

## **Bombed and Abandoned -**

# **The experience of the bereaved and maimed of the Dublin and Monaghan Bombings**

**by Don Mullan**

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**"Only it happened to me - I wouldn't believe it."**

These are the words of Tim Grace whose wife Breda was murdered in the Dublin/Monaghan Bombings on 17 May 1974. Tim was not referring to the fact that his wife was killed, leaving him alone to raise their one year old son. He was referring specifically to the official silence, intrigue and lack of public accountability which has characterised the political and police response to the biggest mass murder case in the history of the Irish Republic.

The focus of the families and wounded who are involved in their Justice for the Forgotten Campaign has perceptibly changed in the last few months. While they still wish to know the whos' and whys' concerning the bombings, their focus now is on official answers to very basic and simple questions

regarding the nature, extent and adequacy of the Garda investigation, and the response of the Cosgrave Government. In particular, the Minister for Justice at the time, Mr. Patrick Cooney.

In February this year, the bereaved and wounded wrote to every member of the Oireachtas who, it should be remembered, packed the Dail and Senate Chambers to rush through tough emergency legislation following the Omagh bombing last year. The addresses used came from an up-to-date list supplied by the Oireachtas Press Office. The letter invited patronage for their Campaign and support for a Tribunal of Inquiry. In both houses, little more than 20% of members responded positively: 36 TD's from all parties, excluding the PD's; and 12 Senators. 101 TD's (60%) and 45 Senators (75%) didn't bother to reply.

The predictable response from key Government Ministers unmask an official response being directed by the Department for Justice. Letters received from Ministers Andrews and O'Donnell at the Department of Foreign Affairs contain the sentence: "The Minister for Justice is unconvinced that the opening of a Tribunal of Inquiry would be a suitable course of action at this point since the Garda investigation file on the case remains open." Former Taoiseach, John Bruton, wrote: "I do not believe that a Tribunal of Inquiry would be successful in establishing any additional facts other than those already in the public domain..." On 24 March 1999, Pat Murray, Private Secretary to Justice Minister John O'Donoghue, wrote: "While one cannot have anything but sympathy for those affected, the Minister is unconvinced that the establishment of a Tribunal of Enquiry... would be the right course of action to take." Mr. Murray doesn't indicate what the Minister considers would be the right course, apart from the fact that "the Garda investigation file on these bombings remains open."

The Taoiseach, Mr. Ahern, in whose political constituency the vast majority of bombing victims were murdered and maimed, has thus far not responded, though a meeting with the Justice for the Forgotten Campaign is imminent. In the past he has publicly stated that the dogs in the street could bark the names of those responsible. In private, he has told individuals that if and when he became Taoiseach, he intended opening the Garda files on the bombings. However, on March 5, 1999, during a meeting with the Belfast-based Relatives for Justice campaign, Mr. Ahern said that while he had intended opening the files, since coming to power he had discovered that "...there was nothing in the files that would have suggested or indicated who was responsible..."

In the past, such benign responses from politicians may have disillusioned and disheartened the families and wounded in their efforts to seek truth and justice - ultimately closure to their suffering. Today, they are simply angered and energised to expose, what they increasingly believe, is an official cover-up.

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## 1974 - The Political Context

Seamus Mallon has famously described the Good Friday Agreement as "Sunningdale for slow learners". As the summer of 1974 began, Unionist and Loyalist opposition to the Sunningdale Agreement, which included a power-sharing executive and a ministerial Council of Ireland, gathered momentum. On 15 May 1974 a strike organised by a recently established coalition, the Ulster Workers' Council (UWC) began. The strike had a co-ordinating committee which included paramilitary leaders from the UVF and UDA and Unionist politicians including: Ian Paisley, William Craig and Harry West. Widespread intimidation of workers was reported as the strike tightened its stranglehold across the north. At Westminster on 16 May, the Secretary of State for Northern Ireland, Merlyn Rees, warned Unionist MP's that 'their loyalism will lead them to come up against British troops'. However, at no point during the strike did the British Military move to end intimidation or clear the 'Queen's Highways' for the free movement of people and resources. Indeed, it is now known that British Military Intelligence, in particular MI5, supported the Loyalists and that several hard-core paramilitaries were being run by them. At 5.30pm on 17 May, three no-warning bombs exploded within ninety seconds in Dublin and a fourth exploded in Monaghan town, 88 minutes later. A total of 33 people (mostly women) were killed and hundreds maimed. It was to be the biggest loss of life in any single day of the 'Troubles'.

The rationale behind the bombing of Dublin and Monaghan was part of an uncompromising political strategy aimed at destroying the Sunningdale Agreement, in particular, the Council of Ireland dimension. Both the UDA and UVF denied responsibility. However, the Press Officer of the UWC strike's co-ordinating committee, Sammy Smith (UDA), gloated, 'I am very happy about the bombings in Dublin. There is a war with the Free State and now we are laughing at them.' His committee colleague, the Christian minister, Ian Paisley, neither rebuked Smith for his comments nor condemned the bombings.

Amongst the dead and injured were: Collete Doherty who was nine months pregnant; a young French Jewish woman, Simon Chetrit, who was born in occupied France during the Holocaust; an Italian citizen, Antonio Magliocco, who ran a Fish and Chip shop, and a young family; John and Anne O'Brien and their daughters, Jacqueline (5 months) and Anne Marie (17 months), who were enjoying a walk in the sunshine. The idea of anyone laughing at the unfathomable suffering inflicted by such carnage is beyond comprehension.

The death of the Sunningdale Agreement occurred on 28 May when Brian Falkner and pro-Agreement Unionist politicians resigned under pressure. Anti-Agreement Unionists celebrated throughout the province with dancing and bonfires. The following day, 29 May 1974, the UWC strike ended.

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## **The Garda Investigation**

The nature, extent and adequacy of the Garda Investigation into the Dublin/Monaghan bombings is

largely unknown in the absence of full public accountability. What we do know is that within weeks of the explosions the Garda Detective Branch and Special Branch had identified eight prime suspects, all from the Portadown/Lurgan area of Co. Armagh. The identities of the suspects were strengthened by a number of key eyewitnesses, one of whom I have spoken with, who had eye to eye contact with the South Leinster Street bomber. All suspects were known members of the mid-Ulster UVF Brigade. These included the now deceased William Hanna, William Fulton, Wesley Sommerville, Harris Boyle and Robin 'The Jackal' Jackson. David Alexander Mulholland, now living in England and Samuel Whitten were also named suspects. According to Yorkshire Television's 'First Tuesday' documentary: *Hidden Hand - The Forgotten Massacre*, broadcast in 1993, Mulholland and Whitten were identified in police photographs by three separate eyewitnesses as drivers of two of the four bomb cars.

These details are highly significant given the fact that journalists from Yorkshire Television are the only source to date, outside political and police circles, who have been given limited access to the Garda files into the bombings. The Gardai would not hand over their files to Yorkshire Television but agreed, according to Glyn Middleton, one of the producers, 'to answer any questions related to the bombings as fully and accurately as they could from the files'. Over a number of days in 1992 Yorkshire Television met with assigned members of the Garda which resulted in several hours of audio recordings of information read directly from the Garda files. They starkly challenge the Taoiseach's assertion to *Relative for Justice* that he had discovered "...nothing in the files that would have suggested or indicated who was responsible".

When I put the Taoiseach's comments recently to Middleton, he answered:

*"Direct evidence from those files suggested there were a number of people who had a strong case to answer. At the very least you expect those leads to be followed up and properly investigated on both sides of the border. It is clear to Yorkshire Television that this was not done."*

According to 'First Tuesday', the Garda extended their list of suspects with an additional 12 names, derived from intelligence sources in the North. The Garda files name William "Frenchie" Marchant, the leader of the Belfast hijackers, and Billy Fulton, the quarter master who took charge of the explosives used. The files also name three leading Loyalists as the planners of the bombings: Billy Hanna, the leader of the UVF in Portadown; Harris Boyle, second-in-command; and Robin 'The Jackle' Jackson. Within weeks, 'First Tuesday' asserts, "the Garda had a list of twenty suspects..." 'First Tuesday' also state that the Garda enjoyed good co-operation from the RUC in the early stages of their investigations. However, Gardai who travelled from Dublin, expecting to have the suspects arrested and interrogated, found the trail running cold at RUC headquarters. One Garda officer interviewed by 'First Tuesday' stated, "... there was definitely a lack of co-operation. Our investigation had to end because we couldn't get any further in the north. The well just ran dry." Chief Superintendent John Paul McMahan, who lead the Monaghan murder hunt wrote:

*"These investigations were greatly hampered by reason of the fact that no direct enquiries could be made in the area where the crime originated. There was no access to potential witnesses in Northern*

*Ireland and there was also the disadvantage of not having been able to interrogate likely suspects and put them on identification parades."*

Yorkshire's 'First Tuesday' programme also reveals that the RUC did, indeed, conduct their own investigations. Two Special Branch officers, who were tasked with finding out more about the bombings, spoke to programme-makers off-camera. According to 'First Tuesday':

*"They confirmed they had a list of UVF suspects which tallied with the Garda's. They reported their information to RUC Headquarters but were never asked to interview or arrest any of the suspects."*

The above, however, is contradicted in a letter sent by the RUC to the solicitors representing the families, dated 28 August 1996. It states:

"... (4a) ... a number of persons were arrested and interviewed in relation to the theft of the vehicles. (4b) A number of persons were arrested and interviewed in relation to these murders. (5) Details arising from the interviews... as well as other material, were passed to An Garda Siochana at various stages of its enquiry."

This assertion by the RUC is disputed by 'First Tuesday' who state that in Garda Chief Superintendent John Joy's final report he wrote:

"Enquiries in regard to [suspects] are being made by the RUC and results of the investigation will be reported."

'First Tuesday' states catagorically: "There is no record on the Garda file that the RUC ever did report back."

Within three months of the explosions, the Garda investigation into the biggest mass murder in the history of the State was wound down and detectives working on the case assigned to other duties.

At one level it would appear the Garda had done all in their power to hunt down the killers, only to have their efforts frustrated by a sectarian police force north of the border. But such a conclusion is too simplistic. Something isn't right. Proper procedures were, in many instances, not followed, and additional avenues of useful pressure appear not to have been explored.

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**The Cosgrave Cabinet**

There is a serious and crucial question to be truthfully answered, as yet, by both An Garda Síochána and the Government. It relates to the vexed issue of identified suspects and the RUC's apparent unwillingness to move against them. The present Garda Commissioner must clarify whether or not his force informed the Cosgrave Government of the names of those suspects and the difficulties his officers were encountering with the RUC. When I put this point recently to a senior Garda officer-in-charge in Dublin at the time, he replied:

"I would be surprised if the Minister for Justice wasn't informed."

If this senior officer is correct, it means that at Cabinet level the Irish Government of the day knew the names of the prime suspects shortly after the bombings. However, three surviving members of the Cabinet's five-man security committee; Patrick Cooney (Minister for Justice), Conor Cruise O'Brien (Minister for Posts & Telegraphs) and Patrick Donegan (Minister for Defence), have denied knowledge of any Garda list of suspects. When the question was put to former Taoiseach Cosgrave by Yorkshire Television he declined to answer any questions about the bombings.

A member of Cosgrave's Cabinet, Justin Keating (Minister for Industry & Commerce), quoted in *The Irish Independent* (11 July 1993) lends weight to the senior Garda officer's comment:

*"It is perfectly possible that it [the list of suspects] went to the Cabinet Security Committee. It might have been a political decision of theirs not to inform their Cabinet colleagues."*

There are very serious implications in this for An Garda Síochána. Either they did or they didn't inform the Government of the names of the suspects. If they did, then at least one member of Cosgrave's Cabinet may be lying to the nation and, in so doing, leaving An Garda Síochána open to justifiable accusations of incompetence. If they did not inform the Government of the list of suspects and their difficulties with the RUC, then they certainly do have a case to answer as to why they didn't.

When interviewed by Yorkshire Television in 1993, Merlyn Rees, then Secretary of State for Northern Ireland, expressed astonishment that there was detailed information about those suspected of involvement in the Dublin and Monaghan bombings. He said he was not notified. He continued:

*"If names were given and the names were in the north, it would be my job, without ever interfering in the day to day security matters, to make clear that something's got to be done within the rule of Law - that these people should be questioned and if needs be, dealt with by the full process of law."*

Arising out of this scenario, additional questions require answers. If the Government had the names of the suspects, what did they do with this information, then and since? Did the Government seek the co-operation of the British Government in apprehending the suspects? If not, why not?

These questions alone warrant the establishment of a Tribunal of Inquiry. But they are not the only ones.



## Treated Like Lepers

The Garda conducted its own internal investigation, following the broadcast of the 'First Tuesday' programme. This culminated in a statement issued on the 21st anniversary of the bombings by the Department of Justice in 1995. The statement dismisses with near nonchalance the 'First Tuesday' documentary which Yorkshire Television, to their credit, invested £400,000stg on making and, again to their credit, spent over two years longer in researching, than the original Garda investigation. Indicative of the general lack of interest in rigorously pursuing this case by the Irish media is the fact that no one seemed curious enough in 1995 to call Yorkshire Television to invite their response. Thus, the Department of Justice's statement, which included, amongst others, a conclusion by the Garda Commissioner that *'there was no lack of co-operation between the police forces involved'*, went unchallenged.

Whether or not the RUC did co-operate, and to what extent, can only be verified by a detailed examination of the files of An Garda Siochana. Requests by the families of the deceased to see the Garda Files have been continuously refused and indeed, legal efforts to gain access to the Garda files have been vigorously fought by the Gardai in the Irish High Court (1997) and the Supreme Court (1998). The question is why?

When one juxtaposes the Dublin/Monaghan bombings alongside the Landsdown Road soccer riot in 1995 - which *was* the subject of a Tribunal of Inquiry - suspicions again are raised about official resistance, given the gulf of magnitude between the two cases.

Furthermore, An Garda Siochana have failed to visit each of the families who lost their loved ones to discuss their ongoing investigations with them, as is normal procedure in an open murder case. For several years, victims support has been a core value in Garda training and practice, but not with the victims of the Dublin and Monaghan bombings. Why?

What hurts most for the families and the wounded is the awful sense of abandonment by their politicians and police who have consistently failed to deal openly and honestly with their right to truth. Frank Massey, whose 21 year old twin daughter Anna was murdered in South Leinster Street, speaks with consummate anger and bitterness when he say, "We've been treated like lepers. Instead of being innocent victims, we've been treated as though we are the guilty".

## The Garda Files

One cannot and must not lose sight of the current Taoiseach's assertion that there is nothing in the Garda Files to warrant a public inquiry. Mark Thompson, a member of Relatives for Justice, who attended the meeting with the Taoiseach at Government Buildings on 5 March 1999, has sent me the following account:

*"Almost immediately the Taoiseach moved onto the subject of truth and the Dublin/Monaghan bombings and said that '...it always isn't that easy you know...when I came to office I looked at the Dublin Monaghan files... I had always been under the impression for many years and had my suspicions as to who was directly behind it. That if I had got a glance or access to those files that the content would have indicated exactly who was responsible... it isn't that easy... there was nothing in the files that would have suggested or indicated who was responsible... and yet for years I had been under the impression that they would contain this information.'"*

Glyn Middleton, producer of 'Hidden Hands - The Forgotten Massacre', confirmed with me on 17 April 1999, the fact that Yorkshire Television have an audio recording of a member of An Garda Síochána reading the names of the suspects from the Garda Files.

However, if the Taoiseach is right, why not do what he promised before he became Taoiseach and open the files to public scrutiny? Consequently, the families and wounded are not in a position to accept the Taoiseach's assessment in the absence of transparent verification.

Documents which I have legally obtained and which I know form part of the Garda files, again raise far more questions than they answer. By way of example, let us examine three documents: (1) The Forensic reports of Dr. James Donovan, Dublin, and Dr. Robert Hall, Belfast, and (2) A statement made to the RUC by the owner of the car used in the South Leinster Street bomb.

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### (1) Forensic Reports

Forensic examination of bomb debris from all four sites was undertaken at the Department of Industrial and Forensic Science, Belfast, while debris from the Parnell Street site, only, was examined at the Irish State Laboratory.

Curious as to why crucial evidence was allowed to leave this jurisdiction, I asked a senior Garda officer-in-charge in 1974 'Why?' While this officer, now retired, was not involved in the decision to send material to Belfast, his assumption was as follows:



"Dr. Donovan was an excellent forensic scientist. He may have decided to do so for a couple of reasons: for double confirmation or because the RUC had specialised equipment." However, when I interviewed Dr. Donovan, now Director of the Garda's Forensic Laboratory, at Garda Headquarters, on Wednesday, 24 March 1999, he informed me that he had not been consulted and that the decision to send the debris to Belfast was taken independently from him.

*"Your opinion was not sought?"* I asked Dr. Donovan.

"No" he replied.

I ask Dr. Donovan if he believed the State Laboratory was competent and experienced enough to do the analysis. He replied:

"... if I had got the stuff [bomb debris], the staff are trained, we could, I believe, have done that..."

*"Did you feel in some way shunned?"*

"Yes, I felt shunned in that there we were able to do something and that something was whipped away from us to another jurisdiction..."

*"So you found it strange that this crucial evidence was sent up North?"*

"Quite frankly, yes I did! I mean, the main attitude I had was 'Why?'"

I then asked Dr. Donovan regarding alternatives to the Belfast Laboratory, given the natural distrust which may have existed. His response was quite unequivocal:

"Look, it happened here in our jurisdiction. There is no reason whatsoever for it to go anywhere else other than to stay in this jurisdiction. We can do it and we have done it in the past."

*"And you could have done it in 1974?"*

"Yes!"

As part of the interview I discussed briefly the small particles of bomb debris which Dr. Donovan received from the Parnell Street explosion. I then moved onto discussing the bomb debris which was sent to Belfast. He responded:

"I absolutely know nothing whatsoever about what was sent to Belfast."

*"Did you not get a copy of Dr. Hall's report?"*

"I did not get a copy of the report - ever!"

*"I have a copy."*

"You have a copy? Well, I haven't a copy."

I expressed surprise and amazement that Dr. Donovan had not received a copy of Dr. Hall's forensic report and that his opinion was not sought.

"Well, that would be the normal thing... You're not the only one who would think that. Anybody reasonable would think that that should be done..."

At 11.30 am on Tuesday 30 March 1999, I personally delivered a copy of Dr. Hall's forensic report on the bomb debris from the Dublin and Monaghan bombings to Dr. James Donovan at Garda Headquarters. He confirmed it was the first time ever, in almost 25 years, he had actually seen the report.

### **Dr. James Donovan's Forensic Report**

On the 20th May 1974, Dr. James Donovan, received from Detective Garda Timothy Jones (Garda Ballistic Squad) at the State Laboratory in Dublin, 'samples connected with the explosion at Parnell Street Upper'.

These samples were: "Polythene bag containing five pieces of foam rubber; burned and charred white leatherette - piece; and scrapings from car used to contain bomb." His report is dated 23 May 1974. He had detected traces of ammonium, sodium nitrate and nitro-glycerine. Microscopic examination of the car scrapings revealed 'the presence of two blackened prills of ammonium nitrate.' Dr. Donovan concluded "The results suggest the use of gelignite/dynamite as the explosive substance."

On 23 May, Dr. Donovan was again visited by Detective Garda Jones who brought him further samples 'connected with the explosion'. These samples were: "Pieces of foam rubber; Pieces of jute carpeting; Pieces of tyre and Scrapings from car used to contain bomb." His report on this debris is dated 28 May 1974. He detected in the foam rubber: 'a positive reaction for chemicals normally found in gelignite'; in the pieces of tyre: 'very faint traces of ammonium nitrate and sodium nitrate'; and in the car scrapings: 'sodium carbonate, nitrate and ammonium'. He found that the pieces of carpeting were 'too dirty to give any type of reliable results.' He noted that the chemicals detected 'are normally found in high explosives'.

### **Dr. R A Halls Forensic Report**

On 28 May 1974, Detective Garda Jones travelled to Belfast to deliver, in total, six bomb debris items

connected with the bombings. They were analysed by Dr. R A Hall, a Member of Staff, whose report is dated 5 June 1974.

Dr. Hall's report notes delivery of the following: Talbot Street: 1 item; Parnell Street: 1 item; South Leinster Street: 1 item; Monaghan Town: 3 items, similar in type to what Dr. Donovan had received.

Dr. Hall's three page report criticises the eleven day time lapse between the explosions and delivery of the bomb debris to his Laboratory for analysis. "It has been my experience," he writes in his conclusion, "that identification of the explosive used... can be achieved in the majority of instances providing the correct samples are received for laboratory examination within 6 hours... rapid analysis...is essential if the more volatile organic explosive components such as nitrobenzene and the nitrate esters are to be detected... In the case of inorganic components speed is not so necessary, however items should be analysed within a few days if success is to be assured." He continues:

"The results of the laboratory examination of the items from Detective Garda Jones must be viewed with these points in mind."

The reason why Dr. Hall may have considered it necessary to make this statement is quite simply because his analysis rendered little, in fact very little, by way of additional forensic evidence. His report is useful primarily by way of raising questions regarding the competence and decision-making mechanisms within An Garda Siochana at the time, in particular, the Garda Ballistic Squad.

There are a myriad of questions which now arise:

Who was directing the decision-making process within the Garda Ballistics Squad?

Why was it decided to provide Dr. Donovan of the State Laboratory with debris from only the Parnell Street bomb site, three days after the explosion and additional debris six days after the explosion? Why was there a delay? Why was Dr. Donovan and the State Laboratory not provided with debris from all four sites? (Objective analysis of the two forensic reports clearly reveal that Dr. Donovan's examination yielded a higher quality of results. Dr. Hall's criticism of the delay in getting samples to his Laboratory, however, must be borne in mind). Why was there an eleven day delay in delivering bomb debris from all four bomb sites to the Belfast Laboratory? Who made this decision and how was it arrived at? Why was the Irish State Laboratory effectively sidelined by An Garda Siochana?

There then arises the question of the actual bomb debris and its current whereabouts. This, lest we forget, is an open murder inquiry - as no lesser bodies than the Department of Justice and successive Irish Government's keep reminding us. The bomb debris is, therefore, crucial criminal evidence. To double check this point I called the New York Police Department's Bomb Squad on Sunday 18 April 1999 with the question, "Would you keep bomb debris for twenty-five years?" The officer I spoke with asked, "Where there injuries or fatalities?" Yes. "Was anyone apprehended or convicted?" No. "So it's still an open murder inquiry?" Yes. "You keep the evidence!" was his definitive response.

On 26 January 1999 I wrote to the Gardai asking if the bomb debris sent to Belfast was still in the possession of the Irish State and if they could establish a chain of custody of that evidence from the time of the explosion until the present day.

On 21 April 1999, after several follow-up phonecalls to Garda H.Q., Inspector Simon O'Connor called me on behalf of the Garda Commissioner with an answer to my questions. It was as follows:

"In the Supreme Court Judgement (Patrick Doyle V The Commissioner 1998) it was held that it was of paramount importance that the information gathered by An Garda Siochana in the course of a criminal investigation should remain confidential. Therefore, this informatin cannot be released."

All I asked was 'Do you have the debris and can you establish a chain of custody?' Questions to which the simple answer 'Yes' would surely not prejudice any case the Gardai might be establishing for almost 25 years! Unless proved otherwise, I am lead to the conclusion that the Garda no longer have this criminal evidence.

The handling of crucial forensic evidence by An Garda Siochana is another reason why a Tribunal of Inquiry is essential and warranted in this case.

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## **(2) RUC Statement**

I have in my possession a number of statements made to the RUC by the owners of the cars used in the bombings and which I know to be in the Garda files. I propose here to take just one of those statements and discuss its contents and the disturbing issues the statement raises.

The car used to carry the bomb which exploded in South Leinster Street was a lagoon blue Austin 1800, Reg. No. HOI-2487. It belonged to a Mr. William Henry, now deceased, who worked for Ariel Taxis which had an office on Agnes Street, in the Shankill area of Belfast.

According to Mr. Henry's statement, at approximately 9am on the 17th May 1974, he was in the Ariel Taxis office when a man came in and asked to be taken to Sandy Row. When he went outside to his taxi a second man joined them.

Mr. Henry described the first gentleman as 'around 30... about 5' 4"... and wearing a black jacket.' He said he didn't pay much attention to him. He gives no description of the second gentleman and doesn't appear to have been asked.

The man who ordered the taxi sat in the front passenger seat and the other gentleman sat in the back. As they travelled down Agnes Street he was asked to pull into Woburn Street as others had to be picked up.

It was in Woburn Street the hi-jacking of Mr. Henry's vehicle took place. According to Henry, as soon as he stopped, two men approached, pulled him out of the driver's seat and bungled him into the back of the car, forcing him to lie quiet on the floor. It would appear from his statement that both men sat into the back seat beside the man whom he picked up at Ariel Taxis. All three sat with their feet on his back.

Henry says the car was then driven around for three or four minutes before it stopped and a hood was put over his head. He was then taken out and brought into a building which, he says, seemed to be off a gateway. He was put in a room, his hands were tied behind his back and he was made to sit in a chair. Henry says he became hysterical but his captors reassured him. They told him not to worry as nothing would happen him. They only needed a car.

Henry remained in the room until nearly 2pm after which he was taken to a car which he describes as an 1100. He gives no details of colour or registration and doesn't appear to have been asked by the police officer taking the statement. He was, he states, driven to Boyd Street, Peters Hill, Belfast, where he was released. One man drove off in the car and a second man followed him up Shankhill Road "as I had been told not to go near my taxi firm and to go straight home until 3 pm and I was then to go to Tennent St. Police Station." He concludes by stating that after 3 pm he came to Tennent Street RUC Station.

The statement was taken by Detective Constable Kennedy at 3.20 pm. It was checked and certified a true copy of original by Detective Constable J.J. Woods.

There are several issues which immediately come to mind with regard to basic RUC detective work. *Did* the RUC follow-up on the information supplied by William Henry? Did RUC detectives visit Mr. Henry again in the wake of the bombings to see if he could provide additional information? Did they ask him to attempt a better description of the 5' 4" man who was around 30 years old and who wore a black jacket? Did they ask him to describe the other gentlemen who took part in the hi-jacking? Did they visit Ariel Taxis to enquire if anyone in the office at approximately 9am on 17 May 1974 had seen the man whom their colleague William Henry agreed to take to Sandy Row? Did they check to see if anyone in the vicinity of the Taxi office had seen the gentleman standing outside? Did Ariel Taxis report the disappearance of Mr. Henry and his vehicle to the RUC when he failed to return to the taxi rank after a maximum 20 minute job? If so, when? What did the RUC do with this information? Did the RUC do a house to house enquiry in Woburn Street to see if anyone had noticed men acting suspiciously or if anyone had witnessed the hi-jacking taking place when Mr. Henry was physically removed from the drivers seat and forced into the back of his taxi? While we know that these were exceptional times and the RUC, no doubt, were under stress, the above questions are, however, reasonable, given the magnitude of the crime committed, resulting in the deaths of 33 people from three European nations. They are also questions which the families of the deceased and the maimed have a right to received answers to.

Some of the most vital information contained in William Henry's statement concerns the circumstances of his release. He was released at 2pm, while the bombing mission still had three and a half hours to run. He was told not to go near his taxi firm but instead to go straight home. He was told to stay at home until 3pm and then report the hi-jacking of his distinctive blue lagoon coloured taxi to the RUC. (The bombing mission at this point still had two and a half hours to run). He was specifically told to go to Tennent Street RUC Station.

It must be remembered that the bombers did not attempt to disguise the vehicles used in their mission, particularly by way of changing number plates. So at one level there appears to be a certain cavalier and cocky approach being adopted at this point to an operation which ran like clockwork. An operation executed with military precision and professionalism. Why, therefore, risk the whole operation? Why not hold Henry until 5.30pm, when the mission had been completed and bomb drivers were safe? Such questions lead logically to other questions. Did the organisers have inside information concerning RUC operational procedures? Is it possible, perhaps, they had someone working for them in Tennents Street RUC Station?

On 8 December 1998 I wrote to the RUC Chief Constable, Ronnie Flanagan, requesting information on the RUC investigation into the Dublin and Monaghan bombings and the co-operation of his force with An Garda Siochana. On 15 December 1998, RUC Chief Information Officer, David M. Hanna, replied: "...our involvement was to assist in anyway we could with the Northern Ireland end of the Garda Siochana's investigation into the terrible events of 1974. In the circumstances, I do not feel it would be appropriate to release material which might have formed part of their files."

On 26 January 1999 I wrote to Officer Hanna with the following question: "Can you inform me as to what the operational reporting procedures were in the early 1970's between the RUC and An Garda Siochana with regard to stolen vehicles in their respective jurisdictions?"

On 3 February 1999, RUC Inspector Fred Campbell replied:

"The operational reporting procedures between ourselves and the Garda Siochana in respect of stolen cars in the early 70s were pretty much as it is today. It took place on two levels:

- (a) at Headquarters level: stolen car lists were exchanged between the Forces by telex several times per day;
- (b) at local level: often on a more ad hoc basis but equally efficient. Stolen cars in border areas were notified by RUC to neighbouring Garda Stations by telephone and vice versa as and when appropriate.

I replied on 23 February 1999 outlining the details of William Henry's release and the statement he made at Tennents Street RUC Station. I asked: "Can you inform me precisely what time the RUC informed An Garda Siochan of this stolen car? Similarly with the stolen cars used in the Parnell Street, Talbot Street and Monaghan bombings."



Inspector Campbell replied on 26 February 1999 saying:

"I am afraid our position remains unchanged ... in that we do not feel it would be appropriate to release material which might have formed part of the Garda Siochana's files."

On the same day I wrote to the RUC Chief Constable (8 December 1998) I also wrote to the Garda Commissioner, requesting his assistance with my inquiries. At 10.20 am on 17 December 1998, a Garda Ronan Farrelly telephoned me from the Garda Press Office. He informed me that since the High Court had already given a ruling that the Garda files could not be made available and since there were ongoing investigations, it would not be possible to help me. I also noted that Garda Farrelly indicated that it was my reference to "...information on the Garda investigation at the time" which seemed to have caused a problem. I asked Garda Farrelly respond to my letter in writing. On 18 December 1998, Superintendent John T. Farrelly from the Garda Public Relations Office wrote:

"Unfortunately, we are unable to discuss at this time any matter relating to the Dublin/Monaghan bombings in 1974. We can say however, that the investigation files relating to both incidents remain open and will remain that way."

Niggling questions remain. Why are the Garda being so circumspect? Why are they putting up so much resistance to the families in their legitimate quest to know the truth about the murder of their loved ones? Is there a cover-up, as the families suspect and for whatever reason? What are they trying to hide?

With the RUC making reference to the Garda Files it becomes increasingly clear that many, if not most, of the unanswered questions, lie hidden there. But, perhaps, not all.

At this point we move away from the files and consider the much murkier subject of Garda co-operation with British Military Intelligence. Might this be the reason for keeping the families at bay, fearing that the opening of the case will expose Garda activities which may have been illegal and unconstitutional?

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## **British Military Intelligence - The double edged sword**

In the aftermath of the multiple bombings of Dublin and Monaghan, Loyalist 'terrorist' groups were suspected. However, both the UVF and the UDA denied responsibility. Responsibility for the four car bombs was not claimed by any paramilitary group until 1993 when the UVF issued a statement saying that they, and only they, had carried out the bombings. This was in response to Yorkshire Television's 'First Tuesday' documentary which claimed the UVF were aided by the hidden hand of British Military Intelligence.

The Yorkshire Television claim is supported by several professional analysts, including a former Garda Commissioner and a former head of the British Army's EOD network, Lieutenant Colonel George Styles. All agree that given the level of sophistication, synchronisation and co-ordination required to carry out such a deadly operation, it is doubtful if the UVF would have had the capability in 1974 to mount such an attack without additional professional assistance.

The possibility of British Military Intelligence being involved in the Dublin and Monaghan bombings should not come as a surprise. 1974 was not the first time when Dublin was bombed for political purposes, resulting in the death of Irish citizens. On 1 December 1972, Dail Eireann was debating the Offences Against the State (Amendment) Bill, which proposed to secure a conviction of IRA membership on the sworn testimony of a garda superintendent. Defenders of civil liberties expressed deep disquiet about the Bill and the Fine Gael party was unhappy and unsure. The whole scenario was being closely monitored by Britain, anxious to see the legislation passed. Numbers, however, were pivotal. With Fine Gael wavering and Labour set to vote against, the Fianna Fail sponsored Bill seemed destined for defeat.

Shortly before the Bill was due to be debated, bombs exploded at Liberty Hall and Sackville Place, killing two CIE workers and injuring scores of civilians. As word reached the Dail Chambers it was assumed the IRA were responsible. Consequently, Fine Gael abstained and the Bill was carried by 69 votes to 22. Significantly, in August 1973, shortly after the trial of the Littlejohn brothers who claimed to be operating in the Republic of Ireland as British agents, Taoiseach Jack Lynch is reported to have said that both he and the Irish Cabinet had a 'suspicion' that the 1972 bombs had been the work of British Intelligence.

In the circumstances, neither the Government or An Garda Siochana can lightly dismiss the information presented by Yorkshire Television and later by RTE's Primetime documentary 'Friendly Forces', which establish strong arguments in support of the very real 'suspicion', if not probability, that British Military Intelligence were involved in the 1974 bombing of Dublin and Monaghan.

## **Captain Fred Holroyd**

Former captain Fred Holroyd, an MI6 operative stationed in Portadown and army HQ in Lisburn has, since he was forced out of military service in 1975, caused more than a few headaches for his former political and military masters with his revelations of British 'dirty tricks' in Northern Ireland. When he left Ireland he was committed for a period to a military psychiatric hospital at Netley. This is a known tactic aimed at branding potential troublemakers as unstable and subsequently diminishing the value of what they might wish to say. Holroyd has stated publicly that he also believes Loyalists did not carry out the 1974 attack unaided. He describes Loyalist capabilities then as "pretty primitive".

In 1984 Holroyd dropped the Garda Siochana in the shit when he talked openly during a BBC Breakfast television interview about his undercover contacts with members of the Republic's police force. This

prompted an initial internal Garda inquiry into Holroyd's allegations, headed by Chief Superintendent Dan Murphy. Murphy's inquiry failed to interview the former Military Intelligence Officer who had been attached to 3 Brigade, Portadown and who was also working to Craig Smellie, head of MI6 Northern Ireland. Murphy's findings were not made public.

Rumours began to circulate as to the identity of Holroyd's Garda contacts. The temperature began to rise in August 1986 when the Director of Irish Army Intelligence, Colonel Desmond Swan, presented a report to Garda Commissioner Laurence Wren detailing Garda links with British Army personnel. The report was based on Army intelligence files, one of which gave details of a visit to Dublin in 1974 by a serving detective Garda and a British Army officer, Major Peter Maynard.

On 20 January 1987 the Irish Independent carried an interview by journalist Brendan O'Brien with a serving detective garda whom British undercover had code named 'The Badger'. It was a scoop for O'Brien but a calculated decision by the garda detective who was clearly feeling the heat. In the interview the 'The Badger' gave tantalising details of his long established 'double' career. It began, he told O'Brien, in 1972 when a friend "with connections in Co. Armagh" told him a fellow in the North wanted to meet "some kind of policeman". He travelled to Lurgan where he met four plainclothed men, one of whom was Sergeant Bernard 'Bunny' Dearsley, a Field Intelligence NCO, who preceded Holroyd and later acted as Holroyd intelligence assistant.

Dearsley clearly stated that they were British Army and wanted to exchange intelligence on 'terrorists'. 'The Badger' was to supply intelligence on the IRA/INLA and his British counterparts were to reciprocate with intelligence on Loyalist terrorists who might cause a threat to the Republic. Thus began a long running courtship between an officer of An Garda Síochána and British Military Intelligence.

On 3 May 1987 'The Badger' went public again, this time in the Sunday World. On this occasion his full identity was revealed. He was named as Detective Garda John McCoy, stationed at Monaghan Garda Station. In this interview with journalist Liam Clarke, the Badger went further, "claiming that he was only one of a string of gardai who did the same thing..." In an interview I conducted with Fred Holroyd at his Southend home on 15 December 1998, he told me that the Badger was "only the tip of the iceberg".

Sean Flynn, the Irish Times Security Correspondent, wrote on 18 May 1987, "In Garda circles, the interview is seen as a signal to more senior officers that Detective Garda McCoy may be prepared to disclose further details of Garda liaison with the British Army at that time, if any disciplinary action is taken against him."

McCoy's interviews must be seen in the context of two internal Garda inquiries conducted in the first half of 1987 into Holroyd's allegations. The first was led by Detective Superintendent Hubert Reynolds and Detective Inspector Jack Hennessy, who completed their report in April. While this Inquiry did interview a former Garda Commissioner, Edmund Garvey, it did not interview serving officers above the rank of superintendent. Holroyd, who had stated his willingness to co-operate with the Reynolds/

Hennessy investigation, was not interviewed. He was furious and says he complained to the Irish Ambassador in London, Noel Dorr. A third 'Holroyd Inquiry' was held in May 1987, under Chief Superintendent Tom Kelly.

Holroyd was secretly brought to Dublin by An Garda Siochana under a false name to testify at the new inquiry. He says he has retained the air ticket as proof. On Monday and Tuesday 11-12 May 1987, he gave a detailed statement to the Garda, which he says was taken, not by pen but by pencil. It ran into 30 pages, giving copious details of his and other British Intelligence officers dealings with several members of An Garda Siochana at various ranks. Holroyd says that the Garda failed to give him a copy of his statement before he left Dublin and have ignored his requests since.

There are serious implications in all of this for the Garda authorities, especially concerning their known contact with British Military Intelligence in the early 1970's. According to McCoy, the relationship established in 1972 between the Garda and British Army undercover was on the basis of shared intelligence. This, let us remember, was at a time which Taoiseach Jack Lynch publicly expressed his 'suspicion' that British Intelligence was involved in the 1972 bombing of Dublin. That bombing and the Taoiseach's remarks must have put McCoy and his superiors on guard concerning the quality of intelligence they were receiving.

Given the magnitude of the Dublin and Monaghan bombings, how could British Army Intelligence, who knew all of the Loyalists suspects, fail to alert their Garda counterparts in advance? The answer to that question lies not in a can of worms but a snake pit.

Equally disturbing is the fact that McCoy accompanied a British Army bomb intelligence officer, Major Peter Maynard, to Dublin, three months after the Dublin and Monaghan bombs. Maynard, who was working to MI5, was attached to the British Army's 3 Brigade, Portadown, where all the loyalists, identified in Garda files, came from. Surely the Garda must have had serious questions by then about their intelligence sources.

Yet, the purpose of McCoy and Maynard's visit was to meet a serving Irish Army EOD Commandant, Patrick Trears, at his home in Castleknock. Trears informed me that he asked McCoy and Maynard if they were there with the knowledge of their superiors. Both said yes. At the meeting, during which McCoy absented himself for a period, Maynard attempted to enlist Trears as a well paid double agent.

And here is where we may be coming to the nub of the difficulties being faced by both the Garda and the Irish authorities in dealing openly and honestly with the families and wounded of the Dublin and Monaghan bombing in 1974. The nature and extent of Garda contact with British Army intelligence will, inevitably, come under scrutiny if and when the Irish Government accede to their demand for a Tribunal of Inquiry. This logically will lead to a crucial question as to whether or not the Garda were acting lawfully and constitutionally in their direct dealings with a foreign army.

Legal advice I have received has lead me to understand that the Garda are entitled to deal directly with a

foreign police force but not with a foreign military force. To do so would have to have Government approval, sanctioned at Cabinet level. If the Garda were engaged in cross border contact with British Military Intelligence without Government sanction, they were acting *ultra vires*. If this is so, there is a serious question as to whether they were acting unlawfully and outside the Constitution of Ireland.

We don't know if these weighty matters are the impediment which are discouraging the Irish Establishment from holding a Tribunal of Inquiry into the Dublin and Monaghan Bombings. But it is possible they are. Perhaps the Department of Justice sees this as Ireland's potential 'Appalling Vista'.

Whatever the reason, thirty three innocent people were murdered in Dublin on 17 May 1974. To date, An Garda Siochana and successive Irish Government's have failed to help them find closure to their bereavement through a disturbing lack of public accountability.

We have all admired the brave and historic decision of Prime Minister Blair to re-open the Bloody Sunday Inquiry. The decision to open a Tribunal of Inquiry in this jurisdiction into the Dublin and Monaghan bombings will also require courage, founded on a profound sense of justice, truth and humanity. It will be painful for both the families and the State.

As we approach the 25th anniversary of the greatest mass murder in the history of the Republic, it is appropriate that we recall the words of the present Garda Commissioner, Patrick Byrne, writing in the St. Vincent De Paul publication, "To Act Justly - Reflections of Ireland at the end of the Millennium":

*Fiat Justitiae Ruat Coelum.  
Let Justice Be Done, Though the Heavens Fall.*

History, however, teaches us that the Heavens don't Fall when Justice and Truth are done.

copyright  
Don Mullan  
21 April 1999

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## **Update – July 1999 by the PFC**

In July the Victims Commission in the Republic of Ireland published its report, *Ait agus Ainm/A Place and a Name*. The Commissioner John Wilson made the following comments and recommendations in relation to the calls for an inquiry into the Dublin Monaghan bombings,

"At the same time there is a widespread demand to find the truth about individual cases. The most prominent of these is the case of the Dublin Monaghan bombings of 17th May, 1974. A quarter of a



century later this is still the greatest atrocity of the Troubles. No one has ever been made amenable. This is obviously felt deeply by the relatives of those killed and by those injured. Little information has been given from official sources as to who may have committed the crime or why. My information on what happened comes, in the main, from reportage which suggests, among other things, that the Garda investigation had identified the probably culprits very quickly but that it then ran into difficulties. This reportage also suggests that the Garda did not receive all appropriate cooperation from the RUC, that the Irish Government did not press the British Government on this point, and that agents of a friendly Government may have had a hand in planning and executing the crime. Some of the reportage presents evidence, which, on the face of it, seems very plausible, to support some of these allegations. These surviving victims and relatives have been relentless in their commitment to finding out the truth. They have gone to the High and Supreme Court seeking Garda files in support of their case with the European Court of Human Rights - to no avail. While I understand the Garda Commissioner's stand in upholding the principle of the confidentiality of Garda files, this seems to have reinforced the belief of some of the victims that there has been and that there continues to be some sort of cover up.

Similar concerns have been expressed by victims of other outrages such as the Sackville Place and Liberty Hall bombings in December, 1972 and the Dundalk bombing of December, 1975, as well as the families of other individual victims."

The Commissioner continued,

4.5.2 "It is difficult to assess the events of 17th May, 1974 coldly and unemotionally. This was the bloodiest and most chilling day of the whole period mentioned in terms of reference. Nobody has been made to answer for the murders of that May day in 1974. The surviving victims and their relatives have been relentless in their commitment to finding out the truth. They have gone to the High & Supreme Courts in pursuit of documentation – to no avail. There is a vacuum. This vacuum is being filled by speculation and rumour which are damaging to the Garda Síochána.

Another aspect of this tragedy which puzzles me, although not strictly part of my terms of reference, is the inertia over the years of the citizens of Dublin. They are known as a generous people, having sent aid in human and material resources to every corner around the globe. Yet no citizens' committee was formed in Dublin in aid of these victims. Perhaps it is not too late. When the Dublin-Monaghan victims see (and they see with no begrudging eyes) what is happening elsewhere. They feel neglected. They think that somehow they are less important than others!

I am convinced that the victims and relatives have a right to an independent enquiry which will, to the extent that this is possible, sift out fact from fiction and strong probability from mere speculation. I recommend that the Government choose a former Supreme Court Judge to enquire privately into:

- i. The facts, circumstances, and causes of the bombings.
- ii. the nature, extent and adequacy of the Garda investigation including the adequacy of cooperation with authorities in Northern Ireland and the adequacy of the handling of the scientific or forensic evidence.
- iii. The reasons why no prosecutions took place including whether and, if so, by whom and to what extent the investigation was impeded.
- iv. Any other matter connected with or relevant to the establishment of the truth.



I must recommend that the Judge be provided with any necessary manpower and resources needed. As one of his/her first tasks s/he should examine Garda files to see if there is anything relevant to the case which this group is taking to the European Court of Human Rights. Relevant material should be made available to either the court or the group's legal team, as the Judge considers appropriate. The Judge will publish a report of his/her findings. If the Judge sees fit s/he may recommend any further action which s/he thinks might lead to the uncovering of more information. S/he may also think it fit to forward files to the DPP or the European Court of Human Rights. I appreciate that such an inquiry may need to be given statutory powers but I recommend that it be established, in the first instance, on a non statutory basis, carrying out such inquires as it can, and that the drafting and enactment of any necessary legislation should take place in parallel at the Judge's request."

### **Angry Reaction to Recommendations**

Relatives and survivors of the atrocity reacted angrily to the recommendation that any inquiry should be private in nature. Frank Massey, who lost his daughter Anna, said, "We asked for a public inquiry, there are no proper private inquiries. What are they (the Irish government) afraid of ? I am not going to have some faceless person telling me I can't attend an inquiry." The solicitor for the families, Greg O' Neill, also expressed outrage at the possibility of a private inquiry.

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