T T | T | |

ireland.com
THE IRISH TIMES

undefined

Sections

1. [The Irish Times](#)
2. [Breaking News](#)
3. [Sport](#)
4. [Business](#)
5. [Technology](#)
6. [Weather](#)
7. [In Focus](#)
8. [Archive Search](#)
9. [Births, Marriages, Deaths](#)

- [Editions](#)

Search for

- [Jobs](#)
- [Homes](#)
- [Cars](#)

Services

- [Premium Email](#)
- [Travel](#)
- [Dating](#)
- [Frontpage Sales](#)
- [Photosales](#)
- [Ancestors](#)
- [Irish Times Training](#)
- [Mobile](#)
- [Reader Offers](#)

[RSS Feeds](#)

ADVERTISEMENT

Monday, April 16, 2007

- [Home](#) |
- [World](#) |
- [Irish](#) |
- [Business](#) |
- [Sports](#)
- | [News Quiz](#)

Last Updated: 16/04/2007 17:13

Investigation into Derry death criticised

Police carried out a substandard investigation into the plastic bullet killing of a Derry teenager more than 25 years ago, the Ombudsman revealed today.

Nuala O'Loan also declared the RUC shooting of Paul Whitters (15) unjustified after a new examination of his death after rioting flared in the city.

With the baton round fired closer than the legal range, she also backed his family's allegations that officers made no attempt to arrest him.

Although the Ombudsman's inquiry into the shooting uncovered no new evidence that the killing was deliberate, she found police did not try to interview six witnesses to the shooting.

Mrs O'Loan said: "Based on the evidence from the files and the statements obtained as part of this investigation, I must conclude that the investigation was not done properly."

The teenager, a Catholic from the city's Bogside, was shot near a bakery in Great James Street in April 1981. He died from his head injuries 10 days later.

At the time a crowd of youths were rioting in the area, with police warned by a security guard they were trying to hijack a delivery lorry. An inspector on duty ordered an officer to fire at Paul Whitters, described by police as the lead rioter, the Ombudsman's investigation found.

The teenager was hit on the forehead without any attempt to arrest him, the report said. An independent scientist and weapons expert hired by the Whitters family as part of a civil action gave compelling evidence not available to the Director of Public Prosecutions or coroner, according to Mrs O'Loan.

Firing range tests on the weapon four years later found shots were hitting up to 20 inches above the target. "The scientist concluded that if the police officer aimed for Paul's head he would probably have missed," Mrs O'Loan said. "The fact that the baton round hit the head suggests the police officer probably aimed at the lower part of the body.

"This evidence, combined with evidence of eyewitnesses that Paul was stooping down and standing up again introduces reasonable doubt as to whether the police officer fired at his head."

Following an inquest the death was referred to the DPP, who directed no prosecution. A subsequent civil action was settled by

the RUC without any admission of liability. After re-considering the case, the DPP has again directed no charges against the officer who fired the gun.

© 2007 ireland.com

✉ Email to a Friend | 🖨 Print this Page

BACK TO TOP ⬆

✉ Email to a Friend

📰 Post to Newsvine

Article Tools

🖨 Print this Page

Post to del.icio.us

Your Vote

Does the killing of over 30 people at Virginia Tech highlight the need for dramatic gun law reform in the US?
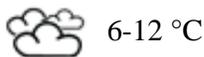
Yes   No

Archive

Click a date to view the paper on that day

◄ ►

M	T	W	T	F	S	S

Breaking News

Weather Ireland

TODAY   TOMORROW   WEDNESDAY

6-12 °C   6-12 °C   6-16 °C

Breaking news alert

The Irish Times Breaking News Alert, a lunchtime (GMT) roundup of breaking news 5 days a week to your mailbox.

» Click here to subscribe

Images of the Day

The day's best pictures chosen by The Irish Times picture editor.

© 2007 ireland.com

- About us |
- Privacy policy |

- [Help](#) |
- [Contact us](#) |
- [Advertise](#) |
- [Terms & conditions](#) |
- [Site map](#)