matter, the more horrified we become.



**Chairman:** Than you, Mr. O'Connor, Mr. Alan Brecknell and Ms Johanna Keenan for your presentation.

**Mr. O'Connor:** Can we agree that we will send you documents relating to-----

**Chairman:** Please do. We would be delighted to receive any other matter that you think may be pertinent. As our time is short, it would need to be submitted to us in the next few days.

I thank the others - I do not know whether they are clients of the Pat Finucane Centre or victims and relatives of other cases - who have travelled with you today and for their attendance and forbearance with the length of time it has taken to get through everything. The next hearing is at 10 a.m. on Wednesday, 18 February 2004 when the sub-committee will commence with Justice for the Forgotten in module 5 of its programme.

The sub-committee adjourned at 5.45 p.m. until 10 a.m. on Wednesday, 18 February 2004.