



## O'Loan to interview Stalker

(Barry McCaffrey, [Irish News](#))

John Stalker will be interviewed by Police Ombudsman Nuala O'Loan after she was asked to re-investigate the RUC killing of three unarmed republicans in the controversy known as 'shoot-to-kill'.

Yesterday (Friday) the British government asked Mrs O'Loan to investigate the police actions surrounding the murder of Co Armagh republican Gervais McKerr.

The 31-year-old was one of three unarmed IRA men shot dead by an undercover RUC unit at a checkpoint on the outskirts of Craigavon in November 1982.

While Mrs O'Loan has not yet been asked to investigate the murders of the other two men killed, Sean Burns and Eugene Toman, it is understood their cases will be reopened as part of her overall inquiry.

It is understood two other shoot-to-kill episodes, during which the RUC shot dead four other unarmed republicans, could also now be reopened.

Three police officers were later cleared of the murders but an RUC officer admitted during one trial that he and others had been ordered by their superiors to lie under oath.

Greater Manchester deputy chief constable John Stalker was brought in to investigate the shoot-to-kill allegations but was dramatically suspended from duty shortly before he was due to deliver a damning report into killings.

Stalker was cleared off all charges but never returned to Northern Ireland while his report was never published.

The ombudsman is understood to have already received papers from Stalker's original investigation into the three killings and the two other shoot-to-kill incidents.

An ombudsman spokesman said investigators had not yet interviewed Mr Stalker but were likely to do so during their inquiries.

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In 2001 the McKerr, Burns and Toman families were among 10 republican families who successfully sued the British government at the European Court of Human Rights for having failed to properly investigate their loved ones' murders.

The Council of Europe subsequently requested that the British government reinvestigate the killings.

However, when no reinvestigation took place the families took further legal action against the government.

In 2004 Attorney General Lord Goldsmith claimed that an inquiry into the McKerr/Burns/Toman killings would be an unnecessary "burden" which the government could not fulfill.

The decision to ask Mrs O'Loan to reinvestigate the Kerr murder came after European Union ministers demanded that the British government take all necessary steps to "achieve concrete and visible progress" in the cases.

The RUC has always denied any 'shoot-to-kill' policy.

Sinn Féin's Alex Maskey called for the immediate publication of the Stalker report.

"Europe has already laid the finger of blame at the door of Number 10," he said.

"Now we need to see the full publication of the Stalker report and the immediate publication of all other inquiries relating to the policy of shoot-to-kill."

The SDLP's Alban Maginness welcomed the decision to reopen the case.

"A fresh look at the shoot-to-kill policy and its consequences is a step in the right direction," he said.

"Governments and state agencies are bound by law to protect the lives of people living in their jurisdictions."

However, the DUP's Jeffrey Donaldson criticised the reopening of the case.

"There is no benefit to the community in Northern Ireland in doing this," he said.

"The ombudsman's fixation with past cases is damaging the reputation of her office and is undermining the prospect of moving Northern Ireland towards a better future."

Meanwhile, Jimmy Spratt, a former chairman of the Police Federation and now a DUP assembly member, claimed that no police officer will cooperate with the new inquiry.

"It is yet another witch-hunt by Nuala O'Loan involving the former RUC Special Branch," Mr Spratt said.

"No police officer will cooperate with her.

"There should be no new starts for Nuala O'Loan, it should be left up to her successor."

Former Canadian Mountie Al Hutchinson takes over the post in November.

July 22, 2007

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This article appeared first in the July 21, 2007 edition of the [Irish News](#).

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