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News

Special Branch Files: It stinks to high heaven

In this special report, Greg Harkin - the journalist who exposed 'Stakeknife' - delves into the murder of Mary Travers and the wounding of her father, magistrate Tom Travers, in 1984 and uncovers startling new allegations about the killing...

Sunday, April 01, 2007

Today, in a forensic science laboratory in England, DNA experts may be - literally - a hair's breadth away from finding the killer of Mary Travers.

It's all that remains of the physical evidence gathered from the blood-splattered scene where the 22-year-old teacher met her death at the hands of an IRA hit-squad.

The sun was shining as resident magistrate Tom Travers, his wife Joan and their daughter Mary set out on the short walk home from St Brigid's Catholic Church on Belfast's Malone Road.

It was Sunday April 8, 1984, and the family - devout Catholics - had just attended noon Mass.

They were shaken by a loud bang, then Mary saying: "That man's got a gun."

As Mr Travers recalled later: "At that time, Mary lay dying on her mum's breast, her gentle heart pouring its pure blood on to a dusty street in Belfast.

"The murderer's gun, which was pointed at my wife's head, misfired twice. Another gunman shot me six times. As he prepared to fire the first shot, I saw the look of hatred on his face - a face I will never forget."

Mr Travers recovered from his physical wounds, but admits he remains broken-hearted at the loss of a daughter who'd spent her final morning happily looking forward to helping primary school children attend their first confession.

After the murder, the IRA tried to justify Mary's death by saying she was killed by a bullet that had struck her father first. This was not the case.

Twenty-three years on and there is new controversy surrounding the murder - not least because of claims being made about the killers, Special Branch officers and agents.

Even the Police Ombudsman has found herself at the centre of the controversy amid claims of an investigation that appears to be going nowhere.

Mary Ann McArdle (19) was arrested soon after the murder near the Botanic Inn further down the Malone Road from the murder-scene. She was in possession of two guns and a wig.

There is speculation that McArdle was "thrown to the cops" by a rogue element in the hit-team who was a security force agent - a collar for CID. Certainly, she was seen talking to someone at Malone Avenue after the attack, but somehow failed to escape the scene.

Was she left behind? Was someone supposed to collect her?

Ms McArdle - released early from her life sentence under the Good Friday Agreement - may well know the answers.

In the hours after the murder CID officers were given unprecedented support in the area in their hunt for the killers as public outrage spread.

Many witnesses came forward, passing on descriptions of up to seven people involved in the killing.

But Sunday Life can reveal today that vital information obtained by Special Branch was never passed on to the CID team investigating the murders.

One incident in particular is most alarming. In the early evening of April 9, a dedicated Special Branch officer got a tip-off from one of the most important agents inside the IRA, Joseph Fenton.

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Fenton was a prolific worker for the security forces, helping to prevent dozens of murders and bombings across Northern Ireland.

He was opposed to the IRA's 'armed struggle' and hoped one day to leave the country and start a new life in Australia.

What he had to offer the Branch that evening appeared to be a breakthrough in the hunt for the rest of the gang: he had been ordered by the IRA to go to an apartment at Malone Avenue, remove items from the scene and clean it thoroughly.

At enormous personal risk, Fenton offered the Branch access to the premises before any clean-up. But his handler would need clearance from another officer.

Astonishingly, it is now claimed this request was refused.

Subsequently, the other officer says he doesn't recall the request. A third officer says he doesn't remember the incident either.

Tom Travers, however, believes what Fenton's handler has told him.

Even though he believed the task given to him by the IRA may have been a test, Fenton was willing to help. Reluctantly, the officer could not interfere with the clean-up operation. Details about the address at Malone Avenue (the exact address is known to Sunday Life) were never passed on to CID and the premises were never searched.

Material removed by Fenton and later dumped could almost certainly have provided vital clues to the identities of the rest of the gang, and, more importantly, forensic links which could have led to further prosecutions. It is possible it included more weapons and more of the disguises used by the gang.

A second house was also used by the murder gang at nearby Eglantine Avenue. However, it was only searched in late May 1984 - several weeks after the murder - after a recovering Mr Travers passed on information that gang members had stayed there.

At the trial of Mary McArdle and Joseph Haughey two years later, overcome with emotion, Tom Travers wept in the dock as he described the murder of his daughter.

However, his identification evidence - naming Haughey as one of the killers - was dismissed by the trial judge who said there was a possibility Mr Travers was mistaken. Haughey has maintained his innocence since, and has publicly denied claims that he was an agent working for the security forces, specifically Special Branch or MI5.

It is a claim being investigated by the Ombudsman and, separately, by the Historical Enquiry Team.

Tom Travers has continued to press for new leads in the investigation into his daughter's murder.

He did, however, lose faith in Nuala O'Loan and her team. Mrs O'Loan's decision, on March 7, to send 18 police officers in a raiding party to the home of a former cop who had given the family new information about the murder was the final straw.

"I had asked her (Mrs O'Loan) not to arrest this man, but she went ahead anyway, knowing full well my feelings. I was also afraid that such a high-profile arrest would only put off any chance of other people coming forward. The arrest put paid to that (possibility)."

REFUSED

The arrested officer has refused to talk about the incident to anyone other than Tom Travers. He is due to answer bail in May.

However, a former senior RUC officer told Sunday Life: "This man saved dozens of lives and worked at the coal face in the fight against the paramilitaries.

"He was trying to help a grieving family and his reward is a raid on his home by officers in three-piece suits and cufflinks who treated him like a criminal."

The Ombudsman's behaviour is odd to say the least. It is just the latest in a series of inconsistencies in the investigation.

For a start, numerous allegations were made to her office four years ago, yet no action appears to have been taken. An initial statement was followed by another detailing the Malone Avenue incident, yet no written record appears to exist, even though a tape-recording of the interview appeared to be taking place.

But this is not the first time Ombudsman investigations have appeared - on the surface at least - to have been stalled without reason.

Four years ago, I watched as Ombudsman's officers met with a former member of the security forces at a hotel in Co Kilkenny.

Allegations about the role of Freddie Scappaticci in a number of murders and kidnappings were given to Mrs O'Loan's representatives. A tape-recording of that meeting exists as proof that it took place and it records how Special Branch officers were aware of serious crimes including murder.

Yet Mrs O'Loan has only now - April 2007 - announced that she is looking at the role of Scappaticci, the agent known as 'Stakeknife'.

Her office has also known about claims relating to Haughey for a similar period of time, not least claims from a former NIO-based intelligence officer that he saw files on Haughey while working undercover in Northern Ireland the 1980s. Again, only now is an investigation under way. The Ombudsman's raid on the former Special Branch officer has strained still further relations between the force and the watchdog.

A number of former officers who wanted to shed new light on murders during the Troubles are now holding back as a result, and, for some families, that will mean they will never get the closure they seek.

But anger is not confined to former officers.

A serving Special Branch officer revealed that he was among dozens of officers who confronted Chief Constable Sir Hugh Orde at a recent meeting at Garnerville police base in east Belfast.

They were furious at Orde's carte blanche acceptance of a damning report from Mrs O'Loan surrounding

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the murder of Raymond McCord jnr.

These officers did not contend that a few 'rotten apples' had colluded with UVF killers, but believed the Ombudsman had made allegations way beyond the body of evidence her investigators had turned up.

During the meeting - according to an officer who spoke to Sunday Life - Orde was forced to accept that there were flaws in O'Loan's assessment. When he did so, he was accused of misleading the public.

RESPECTED

The respected serving officer told us: "It was put to him (Sir Hugh) that he couldn't tell the public one thing and then tell us another at Garnerville - that he had to go public with what he was telling us, if that is what he believed.

"Our concern, too, is clear - who polices Nuala O'Loan? No one."

Another officer told Sunday Life: "Politicians can do what they like - at Stormont or at Westminster - but the past hasn't gone away, you know."

It is the apparent slowness of Ombudsman inquiries which frustrates many who make formal complaints.

In the case of Mary Travers, the gun used to kill her was available for collection by Ombudsman's officers from 2005.

But it was a year later before those investigators decided to actually go and pick it up - but by then it had disappeared.

No blame for its 'disappearance' can be attached to Mrs O'Loan.

However, had an attempt to collect it earlier been made, perhaps it would still be available. Perhaps new DNA techniques would have yielded new clues. We will never know.

Guns and evidence have a habit of disappearing in the Travers' case.

In 1995, a decision was taken to destroy the other gun used that day - the gun used to shoot Tom Travers.

As guns go in Northern Ireland, this was a particularly important gun, and a particularly big decision.

The same weapon was used to murder - among others - Judge Billy Doyle, who was shot dead outside St Brigid's Church 15 months before Mary Travers' murder, and the Rev Robert Bradford, the Ulster Unionist MP for South Belfast, shot dead at a community centre in Finaghy in November 1981

We will never get to hear Joseph Fenton's version of events. He was shot dead by the IRA in February 1989 - lured to a west Belfast house by Freddie Scappaticci.

Perhaps there could be one final breakthrough.

A wig recovered from Mary Ann McArdle was also destroyed, but a single hair on forensic tape has somehow survived the conspiracy of time at least.

It will take some time for the world's leading DNA experts to work on it - perhaps several more months - but it may well contain the DNA of the gunman who shot Mary Travers.

Her father, still grieving, can only wait.

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