

Brief introduction to the case of Peter McBride September 1992 - April 2005

4 September 1992. Peter Mc Bride, 18-year-old father of two young daughters, is stopped and searched, then shot dead minutes later by members of a patrol of Scots Guards in the New Lodge area of Belfast. Two soldiers, Mark Wright and James Fisher, are taken to Girdwood Army Barracks, where the RUC are denied access to the men for at least 10 hours. The next day Guardsmen Wright and Fisher are charged with murder.

10 February 1995. The two are convicted of murder and sentenced to life imprisonment.

March 1996. Leave to appeal to the House of Lords was denied.

10 February 1997. A high profile campaign to release the two begins, spearheaded by the right wing press. The Daily Mail in particular publishes a series of inaccurate, deliberately misleading and racist articles about the case.

13 May 1998. Dr John Reid, then Minister of State for the Armed Forces, expresses his 'concern' over the Guardsmen's continued imprisonment after meeting those campaigning on their behalf. Dr Reid refused numerous requests for a meeting with the Mc Bride family and justified the use of MoD property by those campaigning on behalf of convicted murderers.

July 1998. At a meeting Secretary of State Dr Mo Mowlam promised the McBride family that the two would not be among the first wave of prisoners released under the new legislation.

2 September 1998. The soldiers were released from Maghaberry Prison, Co Antrim, 2 days before the sixth anniversary of Peter's murder, in advance of other prisoner releases and outside the terms of the Good Friday Agreement.

3 November 1998. The Army Board decides that Wright and Fisher may continue their careers in the services under an 'exceptional circumstances' clause.

December 1998. The McBride family and a Pat Finucane Centre representative meet with the Taoiseach Bertie Ahern TD in Dublin. The Irish prime minister promises to press for the immediate dismissal of the two guardsmen.

26 January 1999. The McBride family and a Pat Finucane Centre representative meet Doug Henderson, Armed Forces Minister and member of the Army Board. After a heated exchange Mrs Mc Bride walks out of the meeting.

June 1999. Mrs Mc Bride applies to the Northern Ireland High Court for leave to challenge the Army Board's decision by way of judicial review.

6 September 1999. Justice Kerr gave judgement that a new Army Board must reconsider the future of the guardsmen.

10 April 2000. Members of the Mc Bride family hand in a letter to 10 Downing St. Later a Downing St spokesperson admits that no reply was sent to the Mc Bride family because the letter had been 'lost'.

September 2000. The Mc Bride family hand in an A0 sized letter to 10 Downing St to replace the 'lost' letter.

24 November 2000. A new Army Board again decides to allow the two guardsmen to remain in the Army. The decision is condemned by the Independent Assessor on Military Complaints, the Catholic Primate, the Presbyterian Moderator and others.

1 December 2000. International Day of Action with pickets and protests worldwide.

13 December 2000. A motion condemning the Army Board's decision is passed unanimously in Dail Eireann, the Irish parliament.

4 January 2001. The German Government expresses concern following confirmation that the two convicted murderers are based in Germany. German Government officials maintain contact with the Irish Embassy regarding the case.

5 February 2001. The second judicial review is adjourned after the MoD neglected to lodge the appropriate papers in time.

29 March 2001. The judicial review begins in the High Court in Belfast.

24 May 2001. International Day of Action, with events in the USA, Australia, England and Germany.

June 2001. The regimental band of the Scots Guards Regiment of the British Army are scheduled to

perform at a festival in Siena, Italy. Following the intervention of the McBride family the invitation is cancelled.

25 June 2001. Belfast's High Court hears final submissions in the second judicial review.

4 September 2001 Members of the PFC joined friends, supporters and members of the McBride family in a two hour long peaceful vigil at the junction of the Antrim and New Lodge Roads in Belfast. The vigil, led by Jean McBride, mother of 18-year-old Peter, was held close to the spot where he was killed.

In **Germany** supporters of the Peter McBride campaign handed in a petition with over 1000 signatures to the German Foreign and Defence Ministries, protesting against the presence of the two convicted murderers among the British Forces there.

17 April 2002. Judgement on the second judicial review delivered by Justice Kerr in Belfast High Court. The Army Board decision to retain the soldiers is upheld. Solicitors for the family file an appeal which was heard in the autumn of 2002. In essence the judge decides that the second army board decision was not illegal since other soldiers, also convicted of murder while on duty in N. Ireland, had also been allowed to remain in the army. The decision was widely condemned as being based on the flawed logic that two wrongs made a right. The Irish Government expresses concern at the judgement.

13 May 2002. As the Queen arrives in Belfast the Mc Bride family place a full page advert in the Irish News. The text of the full page advert concludes... "You are Colonel-in-Chief of the Scots Guards and the Irish Guards regiments. They form part of the Household Division. Their role is to protect your palaces, your castles and, most importantly, your family. As you celebrate your anniversary and we await ours I will leave you with two questions...mother to mother. Is it a source of pride to be Colonel-in-Chief of a regiment which harbours the convicted murderers of my son? Is it a source of pride to be head of state of the only democratic country in the world that rearms convicted murderers and welcomes them into the ranks of its armed forces?"

28 May 2002. Members of the Mc Bride family, accompanied by the PFC, meet with the Secretary of State John Reid who promises to lobby for a meeting with the PM. Following the meeting the SoS holds a unscheduled press conference with the Mc Bride family during which he admits that Peter Mc Bride was murdered and a terrible wrong was done to the family. Soon after the Government offer the family a meeting with the Minister of State for the Armed Forces Adam Ingram MP. This is refused on the basis that a meeting with the Prime Minister had been promised.

19 June 2002. A member of the Pat Finucane Centre travels to Münster, Germany where the two Scots Guards are based. Meetings are held with the local MP who sits on the defence sub committee of the German parliament, trade union leaders representing civilian workers at the local British Army base, the Lord Mayors office, and the regional leader of the SPD. Regional press give extensive coverage to the press conference. Subsequent to the visit the local MP raises the issue with the BAOR and the British Embassy and expresses serious concern that convicted (and armed) murderers are based on German soil.

June 2002. Deputy First Minister Mark Durkan (SDLP) writes to PM Blair calling for the dismissal of the two Scots Guards from the British Army.

4 July 2002. In a TV interview Ludovic Kennedy calls for compensation to be paid to the two Scots Guards. The call has no legal basis and brings an angry reaction from the family.

4 September 2002. The tenth anniversary of the murder. Despite arrest, trial and prosecution for murder the two soldiers remain members of the British armed forces ten years on. To mark the anniversary supporters of the Mc Bride family take to the streets in London, Belfast and Sheffield. In London protesters distribute *An Unauthorised Guide to the Tower of London* in and around the famous landmark. The guide highlighted the case of Peter Mc Bride through reference to one of the regiments responsible for ceremonial duties at the Tower, the Scots Guards. The Guide also referred to the role of the current 'Constable' in overall charge of the Tower of London, General Sir Roger Wheeler, who sat on the original Army Board which decided to allow the two guardsmen to remain soldiers despite the murder conviction. In the course of the protest in London supporters of the Mc Bride family are evicted from the Tower of London.

Commenting on the anniversary Jean Mc Bride said, "This Government is hoping we will go away. It is an ongoing insult to the memory of my son to allow the two men convicted of his murder to remain in the British Army. This campaign will go on each and every day that they remain serving soldiers. I have said it before and I repeat it on Peter's anniversary ...I will haunt Tony Blair until he does the decent thing. Then and only then can my family find peace."

SDLP leader Mark Durkan, Seamus Close MLA of the Alliance party and Labour MP Kevin Mc Namara all issue statements calling on Blair to intervene in the case.

15 November 2002. Following a meeting with Jean Mc Bride the SDLP leader Mark Durkan accuses Tony Blair of trying to "defend the indefensible" by refusing to intervene in the case. The SDLP leader pledges to write to the leaders of all political parties on the island of Ireland calling for their support for the Mc Bride family.

25 November 2002. Jean Mc Bride meets with Sinn Fein President Gerry Adams in an ongoing series of meetings with political leaders. The West Belfast MP promises to raise the case personally with British PM Tony Blair. Meanwhile the Irish News reports the comments of the Commanding Officer of the convicted guardsmen, Lt Col WG Cubbitt, who, in a confidential memo to the Army Board, praised the guardsmen as "intelligent, professional and reliable" soldiers were likely to be promoted.

28 November 2002. During a break in the talks process at Stormont Jean Mc Bride meets with Tom Kitt TD, Minister of State at the Department of Foreign Affairs in Dublin. The Mc Bride family pressured the Irish Government to ensure that the case remains a priority.

29 November 2002. To mark the anniversary of Peter's birthday the Mc Bride family and the Pat Finucane Centre launch a Christmas card campaign. 20,000 cards with a message to British PM Tony Blair are distributed throughout north and west Belfast. Both the Andersonstown News and the North Belfast News agree to support the campaign by inserting copies of the card in their editions at no cost. The text of the card read;

Dear Tony Blair,

We wish you and your family well this Christmas. Take a moment to consider what Christmas means to the family of Peter Mc Bride in Belfast. His murderers are still serving in your armed forces. They have remained soldiers each and every day since they murdered Peter in 1992. Do the decent thing. Meet Jean Mc Bride. Listen to her as a father and as a prime minister. Then do what you should have done years ago. Order the dismissal of Guardsmen Wright & Fisher from your army.

Nollaig Shona Duit

10 January 2003. Scots Guard Alexander Joseph Brown was dismissed from the British army after being convicted at Derry Crown Court of assaulting another soldier. This highlighted the fact that it was not the nature of the crime that mattered, but the status and nationality of the victim. Obviously an assault on another British soldier was seen as more serious than the murder of an unarmed Irish teenager.

28 April 2003. Jean McBride wrote to Prime Minister Tony Blair to demand confirmation of whether or not Wright and Fisher, now seconded to the Irish Guards, were currently serving with that regiment, now based in Basra in Iraq, and asking whether the Ministry of Defence regarded two convicted murderers as suitable for combat duty in Basra given the very real danger of repetition of the events that led to the murder of Peter. She pointed out that the same alleged 'exceptional circumstances' applied in Basra as in Belfast, i.e. the "security situation is tense" and "the regiment has recently suffered fatalities" and asked would the Prime Minister therefore regard it as an 'exceptional circumstance' if either Wright or Fisher were to shoot an unarmed Iraqi child in the back, as they did with Peter?

13 June 2003. Following Jean McBride's appeal of the judicial review of the second Army Board decision, the High Court in Belfast ruled that the "exceptional reasons" given by the army board were not acceptable. Lord Justice McCollum ruled: "That taken together, the reasons expressed by the Army Board for the retention in Army service of Guardsmen Fisher and Wright in its determination of 21 November 2001 do not amount to exceptional reasons." The three-judge panel stopped short of ordering the MoD to dismiss the two convicted murderers.

Within hours of the appeal judgement, it was announced that John Spellar, the former armed forces minister who had sat on the second army board, had been transferred to the Northern Ireland Office. In response to immediate condemnation from victims' and human rights groups, Spellar's role was changed and the Victims' portfolio removed. He remained Minister for Equality, Criminal Justice and Human Rights.

18 June 2003. Jean McBride condemned the appointment of Spellar to the NIO, and called for an immediate meeting with him, demanding that he explain his role in the decision to retain the two Scots Guards. She said: "As Minister of State for the Armed Forces you sat on the Army Board which decided to allow the two soldiers who murdered my son to remain in the British Army. The Court of Appeal has now found that the Board justified the retention of Guardsmen Wright and Fisher in circumstances which were illegal. You were directly responsible for violating the human rights of my family, you showed scant regard for the criminal justice system which had found the two men guilty of murder and you reinforced the view that there is no equality of treatment for those who have suffered loss due to the actions of British soldiers...I want a personal commitment, face to face, that you will do everything in your power to bring about the dismissal from the British Army of Mark Wright and James Fisher."

23 June 2003. Labour MP Kevin McNamara tabled an early day motion in the House of Commons calling for support for Jean McBride's campaign and calling on the British government to accept, and to act on, the court ruling.

16 July 2003. The Independent Assessor of Military Complaints urged the Army Board to set up an independent panel to review the retention of the two Scots Guards. He said, "I would urge the army board to initiate a final appeal panel, drawn from people outside the military system, able to exercise publicly that crucial ingredient of independence and transparency which is now a requirement of good governance." The Independent Assessor has expressed concern in the past about the retention of Wright and Fisher.

July 2003. John Spellar refused a number of direct requests to meet Jean McBride, citing his previous involvement in the case and the possibility of an appeal against the high court decision as a reason. This was despite the fact that the deadline for an appeal had already passed. He also consistently refused to answer any questions on his part in the army board decision, claiming that the decision he had made was no longer his responsibility (despite using his role on the board as an excuse to avoid a meeting). Campaigners called on everyone "with an interest in human rights, justice and equality" to refuse to meet Spellar until he agreed to meet Jean McBride.

16 July 2003. The NIO agreed to a meeting between Jean McBride and John Spellar. Jean McBride said: "John Spellar was directly responsible for prolonging the agony for my family when he decided that these convicted murderers were fit to serve in the British army. I look forward to letting him know what effect his actions have had on us as a family."

11 August 2003. Jean McBride walked out of the meeting with John Spellar after he refused to give any relevant answers to her questions. During the meeting, also attended by Peter's sisters, it was claimed that the MoD had not yet reached a decision regarding the appeal court decision in June. This was again 'confirmed' when Peter's family insisted a telephone call be made to the MoD to check.

13 August 2003. Jean McBride received a letter dated **7 August 2003**, four days before the meeting with Spellar, telling her that the MoD had in fact made a decision regarding the court ruling, and that the

decision was to simply ignore it. They also refused Jean McBride's request for a meeting with Tony Blair, stating they did not "see the value in such a meeting."

The letter also referred to "Lance Corporal James Fisher", revealing that not only could he be retained in the British army as a convicted murderer, but that he had been promoted.

18 August 2003. Martin Morgan and Shaun Gallagher, SDLP Mayors of Belfast and Derry, announced that they would boycott any function John Spellar was due to attend in protest at his role in the retention of the two Scots Guards.

August 2003. A further 'Week of action' was announced in protest at the continued retention of the two Scots Guards. The week of action, from **1-8 September**, will include a public meeting at the Europa Hotel in Belfast on 4 September, the 11th anniversary of Peter's murder. Further plans to step up the campaign to highlight the ongoing injustice imposed on the McBride family will be announced in the very near future.

September 2003. Sarah Teather, the newly elected MP for Brent East, gave her backing for the campaign seeking justice for Peter McBride. Kelly McBride, sister of Peter, had stood as a candidate in the by-election in the Brent East constituency in London. By standing in Brent East, Kelly McBride had planned to bring her demands for the dismissal of the two soldiers right to the heart of political debate in Britain.

The Ministry of Defence admitted that one of the soldiers had been promoted while the Board was still deliberating on the future of the two convicted murderers. In a statement the MoD denied that then Armed Forces Minister John Spellar, who chaired the Army Board, was aware of this: "The promotion of private ranks in the army is routine army business and not that of the minister." Members of the PFC ridiculed the suggestion that the promotion of a convicted murderer in a highly controversial case, while a court ordered tribunal was reconsidering whether this person was even fit to serve in the army, was a 'routine matter.'

In **Germany** the Green Party MP for Münster, Winni Nachtwei, told campaigners he supports their bid to have the two Soldiers dismissed from the army. Mr. Nachtwei expressed concerns about the presence of these convicted murders, stationed at Oxford Barracks in Münster.

The Social Democratic Party (SPD) also backed campaigners and joined the Greens in lobbying the German government and the German Ministry of Defence.

November 2003. Tony Blair described the retention in the British army of the convicted murderers of Peter as an "internal employment matter" in a letter to SDLP leader Mark Durkan. The Prime Minister was responding to criticism from Mr Durkan over the army's failure to discharge Scots Guardsmen James Fisher and Mark Wright while sacking an officer who cheated on a television game show. Speaking after a meeting with the McBride family on Saturday, Mr Durkan accused the Prime Minister of being "evasive" over the issue, stating: "Tony Blair argues that the cases are not comparable. That is

true. Murder on the streets of Belfast is much worse."

6 January 2004. The McBride family expressed "sadness but no surprise" at the murder of Baha Mousa, a young man who had been hooded and then beaten to death by British soldiers in military custody in Basra, Iraq in September 2003.

Peter McBrides mother Jean McBride said: "From the very beginning we made clear that the retention of two murderers in the British Army sent out the deadly message that Tony Blair tolerates the murder of those who are not British citizens. [...] Should we be surprised that British soldiers in Basra believe that they can literally get away with murder when they are serving alongside two convicted murderers? [...] My heart goes out to the family of this young man who, just like Peter, has left two young children behind. I am going to write to Daoud Mousa, the father of this young man, to let him know what he is facing and to offer any support our campaign can offer."

11 March 2004. Peter McBride senior met with officials at the German Embassy in Dublin to highlight the fact that the convicted murderers of his son were based at Oxford Barracks in Muenster, Germany. Legal papers were delivered to embassy officials and passed on to the German Foreign and Defence ministries. The Irish Government also contacted the German Embassy to reiterate their support for the Mc Bride family.

22 March 2004. Jean McBride, the mother of Peter, described the announcement by NIO Minister John Spellar that bail conditions for people accused of serious offences are to be tightened as "hypocritical in the extreme". "What right does he have to make any announcements on criminal justice when he denied our family any justice and thumbed his nose at the verdict of the courts here?"

30 April 2004. The British Ministry of Defence expressed its shock and horror, when it emerged that photographs, apparently showing British Troops torturing Iraqi prisoners, had been obtained by the Daily Mirror. According to the BBC, "The UK's most senior soldier, General Sir Mike Jackson, said if guilty, the men were not fit to wear the uniform." Except of course if they are guilty of murder when he decided that the killers of Peter Mc Bride were fit to wear the uniform.

29 June 2004. The Mc Bride family welcomed the call by Jim Mc Donald, the Independent Assessor on Military Complaints, for the dismissal of the two soldiers convicted of the murder. In his 11th annual report Jim Mc Donald said, "This case continues to attract adverse publicity, not only in the nationalist community, and thus undermines the credibility of Army employment policy."

30 August 2004. Presidential Candidate, Senator John Kerry, along with Senators Hillary Rodham Clinton, Christopher J Dodd, Edward M Kennedy and Charles E Schumer wrote to the US Defence Secretary Donald Rumsfeld and raised the Mc Bride case by calling on him to investigate the award of a \$293 million Iraq security contract. The contract was granted to a British company, Aegis Defense Services Ltd. in May 2004, their job was to provide security teams for the Project and Contracting Office. The company is led by Timothy Spicer a former lieutenant colonel of the Scots Guards unit that murdered Peter McBride. Even after he retired from the military, Mr. Spicer defended the two soldiers

and argued for their release. In the letter the Senators pointed out, that: "In light of the recent revelations of abuses of detainees in Iraq, it is important that U.S. actions, whether by military personnel or contractors, have respect for the law. It is troubling that the Government would award a contract to an individual with a history of supporting excessive use of force against a civilian population."

2 September 2004. A symbolic Anti Social Behaviour Order was issued by the PFC against NIO Minister John Spellar MP to mark the 12th anniversary of the murder of Peter Mc Bride. The NIO Minister sat on the first Army Board that ruled that the killers of Peter Mc Bride had committed "an error of judgement" in shooting the unarmed teenager in the back.

27 February 2005. Jean McBride, the mother of Peter, released the following press statement. "Our family has watched events unfold over the past week as three soldiers were prosecuted and found guilty of the humiliation and abuse of civilians in Basra, Iraq in 2003. General Mike Jackson has apologised to the Iraqi people and said that the actions of these soldiers has brought shame on the British Army. [...] The soldiers who murdered my son have been allowed to remain in the British Army. [...] General Mike Jackson sat on the Army Board that made this decision as did John Spellar MP. Now, finally, I understand why. According to this government the two soldiers who shot my son in the back did not bring 'disgrace' on the army. What other explanation is there?"

21 April 2005. Kelly McBride, sister of Peter, met with the Mayor of London, Ken Livingstone and Labour Party Westminster election candidate, Yasmin Qureshi, in London. Together they announced plans to seek a change in the law during the term of the next parliament. The changes sought would lead to the automatic dismissal of any member of the armed forces found guilty of a serious human rights violation, murder, rape or torture.

Qureshi said: "I believe it is right to kick anyone found guilty of abusing prisoners out of the army and it is equally right that those found guilty of murdering civilians in Ireland can have no place in the army." "This is a human rights abuse on a grand scale," the London Mayor said. "We are now having a position where soldiers who have abused Iraqi prisoners, both American and British soldiers are being sent to jail, and here we have a situation where a completely innocent Irishman was shot in the back after he'd been searched, so that the soldiers shooting him in the back knew he represented no threat and he was running away. [...] Here not only have these people been released after a really scurrilous campaign by the Daily Mail, which smeared the victim and the victims family, but they're serving in the army again. [...] How can anyone feel confident or safe when these people have had guns put back in their hands?"

The campaign to change the law is being organised by the PFC and will be called Article 7 Campaign.

22 April 2005. Yasmin Qureshi slammed US stance on Spicer, because the US Army Contracting Agency had concluded that Spicer and his company Aegis Defence Services "both possessed satisfactory records of integrity and business ethics and were responsible." The Labour Brent East candidate said: "Spicer cannot seriously be regarded as a suitable person to run a security contract given his role in the McBride case. Putting him in charge of what amounts to a private army in Iraq is simply outrageous."

The US stance was also criticised by the sitting Lib Dem MP for Brent East, Sarah Teather, who pledged to continue raising the case.

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