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13 August 2007

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Lá Nua

Conrad Atkinson  
EXHIBITION



# Lá Nua

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## Headlines

# Human rights boss backs 1982 triple murder probe

**From the Balcony**

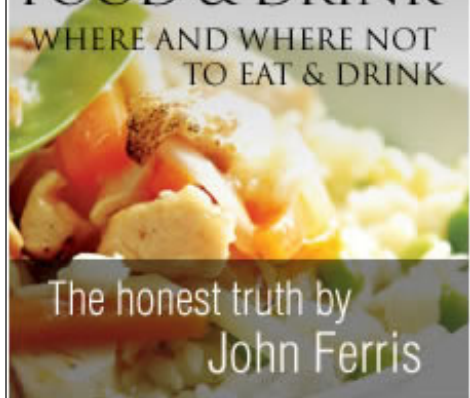


**A publisher's blog**

**By Máirtín Ó Muilleoir**

**FOOD & DRINK**

WHERE AND WHERE NOT TO EAT & DRINK



The honest truth by **John Ferris**

## Aine McEntee

The Human Rights Commissioner has backed the investigation by the Police Ombudsman into the so-called shoot-to-kill cases.

However, it has also warned that the Ombudsman's office may not have sufficient powers to do so when MI5 assumes intelligence responsibility in the North of Ireland in October.

Ombudsman Nuala O'Loan's office announced last week it had been asked by the British government to examine the investigations into the shootings of three unarmed IRA members in County Armagh in 1982.

Seán Burns and Eugene Toman, both (21), and Gervaise McKerr (33) were shot dead at a roundabout near Lurgan in November that year. Their car was struck by 109 bullets.

RUC officers involved in the incident were cleared of murder and a subsequent investigation by John Stalker, a former deputy chief constable of the Greater Manchester Police, was never published.

The killings have remained an unresolved source of controversy ever since.

The issue was referred to Mrs O'Loan following criticism by the European Court that the killings had not been properly investigated in that they were not compliant with Article 2 of the European Convention on Human Rights.

Last month it demanded that the British government "take, without further delay, all necessary investigative steps" to sort out the case.

Human Rights boss Monica McWilliams has backed the decision, describing it as "a concrete example of how the international human rights systems help to secure the rights of people in Northern Ireland".

"The judgments of the European Court need to be respected and implemented, and all families bereaved during our conflict are entitled to a proper investigation," she said.

"It should not have taken so long for bereaved families to get this close to an effective and independent investigation."

North Belfast link to Stalker Affair Ombudsman probe

- u The murder of the three Lurgan IRA men by a special RUC unit in 1982 led to years of legal twists and turns in the courts.

- u The controversy which followed the killings led to the appointment of the deputy chief constable of the Greater Manchester Police, John Stalker to investigate this and two other incidents. The same RUC unit was involved in all three shootings in which a total of six people died.

- u John Stalker who claimed his inquiries had been hampered was later removed from the inquiry in controversial circumstances when disciplinary charges were brought against him in Manchester.

- u These were later dropped.

- u A final report of the inquiries was not published.

- u Three policemen were charged with the murder of the IRA men.

- u In acquitting them of murder Lord Justice Gibson said: "I wish to make it clear that

having heard the Crown case I regard each of the accused as absolutely blameless in this matter. That finding should be put in their record along with my own commendation in bringing the three deceased men to justice, in this case the final court of justice."

u In the six years after their deaths five different coroners were appointed to handle the hearing at various stages.

u Legal wrangles about the admissibility of certain evidence and whether the RUC officers involved would be required to take the stand surrounded hearings in November 1988.

u Prior to his murder in February 1989 North Belfast solicitor Pat Finucane was behind a landmark legal bid aimed at forcing RUC officers to testify during the three men's inquests.

u It has been previously reported that Mr Finucane had registered no faith thus far in the investigation, at one stage walking out of a court hearing on the killings describing it as a 'farce'.

u However acting for the widow of Gervaise McKerr Pat Finucane won a High Court action effectively forcing the RUC to testify, but the government challenged the decision in the House of Lords.

u A month after the government's decision to challenge the High Court ruling was announced Pat Finucane was murdered at his Fortwilliam Drive home in front of his family.

u In March 1990 the House of Lords overturned the High Court's ruling, thereby ruling in favour of the authorities.

u In September 1994 a coroner said he was abandoning the inquest.

u He was the fifth coroner to have handled the case, the longest running inquest of its kind in British legal history.

u One of the policeman acquitted of murder later took his own life.

**08/10/2007**