



Tithe an Oireachtais

**An Comhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus
Ceartha na mBan**

**Tuarascáil Eatramhach maidir leis an Tuarascáil ón gCoimisiún
Fiosrúcháin Neamhspleách faoi Bhuamáil Bhaile Átha Cliath i 1972
agus i 1973.**

Samhain 2004

Houses of the Oireachtas

Joint Committee on Justice, Equality, Defence and Women's Rights

**Interim Report on the Report of the Independent Commission of
Inquiry into the Dublin Bombings of 1972 and 1973.**

November 2004

Joint Committee on Justice, Equality, Defence and Women's Rights.

Interim Report on the Report of the Independent Commission of Inquiry
into the Dublin Bombings of 1972 and 1973.

CONTENTS

Interim Report

Appendices

A. Orders of Reference and Powers of the Joint Committee

B. Membership of the Joint Committee

C. Motions of the Dáil and Seanad

**D. Report of the Independent Commission of Inquiry into Bombings in Dublin,
1972-73.**

Joint Committee on Justice, Equality, Defence and Women's Rights.

Interim Report on the Report of the Independent Commission of Inquiry
into the Dublin Bombings of 1972 and 1973.

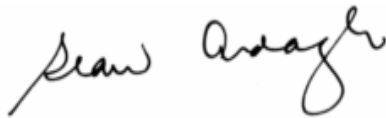
The Joint Committee wishes to extend its deepest sympathy to the victims and relatives of the victims of the Dublin bombings of 1972 and 1973.

I, Seán Ardagh T.D., the Chairperson of the Joint Committee on Justice, Equality, Defence and Women's Rights, having been authorised by the Committee to submit this Report, do hereby present and publish a report of the Committee entitled 'Interim Report on the Report of the Independent Commission of Inquiry into the Dublin Bombings of 1972 and 1973'.

This report was considered and adopted by the Joint Committee on Justice, Equality, Defence and Women's Rights at its meeting held on Wednesday, 17 November 2004.

The Committee has decided to establish a Sub-Committee to consider, including in public session, the report and to report back to the Joint Committee, in order that the Joint Committee can report back to the Houses of the Oireachtas within three months.

As part of the consideration of the report, the Committee intends that the Sub-Committee will invite submissions from interested persons and bodies and hold public hearings, starting in January 2005, with a view to producing a final report on the matter. The report will detail any submissions received, the hearings held, and such comments, recommendations or conclusions as the Committee may decide to make, and the said report will be published.



.....
Seán Ardagh T.D.,
Chairperson,
17th November 2004.

**JOINT COMMITTEE ON JUSTICE, EQUALITY, DEFENCE AND
WOMEN'S RIGHTS.**

ORDERS OF REFERENCE.

Dáil Éireann on 16 October 2002 *ordered*:

“(1)

(a) That a Select Committee, which shall be called the Select Committee on Justice, Equality, Defence and Women's Rights, consisting of 11 Members of Dáil Éireann (of whom 4 shall constitute a quorum), be appointed to consider -

- (i) such Bills the statute law in respect of which is dealt with by the Department of Justice, Equality and Law Reform and the Department of Defence;
- (ii) such Estimates for Public Services within the aegis of the Department of Justice, Equality and Law Reform and the Department of Defence; and
- (iii) such proposals contained in any motion, including any motion within the meaning of Standing Order 157 concerning the approval by the Dáil of international agreements involving a charge on public funds,

as shall be referred to it by Dáil Éireann from time to time.

(b) For the purpose of its consideration of Bills and proposals under paragraphs (1)(a)(i) and (iii), the Select Committee shall have the powers defined in Standing Order 81(1), (2) and (3).

(c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select Committee in accordance with Standing Order 90(1), the Minister for Justice, Equality and Law Reform and the Minister for Defence (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.

(2) (a) The Select Committee shall be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on Justice, Equality, Defence and Women's Rights to consider-

- (i) such public affairs administered by the Department of Justice, Equality and Law Reform and the Department of Defence as it may select, including, in respect of Government policy, bodies under the aegis of those Departments;
- (ii) such matters of policy for which the Minister for Justice, Equality and Law Reform and the Minister for Defence are officially responsible as it may select;
- (iii) such related policy issues as it may select concerning bodies which are partly or wholly funded by the State or which are established or appointed

by Members of the Government or by the Oireachtas;

- (iv) such Statutory Instruments made by the Minister for Justice, Equality and Law Reform and the Minister for Defence and laid before both Houses of the Oireachtas as it may select;
- (v) such proposals for EU legislation and related policy issues as may be referred to it from time to time, in accordance with Standing Order 81(4);
- (vi) the strategy statement laid before each House of the Oireachtas by the Minister for Justice, Equality and Law Reform and the Minister for Defence pursuant to section 5(2) of the Public Service Management Act, 1997, and the Joint Committee shall be authorised for the purposes of section 10 of that Act;
- (vii) such annual reports or annual reports and accounts, required by law and laid before both Houses of the Oireachtas, of bodies specified in paragraphs 2(a)(i) and (iii), and the overall operational results, statements of strategy and corporate plans of these bodies, as it may select;

Provided that the Joint Committee shall not, at any time, consider any matter relating to such a body which is, which has been, or which is, at that time, proposed to be considered by the Committee of Public Accounts pursuant to the Orders of Reference of that Committee and/or the Comptroller and Auditor General (Amendment) Act, 1993;

Provided further that the Joint Committee shall refrain from inquiring into in public session, or publishing confidential information regarding, any such matter if so requested either by the body concerned or by the Minister for Justice, Equality and Law Reform or the Minister for Defence;

- (viii) such matters relating to women's rights generally, as it may select, and in this regard the Joint Committee shall be free to consider areas relating to any Government Department; and
- (ix) such other matters as may be jointly referred to it from time to time by both Houses of the Oireachtas,

and shall report thereon to both Houses of the Oireachtas.

- (b) The quorum of the Joint Committee shall be five, of whom at least one shall be a Member of Dáil Éireann and one a Member of Seanad Éireann.
- (c) The Joint Committee shall have the powers defined in Standing Order 81(1) to (9) inclusive.

- (3) The Chairman of the Joint Committee, who shall be a Member of Dáil Éireann, shall also be Chairman of the Select Committee.”

Seanad Éireann on 17 October 2002 ordered:

- “(1) (a) That a Select Committee consisting of 4 members of Seanad Éireann shall be appointed to be joined with a Select Committee of Dáil Éireann to form the Joint Committee on Justice, Equality, Defence and Women’s Rights to consider –
- (i) such public affairs administered by the Department of Justice, Equality and Law Reform and the Department of Defence as it may select, including, in respect of Government policy, bodies under the aegis of those Departments;
 - (ii) such matters of policy for which the Minister for Justice, Equality and Law Reform and the Minister for Defence are officially responsible as it may select;
 - (iii) such related policy issues as it may select concerning bodies which are partly or wholly funded by the State or which are established or appointed by Members of the Government or by the Oireachtas;
 - (iv) such Statutory Instruments made by the Minister for Justice, Equality and Law Reform and the Minister for Defence and laid before both Houses of the Oireachtas as it may select;
 - (v) such proposals for EU legislation and related policy issues as may be referred to it from time to time, in accordance with Standing Order 65(4);
 - (vi) the strategy statement laid before each House of the Oireachtas by the Minister for Justice, Equality and Law Reform and the Minister for Defence pursuant to section 5(2) of the Public Service Management Act, 1997, and the Joint Committee shall be so authorised for the purposes of section 10 of that Act;
 - (vii) such annual reports or annual reports and accounts, required by law and laid before both Houses of the Oireachtas, of bodies specified in paragraphs 1(a)(i) and (iii), and the overall operational results, statements of strategy and corporate plans of these bodies, as it may select;

Provided that the Joint Committee shall not, at any time, consider any matter relating to such a body which is, which has been, or which is, at that time, proposed to be considered by the Committee of Public Accounts pursuant to the Orders of Reference of that Committee and/or the Comptroller and Auditor General (Amendment) Act, 1993;

Provided further that the Joint Committee shall refrain from inquiring into in public session, or publishing confidential information regarding, any such matter if so requested either by the body concerned or by the Minister for Justice, Equality and Law Reform or the Minister for Defence;

- (viii) such matters relating to women's rights generally, as it may select, and in this regard the Joint Committee shall be free to consider areas relating to any Government Department;

and

- (ix) such other matters as may be jointly referred to it from time to time by both Houses of the Oireachtas.

and shall report thereon to both Houses of the Oireachtas.

- (b) The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann,
- (c) The Joint Committee shall have the powers defined in Standing Order 65(1) to (9) inclusive,

- (2) The Chairman of the Joint Committee shall be a member of Dáil Éireann."

JOINT COMMITTEE ON JUSTICE, EQUALITY, DEFENCE AND WOMEN'S RIGHTS.

POWERS OF THE JOINT COMMITTEE

The powers of the Joint Committee are set out in Standing Order 81(Dáil) and Standing Order 65 (Seanad). The text of the Dáil Standing Order is set out below. The Seanad S.O. is similar.

"81. Without prejudice to the generality of Standing Order 80, the Dáil may confer any or all of the following powers on a Select Committee:

- (1) power to take oral and written evidence and to print and publish from time to time minutes of such evidence taken in public before the Select Committee together with such related documents as the Select Committee thinks fit;
- (2) power to invite and accept written submissions from interested persons or bodies;
- (3) power to appoint sub-Committees and to refer to such sub-Committees any matter comprehended by its orders of reference and to delegate any of its powers to such sub-Committees, including power to report directly to the Dáil;
- (4) power to draft recommendations for legislative change and for new legislation and to consider and report to the Dáil on such proposals for EU legislation as may be referred to it from time to time by any Committee established by the Dáil(whether acting jointly with the Seanad or otherwise) to consider such proposals and upon which has been conferred the power to refer such proposals to another Select Committee;
- (5) power to require that a member of the Government or Minister of State shall attend before the Select Committee to discuss policy for which he or she is officially responsible: provided that a member of the Government or Minister of State may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Dáil: and provided further that a member of the Government or Minister of State may request to attend a meeting of the Select Committee to enable him or her to discuss such policy;
- (6) power to require that a member of the Government or Minister of State shall attend before the Select Committee to discuss proposed primary or secondary legislation (prior to such legislation being published) for which he or she is officially responsible: provided that a member of the Government or Minister of State may decline to

attend for stated reasons given in writing to the Select Committee, which may report thereon to the Dáil: and provided further that a member of the Government or Minister of State may request to attend a meeting of the Select Committee to enable him or her to discuss such proposed legislation;

- (7) subject to any constraints otherwise prescribed by law, power to require that principal office holders in bodies in the State which are partly or wholly funded by the State or which are established or appointed by members of the Government or by the Oireachtas shall attend meetings of the Select Committee, as appropriate, to discuss issues for which they are officially responsible: provided that such an office holder may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Dáil;
- (8) power to engage, subject to the consent of the Minister for Finance, the services of persons with specialist or technical knowledge, to assist it or any of its sub-Committees in considering particular matters; and
- (9) power to undertake travel, subject to—
 - (a) such rules as may be determined by the sub-Committee on Dáil Reform from time to time under Standing Order 97(3)(b);
 - (b) such recommendations as may be made by the Working Group of Committee Chairmen under Standing Order 98(2)(a); and
 - (c) the consent of the Minister for Finance, and normal accounting procedures."

SCOPE AND CONTEXT OF COMMITTEE ACTIVITIES.

The scope and context of activities of Committees are set down in S.O. 80(2) [Dáil] and S.O.64(2) [Seanad]. The text of the Dáil Standing Order is reproduced below. The Seanad S.O. is similar.

“(2) It shall be an instruction to each Select Committee that-

- (a) it may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders;

and

- (b) such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil.”

JOINT COMMITTEE ON JUSTICE, EQUALITY, DEFENCE AND WOMEN'S RIGHTS

List of Members

Deputies

Seán Ardagh (FF) (Chairperson)
Joe Costello (LAB)
Máire Hctor (FF) (Government Convenor)
Finian McGrath (Independent/ Technical Group)
Breeda Moynihan-Cronin (LAB) (Opposition Convenor)
Gerard Murphy (FG)¹ (Vice-Chairperson)
Charlie O'Connor (FF)
Denis O'Donovan (FF)
Seán O'Fearghaíl (FF)
Jim O'Keeffe (FG)²
Peter Power (FF)

Senators

Maurice Cummins (FG)³
Tony Kett (FF)
Joanna Tuffy (LAB)
Jim Walsh (FF).

- 1 Deputy Gerard Murphy replaced Deputy Paul McGrath by order of Dáil Éireann on 20th October, 2004 and was elected as Vice-Chairperson on 9th November, 2004.
- 2 Deputy Jim O'Keeffe replaced Deputy Dinny McGinley by order of Dáil Éireann on 20th October, 2004.
- 3 Senator Maurice Cummins replaced Senator Sheila Terry by order of Séanad Éireann on 20th October, 2004.

Appendix C

Motions of the Dáil and Seanad

Tá Dáil Éireann tar éis an tOrdú seo a leanas a dhéanamh:

“Go n-iarrann Dáil Éireann ar an gComhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan, nó ar Fhochoiste den Chomhchoiste sin, breithniú a dhéanamh, lena n-áirítear breithniú i seisiún poiblí, ar an Tuarascáil ón gCoimisiún Fiosrúcháin Neamhspleách faoi bhuamáil Bhaile Átha Cliath i 1972 agus i 1973 agus tuairisc a thabhairt do Dáil Éireann laistigh de thrí mhí i dtaobh aon bheart eile is gá.

Dáil Éireann has made the following order:

“That Dáil Éireann requests the Joint Committee on Justice, Equality, Defence and Women’s Rights, or a sub-Committee thereof, to consider, including in public session, the Report of the Independent Commission of Inquiry into the Dublin bombings of 1972 and 1973 and to report back to Dáil Éireann within three months concerning any further necessary action.”

Tá Seanad Éireann tar éis an tOrdú seo a leanas a dhéanamh:

Seanad Éireann has made the following order:

“Go n-iarrann Seanad Éireann ar an gComhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan, nó ar Fhochoiste den Chomhchoiste sin, breithniú a dhéanamh, lena n-áirítear breithniú i seisiún poiblí, ar an Tuarascáil ón gCoimisiún Fiosrúcháin Neamhspleách faoi bhuamáil Bhaile Átha Cliath i 1972 agus i 1973 agus tuairisc a thabhairt do Seanad Éireann laistigh de thrí mhí i dtaobh aon bheart eile is gá.

That Seanad Éireann requests the Joint Committee on Justice, Equality, Defence and Women’s Rights, or a sub-Committee thereof, to consider, including in public session, the Report of the Independent Commission of Inquiry into the Dublin bombings of 1972 and 1973 and to report back to Seanad Éireann within three months concerning any further necessary action.”

REPORT OF THE INDEPENDENT
COMMISSION OF INQUIRY INTO
BOMBINGS IN DUBLIN, 1972-73

PRESENTED TO AN TAOISEACH ON 29 JUNE 2004

TABLE OF CONTENTS

ERRATA

PREFACE

PART ONE – BACKGROUND INFORMATION

- | | | |
|----|----------------------------|----|
| 1. | HISTORICAL BACKGROUND | 9 |
| 2. | THE WORK OF THE COMMISSION | 19 |

PART TWO – FILM CENTRE CINEMA, NOVEMBER 1972

- | | | |
|----|--|----|
| 3. | THE BOMBING | 23 |
| 4. | THE PERPETRATORS – EYEWITNESS ACCOUNTS | 26 |
| 5. | INTELLIGENCE INFORMATION | 30 |

PART THREE – EDEN QUAY AND SACKVILLE PLACE, DECEMBER 1972

- | | | |
|-----|--|----|
| 6. | THE BOMBINGS | 35 |
| 7. | THE PERPETRATORS – EYEWITNESS ACCOUNTS | 38 |
| 8. | THE FORENSIC INVESTIGATION | 49 |
| 9. | INTELLIGENCE INFORMATION | 55 |
| 10. | THE INVESTIGATION REPORT AND FURTHER INQUIRIES | 57 |

PART FOUR – SACKVILLE PLACE, JANUARY 1973

- | | | |
|-----|--|----|
| 11. | THE BOMBING | 70 |
| 12. | THE PERPETRATORS – EYEWITNESS ACCOUNTS | 71 |
| 13. | INTELLIGENCE INFORMATION | 76 |

PART FIVE – ASSESSMENT AND CONCLUSIONS

- | | | |
|-----|--------------------------|----|
| 14. | ALLEGATIONS OF COLLUSION | 79 |
|-----|--------------------------|----|

15.	FILM CENTRE CINEMA	85
16.	EDEN QUAY AND SACKVILLE PLACE	88
17.	SACKVILLE PLACE (JANUARY 1973)	97

APPENDICES

1.	MURDER OF BRÍD CARR	101
2.	MURDER OF OLIVER BOYCE AND BRÍD PORTER	105
3.	BOMBING OF CLONES, BELTURBET AND PETTIGO	116
4.	OTHER BOMBING INCIDENTS IN THE STATE, 1970-74	127

ERRATA

The Inquiry wishes to make the following corrections to its Report into the Dublin and Monaghan bombings of May 1974, published by the Joint Committee on Justice, Equality, Defence and Women's Rights in December 2003.

P.217, paragraph 2:

It is stated that Lt. Col. Morgan had information from an unnamed source, described by the Inquiry as

“...a former loyalist paramilitary with connections to British Intelligence.”

Lt. Col. Morgan did not in fact suggest that this source was a loyalist paramilitary, or that he was connected to British Intelligence. The source, who remains unidentified, was never described to the Inquiry in any way.

The amended passage now reads:

“On 15 November 2001, retired Irish Army Intelligence officer, Lt. Col. John Morgan wrote to the Inquiry with a list of names which he claims to have received from two sources - one a former UDR officer: the other was not identified.”

P.241, final paragraph:

The following passage is set out:

“[Journalist Frank] Doherty's only source for the allegation that a particular British Army officer planned the bombings seems to have been a former Irish Army intelligence officer, Lt Col John Morgan. The Inquiry has interviewed Morgan on a number of occasions. It seems that he first assumed an army explosives expert must have been involved because of the apparent sophistication of the bombing operation. He later claimed that a journalist had received an admission from a UDR officer that he and this British Army officer assembled the bombs together. The Inquiry has spoken to the journalist, Paul Larkin. He confirmed that he had spoken to the UDR officer concerned, but said that no such admission had been made.”

This is incorrect. The claim was not that the two officers had assembled the bombs together, but that the UDR officer had helped the British Army officer to arm the Monaghan bomb.

Paul Larkin never in fact spoke with the UDR officer concerned. He met a different UDR officer, who did confirm much of what Lt. Col. Morgan had to say regarding the role of the British Army officer and the first-mentioned UDR officer in the bombings.

The amended passage now reads:

"Doherty's only source for the allegation that a particular British Army officer planned the bombings seems to have been a former Irish Army intelligence officer, Lt Col John Morgan. The Inquiry has interviewed Morgan on a number of occasions. It seems that he first assumed an army explosives expert must have been involved because of the apparent sophistication of the bombing operation. He later came to believe that he had reliable information which identified a particular British Army officer as having armed the Monaghan bomb, with the assistance of a named UDR officer."

PREFACE

BOMBINGS IN DUBLIN, 1972 / 73:

On 26 November 1972, a bomb exploded outside at Burgh Quay, Dublin, at the rear of the Film Centre Cinema. No one was killed, though 40 people were injured.

On 1 December 1972, two people were killed and 131 more were injured when car bombs exploded at Eden Quay and Sackville Place in the centre of Dublin.

At the time the explosions occurred the Dáil was debating the Offences Against the State (Amendment) Bill, which was designed to give the police further powers aimed primarily at curbing Provisional IRA activity. The bill seemed destined not to pass; but following a one-hour adjournment, Fine Gael dropped its opposition and the Dáil voted overwhelmingly in favour of it.

On 20 January 1973, another explosion at Sackville Place killed one person and injured 14 others.

To date, no one has been made amenable for these crimes.

THE VICTIMS' COMMISSION:

On 10 April 1998, an agreement, known as the 'Good Friday Agreement' was reached as a result of multi-party talks under the Chairmanship of United States Senator George Mitchell, former Finnish Prime Minister Harri Holkeri and Canadian General John de Chastelain. The Agreement was ratified by popular referendum in this State and in Northern Ireland on 22 May of that year.

In response to sections of the Agreement that proclaimed the need for the suffering of victims of violence to be recognised and addressed, a Victims Commission was set up in this State. It was asked:

“To conduct a review of services and arrangements in place, in this jurisdiction, to meet the needs of those who had suffered as a result of violent action associated with the conflict in Northern Ireland over the past thirty years and to identify what further measures need to be taken to acknowledge and address the suffering and concerns of those in question.”¹

In a report published in July 1999, it was acknowledged that there was a widespread demand to find out the truth about specific crimes for which no one had been made amenable. Foremost among these were the Dublin and Monaghan bombings of 1974, but the Commission received similar submissions in relation to other bombings in

¹ *A place and a name* – report of the Victims Commission, July 1999, p.2.

Dublin, Dundalk and elsewhere. The murder of Seamus Ludlow on 1 May 1976 was another case singled out for mention in the report.

Concerning the Dublin / Monaghan bombings and the Ludlow murder, the report recommended that a former Supreme Court judge be asked to enquire privately into these matters. In relation to other cases of concern, it stated:

“There are other cases in which the families of victims have experienced similar concerns to those of the Dublin-Monaghan group and the Ludlow families. The fact that no prosecutions took place and that no official report on the crimes was ever made public has caused some families to question whether investigations have been adequate. I believe that it is in the broad public interest and in the interest of the Garda Síochána themselves that some answers be given....

I recommend that the Government, taking heed of the need to preserve the confidentiality and safety of informants, should, on request from the families of victims, produce reports on the investigations of murders arising from the conflict over the last 30 years where no one has been made amenable.”²

THE COMMISSION OF INQUIRY:

Arising from the recommendations of the Victims Commission, the Government set up the present Commission of Inquiry with former Chief Justice Liam Hamilton as Sole Member. Mr Hamilton began his duties on 1 February 2000 but was forced to resign on 2 October 2000, owing to ill health. The Government appointed former Supreme Court judge Henry Barron, in his place.

Initially, the Inquiry received terms of reference in relation to two incidents – the Dublin / Monaghan bombings of 17 May 1974 and the bombing of Kay’s Bar, Dundalk on 19 December 1975. At a later date, the Inquiry agreed to report also on the shooting of Seamus Ludlow, 1 May 1976.

In January 2002, the Inquiry was asked by the Government whether its report into the Dublin / Monaghan bombings could also reflect the consideration of a number of other bombings and shootings which took place in the State during the 1970s.

The Inquiry’s report into the Dublin / Monaghan bombings was presented to An Taoiseach on 29 October 2003. The report also considered in some detail the murder of John Francis Green, 10 January 1975.

Following a preliminary examination of the remaining incidents, the Inquiry felt that the bombings of Dublin in 1972 and 1973 should be treated in a separate report. Other incidents from that period – including bombing incidents along the border between 1970 and 1973, the murder of Bríd Carr³, and the murder of Oliver Boyce and Bríd Porter⁴ – are dealt with in appendices to this report.

² Ibid. p.43.

³ 23 November 1971.

⁴ 1 January 1973.

Further reports will be forthcoming in relation to the murder of Seamus Ludlow, 1976 and the Dundalk bombing, 1975. Other incidents brought to the attention of the Inquiry will be dealt with by way of appendices to the Dundalk report.

PART ONE

BACKGROUND INFORMATION

HISTORICAL BACKGROUND

The Inquiry's Report on the Dublin and Monaghan bombings of May 1974 contained an overview of the origin and development of the Troubles in Northern Ireland between 1969 and 1974. Here the Inquiry proposes to focus on events which took place during 1972 – particularly, in November and December of that year. These events are referred to for the purpose of illustrating the social and political background to the main incidents with which this report is concerned. It is not, nor is it intended to be, an exhaustive account of the violent and illegal acts that took place during that time.

VIOLENCE CONTINUED:

In any account of the history of Northern Ireland, the year 1972 stands out for a number of reasons – many of them regrettable. For one thing, the death toll for that year was considerably more than in any other year since the Troubles began. According to the book, *Lost Lives*:

“Of the 496 victims 258 were civilians. One hundred and eight regular soldiers and 26 UDR soldiers died, while the RUC lost 17 members including the first two RUC Reserve casualties. A total of 74 republican and 11 loyalist paramilitaries were also killed.”⁵

The re-introduction of internment to Northern Ireland in August 1971 sparked a series of protests that continued into the new year. On 18 January 1972, the then Prime Minister of Northern Ireland, Brian Faulkner, banned all parades and marches until the end of December 1972. Nevertheless, anti-internment and civil rights groups continued to organise public demonstrations.

On Sunday 30 January, 13 civilians were killed by British Army gunfire during a civil rights march in Derry. Eighteen people were wounded, one of whom subsequently died. The response to ‘Bloody Sunday’ in the Republic was enormous. On 2 February – the day on which 11 of the victims were buried in Derry – prayer services and work stoppages were held all over the country. Tens of thousands marched in protest to the British embassy in Dublin. Later that day, a mob attacked the embassy with stones, bottles and petrol bombs. The building was burnt to the ground.

On 9 February, former Northern Ireland Minister for Home Affairs William Craig launched “Ulster Vanguard”. It was intended to be an umbrella vehicle for militant Unionism. The new group held a series of demonstrations and marches over the next few months.

Later in the same month, the Official IRA claimed responsibility for a bomb at Aldershot Barracks, England, which killed 7 people. The barracks was the

⁵ McKittrick & ors., *Lost Lives* (Edinburgh, 1999) p.138.

headquarters of the Parachute Regiment, and the attack was believed to have been in retaliation for the 'Bloody Sunday' shootings. The Official IRA also claimed responsibility for a failed assassination attempt on John Taylor, then Minister of State for Home Affairs, on 25 February.

An Ulster Vanguard rally in Belfast on 18 March 1972, attended by an estimated 60,000 people, heard William Craig warn that "if and when the politicians fail us, it may be our job to liquidate the enemy." Two days later, the Provisional IRA exploded a car-bomb in Lower Donegall Street, Belfast, which killed 6 people and injured over 100 others.

On 24 March, British Prime Minister Edward Heath announced that the Stormont Parliament would be replaced by 'Direct Rule' from Westminster. William Whitelaw was appointed as the first Secretary of State for Northern Ireland. In response, Ulster Vanguard organised a two-day industrial strike, culminating in a rally at Stormont attended by an estimated 100,000 people.

On 14 April, the Provisional IRA detonated 23 bombs at locations all over Northern Ireland. On 28 May, 8 people were killed when a Provisional IRA bomb exploded prematurely in a house in Belfast. Four of those killed were Provisional IRA members.

On 29 May, the Official IRA announced that it was calling a ceasefire. This was believed to be in response to the widespread public revulsion which followed the kidnapping and murder of a Royal Irish Ranger named William Best, a Derry man who was seized by the Official IRA while visiting friends at home. At the time of the bombings in December 1972 and January 1973, that ceasefire was still officially in place.

During June and July 1972, secret talks took place between representatives of the Provisional IRA and the British Government. Attempts to negotiate a sustained ceasefire proved unsuccessful. Meanwhile, the UDA began to organise 'no-go areas', in response to the perceived failure of the security forces: (a) to protect loyalist areas from attack and (b) to penetrate the 'no-go areas' set up by the IRA.

On 21 July, the Provisional IRA detonated 22 bombs in Belfast in the space of 75 minutes, killing 9 people and injuring approximately 130 others. This became known as 'Bloody Friday.' In response, the British Government launched 'Operation Motorman', bringing in a further 4,000 troops to assist in dismantling the 'no-go areas' in Belfast and Derry.

While Operation Motorman was in progress, three car bombs exploded in the village of Claudy, Co. Derry on 31 July. In all, 9 civilians lost their lives as a result of the bombings. It is believed that the Provisional IRA were responsible, notwithstanding denials from its leadership at the time and since.

On 19 October, William Craig addressed a meeting of the 'Monday Club' – an association of right-wing MPs at Westminster, during which he claimed he could mobilise 80,000 men who "are prepared to come out and shoot and kill."

During the early hours of the morning on 23 October, a group of armed UVF men, dressed in British Army uniforms, raided the Territorial Army depot at Lurgan. They escaped with 104 guns and an assortment of ammunition. Later, following a tip-off, British Army troops recovered 68 of the weapons and most of the ammunition.

There were a number of incidents in Dublin on 28 October. A bomb was found at Connolly Station, and firebombs exploded in four Dublin hotels.

On 4 November, the then UVF leader Gusto Spence was recaptured in Belfast by the British Army. He had been 'abducted' by the UVF while out on parole for his daughter's wedding on 6 July 1972.

On 6 November the UDA issued a statement rejecting any role for the Irish Government in Northern Ireland other than in trade discussions.

A significant find of explosive materials was made by the British Army on 14 November, during a search of a house in a loyalist area of Belfast. They uncovered 14 cwt. of fertiliser, along with 250lbs of ammunition, an assortment of items used in bomb-making, and 50 empty sugar packets. On 28 December, a further half a ton of bomb-making materials was discovered by British Army troops in another loyalist area of Belfast. Some detonators and guns were also found.

KEITH AND KENNETH LITTLEJOHN:

On 12 October 1972, a gang of armed men carried out what was then the biggest bank robbery in Irish history, at the Allied Irish Bank branch on Grafton Street, Dublin. Approximately £67,000 was taken. Four days later, Garda officers recovered £11,000 from the Drumcondra residence of two Englishmen, Keith and Kenneth Littlejohn. The brothers themselves were arrested on 19 October in England.

Prior to their appearance in Bow Street Magistrate's Court, London on 24 December 1972, they made claims concerning 'official involvement' in their activities, and sought to call a number of high-profile British Government officials as witnesses.

Their extradition hearing took place *in camera* in January 1973. Following assurances by the Irish Government that the brothers would not be tried for political offences, an extradition warrant was granted. An appeal against this decision was refused in March 1973, and the brothers were flown to Ireland to face charges in relation to the Allied Irish Banks robbery. On 3 August 1973, both were found guilty of armed robbery. Kenneth was sentenced to 20 years imprisonment; Keith to 15 years.

The Littlejohns claimed to have been working for the British Ministry of Defence. They said they had been instructed to carry out robberies and other acts of violence in the State in order to provoke the Irish Government into taking stronger action against

republican subversives. They claimed direct responsibility for petrol-bomb attacks on Garda stations at Louth and Castlebellingham in September 1972.

Following their conviction, a number of articles setting out the Littlejohns' claims were published.⁶ On 6 August 1973 the British Ministry of Defence issued a statement on the affair. It said that contact with the Littlejohns had come about through one Lady Onslow, who in her capacity as prison visitor had encountered Keith Littlejohn. The latter had told her that his brother

“had information about arms and sources of arms for the IRA which might be of great interest to Her Majesty’s Government. He would be prepared to make this information available only if he could be seen by a Minister whose face he could recognise from having seen him on television.”

Lady Onslow passed this information on to Lord Carrington, then Minister for Defence. The Ministry of Defence statement outlined what happened next:

“In view of the nature of the information which the elder Littlejohn appeared to possess, Lord Carrington arranged that Mr Johnson Smith, who was then an Under-Secretary of State at the Ministry of Defence, should see Littlejohn in order to ascertain what kind of information he could in fact pass on. This was the only occasion on which Mr Johnson Smith met any member of the Littlejohn family. Because of what he had to say the elder Littlejohn was then put in touch with the appropriate authorities.

The statement concluded with the following assertions:

- “a. The elder Littlejohn was told that, if he had or obtained information about the activities of the IRA, the British Government was prepared to receive it. In view of his known criminal record, Littlejohn was warned that the British Government was not authorising or implicitly condoning the commission of criminal offences in pursuance of such information; and that, if at any future time any act of his made him liable to criminal proceedings he could not claim or expect any assistance from the British Government on the ground that he had passed information about the IRA to the British authorities.
- b. There is no truth in the allegation that the British authorities were in any way connected with the bank raid in Dublin.
- c. The request that, at various stages of the trial in the British courts, evidence should be heard in camera was at no stage objected to by counsel for the Littlejohns.
- d. There is no truth in the allegation that the Littlejohns had any connection with Mr Wyman.”⁷

⁶ Citations for a number of these articles can be found in Murray, *The SAS in Ireland* (Dublin, 1990) at p.465, note 36.

⁷ Statement issued by Ministry for Defence, 6 August 1973.

JOHN WYMAN AND PATRICK CRINNION:

According to Garda documents, the man known as John Wyman came to the notice of Gardaí in the vicinity of the West County Hotel, Chapelizod on 18 December 1972. He was arrested under s.30 of the Offences Against the State Act, 1939 and taken to the Bridewell Garda station for questioning. He said that he had flown in from England that day, and was staying at the Burlington Hotel.

This room was searched at 7 p.m. without result. On returning to the room at about 9.20 p.m., Gardaí found an anonymous note saying "John, will call in again at 9.05 p.m. O.K?" A watch was placed on the room, and at 9.15 p.m. on the following night a Detective Garda from C3 branch named Patrick Crinnion knocked on the door. What happened next was summarised by C/Supt Larry Wren in a letter to the Chief State Solicitor accompanying delivery of the investigation file:

"It is clear that he was in search of John Wyman, whom he actually named, and admitted that he was the man who had borrowed the pencil and left the note for Wyman on the previous evening. He agreed to accompany the other members to the Bridewell Garda station as he said, 'there is obviously some explanation for this.' However, his determined effort to escape on reaching the ground floor would appear to indicate that the explanation was not obvious."

Crinnion's car was found in the car park of the Burlington Hotel. A number of Garda documents marked 'Secret' and 'Confidential' were found concealed under a mat on the floor behind the driver's seat.

Further questioning of Wyman and Crinnion revealed the former to be an agent for the British intelligence services. He had been cultivating Crinnion as a source of information. According to one of the Garda officers who interviewed Wyman:

"When asked about the information he got from this man [Crinnion] he stated that it was mostly in the past tense about the activities of the IRA, and that he gave him information about the closing of Kevin Street and about Sean Mac Stiofáin... He also stated that the information he wanted most from this man was information about the future policy and activities of the IRA and in particular any information about the smuggling of arms from the Continent and the USA here..."

Wyman was asked if Crinnion did any other type of enquiry for him, outside of getting information about the IRA, and he said 'No.' At this stage Wyman refused to answer any further questions."⁸

Both Wyman and Crinnion were charged with various offences under the Official Secrets Act, 1963. The trial began at the Special Criminal Court on 1 February 1973. Following a successful application by counsel for the prosecution, it was held *in camera*. Following an order by the Minister for Justice, the secret and

⁸ Statement of D/Supt E.O'Dea dated 22 December 1972.

confidential documents found in Crinnion's possession were not produced to the Court. The two men were acquitted of the more serious charges against them for lack of evidence. However, on 27 February they were found guilty of minor offences relating to unauthorised possession of official documents [Crinnion] and attempting to obtain information from a public official [Wyman]. They were sentenced to three months imprisonment, dating from the time of their arrest. Upon their release, both men were flown to Britain.

The Inquiry is satisfied that there is no evidence to connect either of these men with the bombings in Dublin in 1972 and 1973.

CLAMPDOWN ON SUBVERSIVE ORGANISATIONS:

The year 1972 marked a fundamental shift in the attitudes of both the Irish and British Governments towards the situation in Northern Ireland. In the case of the latter, this took the form of admitting that the problems would not be resolved in the short-term, and would not be resolved by security measures alone: some form of political change would be necessary.

The most obvious results of this change in British government policy were the introduction of direct rule in March 1972, the secret meetings with IRA representatives during June and July, and the introduction of a discussion document entitled *The future of Northern Ireland*.

This paper, published by the Northern Ireland Office on 30 October 1972, began the process which culminated in the Sunningdale Agreement of December 1973. Whilst reaffirming a British commitment to maintain the Union for as long as the people of Northern Ireland wished it, it also introduced two new elements. Firstly, without coming down on one side or the other, it introduced the topic of power-sharing, saying:

“There are strong arguments that the objective of real participation should be achieved by giving minority interests a share in the exercise of executive power.”

Secondly, the discussion paper referred to the “Irish dimension” of the Northern Ireland problem – the first time this phrase had been used in an official British Government document.

As far as the Irish Government were concerned, the fundamental shift in attitude was with regard to the IRA. The general election of June 1969 had resulted in the Fianna Fáil party under Jack Lynch winning 75 seats, giving them an overall majority. However, the controversy arising from allegations that Government Ministers were conspiring to import arms and ammunition for use by the IRA resulted eventually in the disappearance of this majority. Fianna Fáil continued in power as a minority Government, relying on the support of independent TDs who had either left or been expelled from the party.

In the circumstances, it was hardly surprising that allegations of being ‘soft’ on republican subversives continued to dog the Fianna Fáil Government in 1972. The response of An Taoiseach Jack Lynch and the Minister for Justice Desmond O’Malley was to increase the severity of security measures against the IRA within the State. On 30 May, the Special Criminal Court was re-established, following a proclamation bringing Part V of the Offences Against the State Act, 1939 into operation. As the year progressed, an amendment to the Act was promised, giving An Garda Síochána increased powers to deal with subversives. The Offences Against the State (Amendment) Bill was eventually brought before the Dáil in November 1972.

Even before the Amendment was passed, there was evidence of a tougher stance being taken towards the IRA and its affiliates. On 6 October, the Irish Government closed the offices of Provisional Sinn Féin at Kevin St., Dublin. And on 19 November the then leader of the Provisional IRA, Seán Mac Stiofáin, was arrested in Dublin.

ARREST OF SEÁN MAC STIOFÁIN:

Mac Stiofáin was arrested in the early hours of the morning. He had just left the home of journalist Kevin O’Kelly, who had been interviewing him. Later that day, O’Kelly reported the substance of this interview on RTE radio. Upon his arrest, Mac Stiofáin announced that he would go on a hunger and thirst strike. Two days later, he was charged with membership of a proscribed organisation.

An Taoiseach Jack Lynch travelled to London on 24 November for a meeting with the British Prime Minister. On the same day, the Government dismissed the RTE Authority for permitting O’Kelly to broadcast details of his interview with the Provisional IRA leader.

On 25 November, Mac Stiofáin was sentenced to six months in prison. With his health quickly deteriorating due to the continued hunger and thirst strike, he was moved to the Mater Hospital for treatment.

The bombing of the Film Centre Cinema took place on the following night, 26 November. At the time however, it was overshadowed by other events on that day. A crowd estimated at some 7,000 marched from the GPO in O’Connell St to the Mater Hospital, protesting against the sentencing of Mac Stiofáin. Later that night, a group of 8 men attempted unsuccessfully to take Mac Stiofáin from the ward, where he was under heavy guard. Two of the men had guns, and shots were exchanged with Special Branch detectives, resulting in minor injuries to a detective, two civilians and one of the raiders. Mac Stiofáin was removed to the Curragh General Military Hospital on the following day. On 28 November he ended his thirst strike.

On 29 November, a Provisional IRA hunger strike in Crumlin Road jail ended. On the same day, 68 people were charged in relation to the picketing of TDs’ homes. In the afternoon, 400 students from Maynooth marched to Leinster House to protest against the Offences Against the State (Amendment) Bill, on which debate had commenced in the Dáil. That evening, around 4000 marchers gathered to protest against the Bill and to demand the release of Mac Stiofáin.

THE OFFENCES AGAINST THE STATE (AMENDMENT) BILL, 1972:

The proposed amendments to the Offences Against the State Act, 1939 caused considerable controversy, both in and out of Leinster House. In particular, section 2 provided that in certain circumstances, the failure of a person to give their name, address and an account of their recent movements to a Garda officer upon request would itself be a summary offence, punishable by a fine and / or imprisonment. Section 3(2), which provided that where a Chief Superintendent gave evidence “that he believes the accused was at a material time a member of an unlawful organisation, the statement shall be evidence that he was then such a member”, was also the cause of much argument.

By the time the Bill came to be debated in the Dáil, the Labour party had made it clear that they would oppose it, as had the independent TDs on whom the Fianna Fáil Government usually depended for support. This meant that if Fine Gael were to vote against the Bill, the Government would be defeated and a general election would almost certainly ensue.

A majority of Fine Gael members felt that the Bill was too draconian in nature and should be opposed. Their views were not shared by the party leader, Liam Cosgrave, who made little secret of this. As the debate commenced in the Dáil, this issue had not been resolved.

The Dáil debate on the Second Reading of the Bill began at 10.30 a.m. on Wednesday, 29 November and continued (with intermissions) until 10.30 p.m. that night. That pattern was repeated on 30 November. On 1 December, debate resumed at 10.30 a.m. and was still in progress when the explosions at Eden Quay and Sackville Place occurred at 8 and 8.15 p.m.

While the debate was in progress on the afternoon of 1 December, the Fine Gael party held a final meeting to decide its attitude towards the Bill – leaving deputy Tom O’Higgins alone in the chamber to continue the debate. Shortly before 8 p.m., the Fine Gael meeting concluded with a decision to oppose the Bill. While O’Higgins was still speaking, however, two explosions were heard.

The debate continued as news of the bombings at Eden Quay and Sackville Place filtered through; but at 9.45 p.m. the Fine Gael spokesman on Justice Mr Patrick Cooney announced that his party was withdrawing its amendment declining to give the Bill a second reading, on the basis that a defeat for the Government “might have the effect of plunging the country into the turmoil of a political crisis when, above all, in view of recent events stability is required.”

The Minister for Justice then proposed a one-hour adjournment to discuss the Bill with representatives of the main parties. Following a further half-hour adjournment requested by the Labour Party, a vote was taken at 11.25 p.m. The Bill passed the Second Stage by a margin of 70-23. Following further debate on the individual

sections of the Bill, the Final Stage was passed at 4 a.m. on the morning of 2 December.

The Bill was then passed by the Seanad at an emergency meeting later that day, and signed into law by President Eamon De Valera on Sunday 3 December.

THE WORK OF THE COMMISSION

OVERVIEW:

As was the case in relation to the Dublin / Monaghan bombings of 1974, the Inquiry has sought information from a variety of sources concerning the incidents which form the subject matter of this report. Priority was given to obtaining documents from the relevant authorities in the State – An Garda Síochána; the Army; the Departments of An Taoiseach, Justice, Defence and Foreign Affairs; and the offices of the Attorney General and the Director of Public Prosecutions. All the above have facilitated the Inquiry's work in every way they could.

As will be shown below, similar efforts to secure documentation from the authorities in Britain and Northern Ireland were unsuccessful.

Interviews were sought with everyone whom the Inquiry believed might possess information of relevance. Information received in confidence was treated as such. The Inquiry is grateful to those who gave of their time to assist in this task. In addition, the Inquiry examined a variety of secondary materials, including newspaper and magazine articles, books and submissions from interested parties.

The Inquiry again received considerable assistance from Justice for the Forgotten. The information provided by them included government documentation released under the 30-year rule, both here and in Britain.

SOURCES AND MATERIALS:

An Garda Síochána:

The Inquiry has continued to deal with An Garda Síochána through a liaison officer, and has received full co-operation in relation to its work.

Files have been received in relation to all the incidents with which this report is concerned. Some files came from the Security and Intelligence (C3) branch; others from Crime Ordinary (C1), or from local Garda stations.

Irish Army:

The Inquiry has continued to received full co-operation from the Army authorities. In particular, the Inquiry was given access to all the available reports of Explosives Ordnance Disposal (EOD) officers for the relevant period.

According to the present Director of Ordnance, Colonel J. O'Sullivan, standard form incident reports were not introduced for EOD officers until 1973. Prior to this, an informal report was made by the officer involved to the Commanding Ordnance

Officer in Dublin, who would then prepare a written report. Reports which referred to a post-explosion investigation rather than to the dismantling of a suspect device were not, technically speaking, EOD reports; they were not necessarily committed to writing.

Irish Government:

As was stated in the Inquiry's report on the Dublin and Monaghan bombings, a general bombings file, S39/72, was received from the Department of Justice. This contained documents relating to a number of incidents that occurred between 1972 and 1978. The Inquiry also received copies of Garda reports and witness statements relating to the bombings in Dublin on 1 December 1972 and 20 January 1973: they were not attached to any particular Departmental file.

The Department of Foreign Affairs supplied a number of files requested by the Inquiry, including files relating to border incidents and incursions between 1972 and 1977.

British Government:

On 17 February 2003, the Inquiry wrote to the Secretary of State for Northern Ireland seeking such information as the British Government might have concerning the bombings in Dublin on 1 December 1972 and 20 January 1973. On 9 June the following response was received:

“You go on to say that the Inquiry is also being asked to include in its report reference to the bombings in December 1972 and January 1973. This would require another major search through our records. Given our experience of the scale of the task in identifying relevant material in the Dublin / Monaghan and Dundalk bombings that would take some time.”

While acknowledging the difficulty of such a task, the Inquiry then asked if, in the first instance, documentation could be supplied relating to the initial reactions of the Intelligence Services to the bombings and their opinions as to who may have been responsible.⁹ A reply dated 26 September 2003 stated again that a major and time-consuming search of records would be required, and concluded:

“I am afraid that I cannot give you any indication at present of when that would be possible.”

On 21 November 2003 and 2 February 2004, the Inquiry again wrote to the Northern Ireland Secretary seeking any available information concerning the bombings in December 1972 and January 1973. A reply dated 6 February stated:

⁹ Letter to the Right Hon. Paul Murphy MP, Secretary of State for Northern Ireland, dated 30 June 2003.

“With respect to your further extension of your investigation into the 1972/73 bombings in Dublin, we have not yet been able to begin the further major and time-consuming search through records of various departments which would be necessary to assemble material.”

On 26 April 2004, the Inquiry wrote again, seeking at a minimum such information as might be in the possession of the Police Service of Northern Ireland (PSNI) concerning these incidents. A further letter was written on 28 May 2004, stressing the need for urgency in replying to previous queries. No reply was received by the date of completion of this Report.

The contrast with the response to requests for information in relation to the Dublin and Monaghan bombings of May 1974 (as outlined in the Inquiry’s first report) is striking. In that instance, following an initial request in November 2000, a search of some 68,000 files was carried out by the British authorities over a fifteen-month period. And though the Inquiry expressed disappointment at the reluctance to make original documentation available and the refusal to supply certain information on security grounds, there is no doubt that some useful information was obtained by this process.

A similar time frame exists in relation to the bombings currently under examination by the Inquiry: it is now more than fifteen months since the Inquiry’s first request for information on the Dublin bombings of 1972 and 1973 was made. But on this occasion, not only has no information been forthcoming; but as of 2 February 2004 the Northern Ireland Office had not yet begun the process of searching for relevant documentation.

The Inquiry is surprised and disappointed at this lack of co-operation on the part of the British authorities. It should also be noted that in a letter dated 21 November 2002, the PSNI informed the Inquiry that the answers to its questions would be furnished through the Northern Ireland Office. The failure of the latter to supply information therefore includes a potential failure to supply any relevant information which might be in the possession of the PSNI.

Later on in this report, the Inquiry refers to government documentation released in Britain by the Public Records Office, under the 30-year rule. This material was brought to the Inquiry’s attention, not by the Northern Ireland Office, but by the Justice for the Forgotten group, through their own research.

PART TWO

FILM CENTRE CINEMA

26 NOVEMBER 1972

THE BOMBING

At 1.25 a.m. on Sunday, 26 November 1972, a bomb exploded in a laneway connecting Burgh Quay to Leinster Market. It was placed beside the rear exit door of the Film Centre cinema, O'Connell Bridge House. A late film was in progress: there were 3 staff and approximately 156 patrons in the cinema at the time of the explosions. No one was killed in the blast, but some 40 people were taken to hospital for treatment. One eyewitness described the scene as follows:

"I went to the Film Centre cinema with my wife Mary.... We took our seats about six feet from one of the doors. We were watching the film and nothing unusual happened until about 1.30 a.m. At about this time, I got a strong smell of something which came from the direction of the door near me. The smell was sharp and seemed like something burning. A few minutes later, I heard a tremendous blast. The blast seemed quite near me and it raised a cloud of dust in the cinema. I felt as if my body was being torn apart. People were screaming. We all got down on our hands and knees in a natural instinct to protect ourselves... There was extreme confusion all over the place. I realised immediately that a bomb had gone off. My first reaction was to get my wife and myself out of the cinema in case there was another bomb in the place....

We went across the road to Burgh Quay away from the cinema. From this position, I saw a complete wreckage of glass in the vicinity of the cinema. The shops and stores nearby were damaged extensively. In a few minutes, a fleet of ambulances and patrol cars arrived on the scene."¹⁰

Amongst those injured in the blast was Jacqueline Howlin. She told Gardaí:

"Sometime between 1.30 a.m. and 2 a.m. on the 26th November 1972 there was a colossal bang on the right side of the hall quite close to where we were sitting. The force of the explosion lifted us out of the seats. I was thrown out onto the floor in front of where I had been sitting. I put my hands up to my face and screamed. I found blood oozing from my face and forehead. I had been wearing spectacles and the glass was broken and shattered. When I stood up I found my right leg numb from the knee down. My boyfriend Paddy shouted at us to get out quickly. Paddy helped me part of the way to the foyer and I think it was a Fire Brigade officer or Gardaí put me sitting on a table....

I was taken straight away to the Mater Hospital where I was detained and treated for my injuries. My forehead was cut and my eyelids were also cut. All my face was marked either by the glass from my spectacles or flying splinters of wood... My right leg from the knee down was badly cut and opened. There was a piece of flesh missing from the lower calf. I had thirty stitches inserted in my leg at the Mater Hospital that morning."¹¹

¹⁰ Statement of Cyril Masterson, 2 February 1973.

¹¹ Statement of Jacqueline Howlin, 23 December 1972.

Another victim, Patrick Walsh, stated:

“Near the end of the film... there was an explosion and the next thing I remember I was sitting on the floor. There was confusion in the Film Centre and the seat I had been sitting on was broken. I was badly injured but was conscious when taken to the Mater Hospital in an ambulance. I received the following injuries: a piece of timber went through my back and into my bowels. I received severe cuts on my right side from my foot up to my head. The wound on my back is still open and I am still receiving treatment for it. I am stiff and sore still. I was detained in the Mater Hospital until about a fortnight ago.”¹²

The manager of the cinema was in the foyer when the bomb went off. He immediately opened the main doors and switched on lights, then dialled 999. He stated:

“A number of people near the [rear] door appeared to be badly injured. These were the last people to be taken from the cinema as they were furthest from the main doors in Burgh Quay. The cinema was finally cleared of patrons and injured at about 2.30 a.m. I left the cinema at about 4 a.m.”¹³

FORENSIC INVESTIGATION:

According to a preliminary report dated 27 November by Garda Inspector C. Cronin, the area was completely sealed off by Gardaí. The scene was visited by Chief Superintendent M.P. Kennedy, Superintendent Patrick Devane and a number of inspectors. Army Commandant Alphonsus Igoe, an Explosives Ordnance Disposal officer (EOD) examined the scene, as did members of the Garda Ballistics, Fingerprint, Mapping and Photographic units.

In addition to the injuries caused, considerable damage was done to the buildings in immediate proximity to the bomb. The rear door of the cinema was destroyed, and damage was also caused to seating and to the roof immediately inside the door. Plate glass windows and doorways of other premises within a 50-yard radius were shattered. The Garda technical examination of the scene was headed by ballistics officer D/Sgt Eamonn Ó Fiacháin. He reported:

“Examination of [the] scene indicated that the centre of the explosion had been on a doorstep directly outside an emergency door leading from the cinema to the laneway.

The force of the explosion had demolished portion [sic] of the concrete step, shattered the door and destroyed portions of the concrete walls on either side of the door. The blast of the explosion had driven most of the debris into the cinema and windows in the cinema and in surrounding buildings were

¹² Statement of Patrick Walsh, 30 December 1972.

¹³ Statement of Patrick Murtagh, 1 December 1972.

shattered due to the blast having been channelled through the narrow laneways in the immediate vicinity.

Most of the damage in the cinema was found to be in the vicinity of the end seat of a row directly opposite and nearest to the centre of [the] explosion and approximately 7ft. from the emergency door.

A search of the debris at the scene which continued for several hours failed to reveal any traces of the explosive material used or remains of detonating device employed.

A coil of twin electric wire was found in the laneway between the location of the centre of the explosion and Burgh Quay but examination of this coil indicated that it had not been directly involved in the initiation of the explosion.”¹⁴

There is no mention of any fingerprints being found; this is not surprising, since nothing related to the bomb or the bombers was found at the scene.

A search of Army records has failed to find any report by Commandant Igoe concerning this explosion. The Garda investigation report simply stated:

“As a result of this examination the type of explosives used and the means by which it was detonated were not found and to date cannot be ascertained.”

¹⁴ Report of D/Sgt Ó Fiacháin, 5 March 1973. The working notes on which his report was based make it clear that a search was also made for fragments of a container in which the explosives might have been held, but none were found.

THE PERPETRATORS – EYEWITNESS ACCOUNTS

A preliminary report, prepared within 24 hours of the bombings by Inspector C. Cronin on behalf of the Chief Superintendent, Dublin Metropolitan Area (South), singled out two witnesses who gave information of possible importance in identifying those who placed the bomb at the cinema.

The first was a 26-year old barman. According to his account, he left work about 1.20 a.m. and drove two colleagues to the top of O'Connell Street, where he left them. He then parked his car on D'Olier Street and walked to the corner of Bachelor's Walk and O'Connell Street where he bought a Sunday newspaper. He returned to his car, then decided to get some cigarettes from the Wimpy Café on Burgh Quay. On his way back from there, he stopped at the corner of Madigan's pub, very close to the laneway leading to the rear of the cinema, in order to open the cigarette packet. He told Gardai:

“I was actually stopped at this time and I heard what appeared to be fast footsteps in the lane. I considered that the footsteps were unusual and it was obvious that it was someone walking fast. I started to move towards D'Olier Street at this time and as I was crossing the mouth of the lane, which was about the first step I took, a man walked fast from the lane towards me. He walked straight up against me and in a casual voice he said words like ‘Get out of there quick, we are after putting a bomb there’ or words very close to those with the same meaning. As he spoke he gave me a slight push on the left shoulder, obviously wanting me to get out of there.

I walked forward a few yards, roughly to the front of the cinema door, and I looked around and saw another man emerge at the mouth of the lane. I believe that this man also came out of the lane although at this stage I do not recall actually see him [sic] come from the lane. No.1 was moving along the footpath in Burgh Quay towards D'Olier Street at this time, and No.2 walked behind him. They joined each other at the corner of Burgh Quay and D'Olier Street and they were walking casually to this point, but they walked faster across D'Olier Street towards Westmoreland Street.

I decided to phone the Guards at this time although I had not taken the matter very seriously and I walked across Burgh Quay towards the phones opposite the cinema. I continued watching the two men as I did not want them to see me going to the phone and just as they got to Westmoreland Street the explosion occurred. I had just got to the footpath on the Liffey side of Burgh Quay at the telephones at this time... I did not see the two men after they got to Westmoreland Street.

I would describe No.1, the first man to come out of the lane, as follows: 20 to 21 years, 5'9" or 10", medium to thin build, dark full head of hair medium length, wearing dark rimmed spectacles, medium length grey mackintosh coat. He was clean shaven, respectable looking, and did not look the labouring type. I have no idea what type of accent he had. I doubt if I would recognise him at this stage although I would have a good idea of him.

I could only describe No.2 as about 21 years although he could be somewhat older, about 5'6" or 7", stout to medium build, wearing a heavy, dark, medium length overcoat. I cannot say he was clean shaven and I did not hear him speak. He appeared to me to be rougher looking than No.1. I would not know him again."¹⁵

Notwithstanding the rather uncertain nature of his descriptions, and his belief that he would not recognise the men again, the witness appears to have assisted Gardai in creating photofit impressions of the two men seen by him.

The second witness mentioned in the report was a named Irish Army Corporal. There was no signed statement from him, but the Garda officer who interviewed him about 30 minutes after the explosions gave the following account of the Corporal's information:

"Corporal... states that [at] approximately 1.20 a.m. he was coming down O'Connell Street towards the Cinema Centre. He saw a man and woman enter the main door of the Film Centre. The woman was carrying what he described as a box, about 8" square. The man was carrying the woman's handbag. He [the Corporal] kept the Cinema under observation and the pair came out after about 5 or 10 seconds and went on towards D'Olier Street, towards College Green. They were more or less trotting. They went into College Green.

Description:

1. Woman, 23/25 years, 5'8" or 10", grey check coat, tweed, white fur collar folded back, hair between blond or brown, thought to be dyed. High heeled black shoes, roundish face.
2. Man, 23/25 years, 5'11" or 6 feet, oval face, tweed overcoat, beige or brown, light brown hair, black shoes, heels raised, light brown pants."

The Corporal also gave an account of a conversation, apparently overheard by him on O'Connell Street some hours previously:

"At about 9.45 p.m. on Saturday night in O'Connell Street, opposite the G.P.O., two fellows who sell the Republican News on a Saturday morning, described as (1) 19 years, half Northern, half Southern accent, long greasy dark hair, trying to grow a beard, medium build, 5'7", wearing combat jacket, cord slacks, broken shoes, black colour; (2) 19 years, a little taller than No. (1), combat jacket with crest 'Ireland and Shamrock' on breast. Shabby jeans, black shoes, both have oval faces. They were talking in reference to MacStiopháin and No.(1) said to No. (2), 'Its God help the South now. We will start on the cinemas.'"

In his report, Inspector Cronin made no comment on the evidence of the barman. In relation to the Army Corporal, he wrote:

¹⁵ Statement to Gardai, 26 November 1972.

“I spoke to [him] for a few seconds on the morning of 26/11/72 and I came to the conclusion that while he may be telling the truth, he was one of those people who take an unnecessary interest in police work. If the man and woman which [sic] he describes entered the main door of the Film Centre at Burgh Quay they could not possible [sic] place the bomb where it was subsequently sited. [He] can be interviewed again.

Enquiries are continuing and a full report will be submitted in course.”

Inspector Cronin’s report was forwarded to the Deputy Commissioner, D.M.A. at Dublin Castle. Copies were immediately sent from there to the Deputy Commissioners responsible for 1C (Crime Ordinary) and 3C (Crime and Security). The Deputy Commissioner, D.M.A. added his own comment:

“I do not regard Corporal... as reliable. His description answers in a general way the description given by [the barman] of the No.1 man he met at the scene of the explosion. This aspect of the case is being investigated.”

On 29 November, the file was forwarded to the Garda Commissioner himself, with the following handwritten comment from the Deputy Commissioner, 3C:

“It would appear that Corporal... is drawing on his imagination somewhat. The ‘man and woman’ set up is fairly common in the North and this may have influenced him.”

Over the following days and weeks, Gardaí continued to interview and take statements from witnesses. One woman who had been in the cinema with her boyfriend told Gardaí of an encounter with another witness in the aftermath of the explosion:

“Outside while we were waiting to be taken to hospital, we talked to an American photographer who said he got a photograph of two young men who drove off in a minivan or car.”¹⁶

Eight days later, her boyfriend gave a more detailed account of the incident:

“While I was standing outside the cinema I was approached by a man who said ‘Keep back, there might be another bomb there.’ This man started to talk to me. He told us that just before the bomb went off, he was going to go down the lane at the side of the cinema when he met two fellows running out of the lane. They said to him, ‘either, “Don’t go up the lane as we have planted a bomb there”, or “There’s a bomb going to go up”’. He also said that he got a photograph of the mini van, which the two fellows went off in. I think he said it was grey in colour. He did not say where the van was parked. I am not too sure but I think he said that he took a photograph of the two fellows. He did

¹⁶ Statement to Gardaí, 6 December 1972.

not describe the two fellows to me.... He spoke with an American accent.... He was carrying a camera slung around his shoulders...”¹⁷

The story told to them by this unnamed man clearly echoes that told by the 26 year-old barman mentioned above; but his statement makes no mention of having a camera, taking photographs or of seeing the men get into a vehicle. The investigation report, dated 8 August 1973, makes it clear that Gardaí were not assuming the barman and the alleged photographer to have been the same person. It stated:

“Investigations into the explosions were immediately undertaken by D/Inspector O’Brien, D/Sergeant Campbell and staff. Efforts to trace the two men seen leaving the laneway prior to the explosion have to date failed.”

It continued:

“Efforts to trace the photographer referred to... have to date failed. The van referred to by this photographer was subsequently traced to Jervis Street Hospital by Sergeant Christopher McCaffrey and in actual fact belonged to persons injured in the explosion. I am satisfied from my enquiries that this photographer was slightly intoxicated and was inclined to shout his mouth off [sic] in relation to the incident.”¹⁸

¹⁷ Statement to Gardaí, 14 December 1972.

¹⁸ Report of D/Sgt F. Campbell, 8 August 1972.

INTELLIGENCE INFORMATION

INFORMATION CONCERNING REPUBLICAN SUBVERSIVES FROM NEWRY:

In November 1972, a Garda officer based in Dundalk reported that a known republican subversive (whom we shall refer to as suspect A) had recently moved from his home in Newry, Co. Down and was living at a named guest house in Drogheda. The report continued:

“He has not contacted either wings [sic] of the Republican movement since his arrival here but his movements are receiving attention by members of this Unit.”

The report then gave a description of him, before concluding:

“His movements will be the subject of attention here and anything useful coming to light will be reported.”¹⁹

It is clear that this man’s presence in Drogheda was taken seriously by Gardaí. The report was forwarded immediately to the Commissioner, C3, with a note saying that the man’s description and the particulars of his vehicle had been circulated to all Border divisions.

In December 1972, confidential information was received by Gardaí in Dundalk implicating this man and another (suspect B) in the Film Centre bombing. The officer who received the information reported it as coming from “a reliable source”. He continued:

“I have studied the description and identi-kit impression of the two suspects for the bomb explosion at Film Centre Cinema, O’Connell Bridge House, Dublin, at 1.25 a.m. on Sunday 25th November, 1972. I am of the opinion that the photo-kit impression of No.1 suits [suspect B] and that the description of No. 2 suits [suspect A], both of whom I know.”²⁰

On 4 December this report was forwarded to the Chief Superintendent at Drogheda Garda Station by Inspector McDermott, who commented:

“I have gone into the matter with [the officer concerned] and I am satisfied that the information is accurate and reliable.

A special watch is being maintained for [the two suspects] and we have received a promise we will be notified immediately either of them returns to Drogheda.

D/Sgt Dundalk has been informed of the above information.”

¹⁹ Report to D/Sgt Downey, Drogheda, dated 13 November 1972.

²⁰ Report to Superintendent, Drogheda, dated 2 December 1972.

Suspect B:

On 2 January 1973, suspect B was detained and placed on an identification parade at Dundalk Garda station. He was also interviewed over a long period at the station. He admitted being a member of Gardiner St. Sinn Féin²¹, but emphatically denied having any part in the bombing. The barman who allegedly saw the bombers leaving the laneway behind the Film Centre was brought to Dundalk for the identification parade, but did not pick this man out of the line up.

On 9 August 1973, a confidential report from the officer who had received the earlier information claimed that suspect B was “a very close friend” of another known republican subversive (suspect C). The latter was known in turn to associate with the Littlejohn brothers, Kenneth and Keith.²² Whilst acknowledging the negative result from the identification parade, the officer suggested that the Film Centre bombing was carried out by suspects A, B and C, possibly at the instigation of the Littlejohn brothers.

However, in a report dated 7 September 1973, D/Supt Fitzpatrick cast doubt on this theory, pointing out that the Littlejohns and suspect C had been in custody since October and November 1972, respectively.

Gardaí obtained other information during 1973 which suggested that suspect B was and remained an active republican subversive with some experience in making and handling bombs. However, no concrete evidence linking suspect B to the Film Centre bombing was found.

In 1974, Suspect B was one of two men shot dead by British Army soldiers at a derelict farmhouse near the border. According to the British Army Press Office, the two men were observed working on beer-keg bombs, each containing 20lbs of explosives.

Suspect A:

On 23 January 1973, suspect A was featured in Fógra Tóra as being sought for interview in connection with the Film Centre bombing. In May 1973, a further report from the officer who received the information noted:

“[He] is employed as a confectioner with ... He came to work [there] last August (1972). He stayed in ‘digs’ with Mrs... but left this house rather suddenly on Saturday night 24th November 1972 and did not return to ... after this. He returned to work ... a few weeks ago and is still employed there. He is engaged to a girl called... and he is residing in [her] house and gets a ‘lift’ from Dundalk to Drogheda every day. He is not in possession of any motor vehicle at the present time...”

²¹ The branch of Sinn Féin which was symbiotically connected with the Official IRA.

²² See chapter 1.

Suspect A was eventually arrested on 4 September 1973 and detained at Drogheda Garda station. According to D/Supt P.J. Fitzpatrick, who questioned him about the bombing:

“He refused to say where he was on that date and added that he was not even sure if he was in the country at the time. He denied knowing of or being associated with the explosion. His general attitude was that such an explosion could only discredit any organisation.”²³

He was placed on an identification parade (before the barman who had seen the earlier identification parade containing suspect B) but was not identified. D/Supt Fitzpatrick stated:

“His finger and palm prints were taken and they will be compared with exhibits in the ‘Scenes of Crime Section’, at Section 4C. In the event of any positive result there, a further report will be submitted.”

Other information received concerning suspect A in 1974 indicated that he continued to take part in acts of violence in Northern Ireland, at least one of which involved explosives; but it did not serve to establish a definite link with the Film Centre bombing.

The final item in the Garda intelligence file on suspect A is a Special Branch memo of 28 March 1979. It cited information “from a previously unassessed, but well-placed source” to the effect that he was still actively engaged in attacks on the security forces in Northern Ireland.

INFORMATION CONCERNING MEMBERS OF THE PROVISIONAL IRA, DERRY BRIGADE:

On 3 February 1973, a Garda Inspector reported confidential information received concerning the bombings in Dublin on 26 November 1972, 1 December 1972 and 20 January 1973 which pointed towards a different group of suspects. He described the source as reliable, adding:

“... I am satisfied that my informant is genuine and gave the information freely and willingly.”

In relation to the Film Centre bombing, that information was as follows:

“I am... informed that it was two members of the Provisional IRA, Derry Brigade who planted the bomb outside the Film Centre in O’Connell Bridge

²³ Report of D/Supt P.J. Fitzpatrick, 7 September 1973.

House. They did this without the authority or knowledge of the leadership of the Provisional IRA.”²⁴

The information contained in this report was passed to the RUC by C/Supt Wren in a letter dated 15 February 1973, with a request for any information they might have. A reply dated 12 April contained the following response:

“We have not had any reports of members of the Provisional IRA from Londonderry being responsible for the explosion at the Film Centre in O’Connell Bridge House on 26.11.1972.”

THE INVESTIGATION REPORT:

The principal Garda report on the bombing was completed on 8 August 1973, and signed by D/Sgt Francis Campbell. The report itself was two pages long, and was accompanied by 45 statements.

The various matters dealt with in the report have been mentioned already in the course of this chapter. The report concluded as follows:

“All the members of the Gardaí who were on duty in or at the scene of the outrage have been interviewed by me with a view to obtaining any useful information but to date nothing of any consequence has come to light.

Investigations are still being carried out and any developments will be reported.”

A letter from C/Supt John Joy to the Assistant Commissioner, Crime Ordinary on 22 November 1973 declared that no further developments had arisen in relation to the bombing investigation. The final document in the investigation file is a standard reply from the Assistant Commissioner, as follows:

“With reference to your report of the 22nd November 1973 concerning the above matter, please report again in the event of developments.”

²⁴ Report to Supt, ‘B’ District, Dublin, dated 3 February 1973.

PART THREE

EDEN QUAY AND SACKVILLE PLACE

1 DECEMBER 1972

THE BOMBINGS

At 7.58 p.m. on 1 December 1972, a car bomb exploded outside 29 Eden Quay, close to Liberty Hall. Several people were injured. At 8.16 p.m., a second car bomb exploded at Sackville Place at a point about 40 feet from its junction with Marlborough Street. Two people were killed, and many more injured. Both bombs also caused substantial damage to nearby buildings and vehicles.

A warning was telephoned to the offices of the *Belfast Newsletter* at 7.58 pm. The (male) caller was said to have spoken with a Belfast/English type accent. He rang from a coin box. He indicated that two bombs would go off in Dublin – one at Liberty Hall and the other at Abbey Street, behind Clery's department store. The message was relayed from the newspaper offices to the RUC, who in turn passed it on to the Garda Control Room Dublin Castle at 8.08 pm. The warning was acted upon immediately and a team of Gardaí were dispatched to search the area behind Clery's, including Sackville Place and Earl Place. They were in the process of investigating cars parked in Sackville Place when the second bomb exploded there.

VICTIMS:

The two men who died in the explosion at Sackville Place were **George Bradshaw**, 30 years, married, of 4 Offington Avenue, Sutton, Co. Dublin; and **Thomas Duffy**, 23 years, married, of 16 Gracefield Avenue, Artane, Dublin. They were CIE employees and had left the staff canteen moments before the explosion.

George Bradshaw was a bus driver. He was working on the day of the bombing only because he had changed shifts with a colleague. He was buried in his native town of Fethard, Co. Tipperary. He left behind a wife and two children.

Thomas Duffy, a native of Co. Mayo, was a bus conductor. He had a two-year old daughter and his wife was expecting their second child.

Nineteen-year old Denis Gibney, a fellow bus conductor, had been sitting beside George Bradshaw when they heard the first bomb explode near Liberty Hall. He told Gardaí:

“George went over to the counter to get tea and when he came back to the table he said he heard that Liberty Hall had been blown up. A couple of minutes later a Guard and the porter came in and told us to get out, that there was a bomb scare. A few fellows rushed to the door but the majority of us walked out casually. I'd say that George Bradshaw was a couple of yards in front of me going out of the Club... As we were walking down Earl Place, George said 'I think we'll go down to Liberty Hall and have a look.' When we got to Sackville Place, George walked across the road towards Brooks Thomas. I walked up as far as the side door of Bohan's pub. I looked back and I saw George standing on the footpath outside Brooks... Then I saw a busman walking across the road from the corner of Earl Place towards where George was standing. I turned around to walk away when I heard a very loud

explosion and there was a flash of light. I was lifted up in the air and then I fell...”²⁵

Henry Kilduff, a bus driver, told Gardaí he remembered seeing Duffy and Bradshaw walking down Sackville Place towards Marlborough Street:

“Tommy Duffy and George Bradshaw were only 10 to 20 yards from me when there was an explosion. I cannot remember any more until I was being given a cup of tea in some premises on Talbot Street.”²⁶

One of the first Garda officers to arrive at Liberty Hall was Garda John McHugh of Store Street station. He described the scene to a reporter:

“I never want to see the likes of it again. I saw people with all sorts of injuries some lying down, others groping around... People were wandering around as if they didn’t know where they were going.”²⁷

Michael Keating, manager of the Silver Swan bar across the river in Burgh Quay, said that he was in the empty upstairs lounge when he heard and saw the bomb explode.

“I heard an ear-shattering bang,’ he said, ‘and at the same time I saw a wall of red flames shoot up from across the river... All the front windows of the building caved in.”

Another man who had been on the Burgh Quay side of the river when the bomb exploded, crossed over immediately to Eden Quay.

“Even then the ambulances and police were arriving. There was a large pall of smoke hanging over the immediate area of the blast. At least six cars were on fire. It didn’t take the fire brigade long to put out the flames. There were people strewn all over the street. One man was lying unconscious in a pool of blood from his legs... Everywhere, there was sobbing and screaming. One woman who seemed to be in a state of advanced pregnancy was in a state of terrible hysteria. People were running in all directions. It was a shocking sight.”²⁸

The first explosion attracted a considerable crowd to the bomb scene. According to eyewitnesses, many onlookers became hysterical when the second bomb exploded in nearby Sackville Place.

“By 8.30 bedlam reigned. Ambulances raced through the streets, klaxons blaring, and Gardaí with loud hailers appealed urgently for people to clear both areas.

²⁵ Statement of Denis Gibney dated 4 December 1972.

²⁶ Statement of Henry Kilduff dated 4 December 1972.

²⁷ *Irish Times* 2 December 1972.

²⁸ *Ibid.*

Fire brigade units rushed in to deal with the many fires and help to evacuate the wounded...

About 10 minutes after the Sackville Place bomb went off, police threw steel barriers round the top of Marlborough St. as anxious people thronged around the Gardaí seeking information about relatives. The stench of explosives hung in the air and there was further panic when the petrol tank of the burning car exploded...

One of the people nearest the horror blast in Sackville Place... was former St John's Ambulance Brigade member, Mr Brendan Williams, of Finglas, Dublin.

He was only a few yards away in Bohan's public house, Marlboro' Street, when the explosion ripped through the narrow streets. Deeply shocked, and with blood smeared over his face, Mr Williams told how he helped to bring two seriously injured people away from the scene of the carnage.

'I helped to carry one man from the laneway into the Brooks Thomas shop across the road. From my medical experience he seemed to have little chance of survival,' he said."²⁹

According to a Garda report, National Cordon No.2 was put into operation at 10.30 p.m. on 1 December. Regular Army / Garda checkpoints had already been operating in Monaghan (and presumably in other border towns) since 8 p.m. When news of the bombings was received, the Army remained on duty with Gardaí until 3 a.m. Gardaí remained on duty at Cordon points until 4 a.m.³⁰

²⁹ *Irish Independent* 2 December 1972

³⁰ Report of Supt O. Giblin, 24 August 1973.

THE PERPETRATORS – EYEWITNESS ACCOUNTS

THE HIRER OF THE BOMB CARS:

The car which exploded in Sackville Place was a silver-grey Ford Escort registered No. 9551VZ. The car that exploded on Eden Quay was a blue Hillman Avenger registered No. OGX 782K. Garda investigation in Belfast discovered that both cars had been hired on 30 November 1972 by a man using a driver's licence in the name of Joseph Fleming, 112 Porter Road, Derby, England.

Mr. Fleming, the owner of driving licence number 2/2928, made a statement to the RUC on 3 December 1972. He said that he was the owner of a grey Ford Zephyr 4 Mark III motor car, registration number 556 FOV. It had been left in a car park in Castle St., Ballymoney, Co. Antrim, at 9 p.m. on Friday 11 August 1972, and had been stolen between the hours of 10 p.m. and 11 p.m. that night. Locked in the boot of the car had been his wife's handbag, which contained the insurance certificate and logbook of the car, as well as his full driving licence, issued by Derby County Borough Council, with an expiry date of the 1st September 1974, and bearing the number 2/2928.

The theft had been reported immediately to the RUC in Ballymoney, together with the fact that a friend with a local address had seen "three lads" in the car, whom he thought might have taken it.

The RUC and Gardaí were fully satisfied that the real Joseph Fleming had no connection with the bombings. The Inquiry wrote to Derbyshire Constabulary in February 2004, seeking Mr Fleming's whereabouts. On 22 March 2004 the following reply was received from D/Supt Jack Russell:

"I can confirm that my inquiries revealed a Joseph FLEMING, b. 3.10.26 of 112 Porter Road, Derby who had been employed by Qualcast, Victory Lane, Derby as a fitter.

Unfortunately, Mr Fleming died on 6th February 1987 whilst at work. Enquiries with the Derby Registrar confirm this information...

It would appear from enquiries in Derby that the theft of Mr FLEMING's vehicle was genuine; any discrepancies in his account would have been further investigated by the Police at the time."

Gardaí in 1972 received full co-operation from the RUC in following up the hiring of the cars. The Garda investigation report stated:

"Two Detective Sergeants and two Detective Gardaí conducted enquiries in Belfast with the assistance and co-operation of RUC members. They were successful in interviewing most of the persons involved in the hiring

transactions. Photo-fit impressions of the hirer were built up from descriptions supplied by the witnesses.

Det. Sergt. Garvey took possession of all the hiring documents for fingerprint examination. The Detective Sergeant also took possession of a rental agreement form in London on 4.12.1972. This form is in respect of motor car 9098.UI, hired out at Aldergrove Airport on 23.11.1972 and not returned.³¹

Ford Escort 9551 VZ:

This car was hired at 9 a.m. from Moley's car hire firm at their office at 49 Victoria Sq., Belfast. The hirer telephoned in advance to enquire if a car was available. He arrived at Moley's Victoria Square office at 10:45 am, where the transaction was carried out by Philip Moley.

The documents consisted of an insurance proposal and a hiring agreement, both of which were filled out by the hirer himself. On the insurance form he gave his address as 112 Porter Road, Derby, England, and his date of birth as 20 June 1932. On the hiring agreement, he noted his address as the Belgrave [sic] Hotel. On both documents he gave his name as Joseph Fleming, and the number of his driving licence as 2928.

According to Mr Moley, the driving licence produced "did not bear any date of birth." Support for this comes from the Driver and Vehicle Licensing Agency (DVLA), who by letter dated 10 March 2004 told this Inquiry:

"From the dates which you have provided in your letter it appears that the date of issue of the licence to which you refer would have been August 1971 as three year licences were normal at that time. It would have been in old 'red book' format which did not contain details of the holder's date of birth."³²

The hiring period was from 9 a.m. on Friday 30 November to 9 a.m. on Sunday 2 December 1972. The insurance form was signed "J. Fleming"; the hiring agreement was not signed.

Having completed the documentation, Philip Moley rang a local filling station about five minutes drive from his office to inform the attendant there that the hirer was coming to collect the Ford Escort, 9551 VZ. The hirer told Philip Moley that he had a friend with another car and that he would drive to the filling station. When he arrived at the filling station he was alone. This was at about 11 a.m. The attendant who was expecting him told him that the keys were in the car and he drove it away.

Philip Moley described the hirer as being forty years old, six feet in height, fourteen or fifteen stone in weight, with a reddish face and fair hair, receding at the front. He had no headgear. He wore a collar and tie. He gives no description of any other clothing save that the man was wearing a beige gabardine raincoat.

³¹ This car was also hired using Joseph Fleming's driving licence - see below.

³² Letter from DVLA, Swansea, U.K. dated 10 March 2004.

Mr Moley's secretary, who did not speak to the hirer but was in and out of the office while the transaction was being arranged, described him as being forty five years of age; nearly six feet in height; a burly man with a round, full face. He wore a check hat and a check overcoat. He did not wear glasses.

The attendant at the filling station described the man who took the car away as being six feet in height; thirty to forty years of age; well built with a dark complexion; wearing a dark Trilby hat and a black heavy overcoat.

Philip Moley thought that the hirer, when he spoke to him on the phone, had spoken with the accent of a middle-aged, English man. The filling station attendant thought he had a cultured accent which was certainly not a Belfast or a Northern Ireland one. Philip Moley's secretary thought that the hirer was a Belfast man who had acquired an English accent, having spent some time in England.

Hillman Avenger OGX 782K:

This car was hired at 11.30 a.m. on 30 November 1972 at the Avis rent-a-car office at Aldergrove airport, Belfast. The hirer telephoned the Avis desk in Aldergrove airport in advance to ask whether a car was available. He said that he was meeting someone arriving on a flight from London at 11:30 am. He did not call to the desk until 12:10 p.m. He was on his own, and explained his being late by saying that he and his friend, who had arrived on the flight, had had a cup of coffee.

This phone call by the hirer, and his phone call to Moley's were said not to have been from coin boxes. This was based on the fact that no sound of coins dropping was heard. This would suggest a subscription-based land line, which in turn would suggest a base in Northern Ireland.

The documents to complete the transaction were a rental agreement and a "customer qualification form". The latter was completed by the hirer in his own hand. He gave his name as Joseph Fleming with an address at 112 Porter Road, Derby. He also gave a business address - 104 York Road, Derby, where he claimed to have been employed for six years as an engineer with Lloyds Insurance Company. As a reference he gave the name of J. Thompson, Lloyds Bank, 85 York Road Derby. He told the rental agent that Mr Thompson was the manager there. As with the earlier transaction at Moley's, the hirer gave his date of birth as 20 June 1932, and the number of his driving licence as 2928. He signed the form "Joseph Fleming".

The rental agreement was made out by the Avis rental agent. The hirer's name was given as J. Fleming, with an address at 112 Porter Road, Derby, and his local contact address as the Belgravia Hotel. His licence number was given as 2/2928. The form was signed "J. Fleming". As at Moley's, the hirer paid in English banknotes.³³

On both occasions he said that he was in Northern Ireland on business. When telephoning the Avis rental agent he had also said that he wanted a small car. Both

³³ That is to say, with notes issued in England, rather than by banks in Northern Ireland.

Philip Moley and the Avis rental agent were of the view that the telephone calls to them were made from a subscribers telephone, rather than from a coin box.

The Avis rental agent described the hirer as being 5'8" to 5'10" tall, heavily built, wearing a brown soft hat and a brown gabardine overcoat. He also wore brown horn-rimmed glasses.

Other cars hired using the same driving licence:

The bomb cars used on 1 December were not the only vehicles to be hired using Joseph Fleming's licence: it had in fact been used on two previous occasions. On 3 November 1972, it was used to hire a maroon Ford Escort FIA 941 from Hertz Rent-a-Car, Belfast. The car was returned on the agreed date. These details appear at paragraph twenty-two of the Garda investigation report. The hirer gave a contact address as Lloyd's Insurance, Derby. He also gave a telephone number 668531, a number not allocated in Derby nor in the State but to a Belfast subscriber at an address near the Belgravia Hotel.³⁴

On 23 November 1972, the licence was used to hire a marine blue Ford Cortina 9098UI from the Hertz company at Aldergrove airport. It was not returned. The hirer approached the Hertz desk at about 3 p.m. He said he wished to hire a car and produced an English driving licence, in the name of a Mr. Fleming. The rental agent filled in the necessary forms and the hirer signed them, J. Fleming.

The Hertz hiring agreement gave the customer's name as J. Fleming, his address as 112 Porter Road, Derby and his contact address as the Belgravia Hotel. His licence number was given as 2928. The car was to have been returned on 25 November 1972.

The rental was paid for in cash. The rental agent did not remember what the hirer looked like, save that he was middle aged. He thought he spoke with an English accent.

Further inquiries:

Philip Moley confirmed that there was no date of birth on Joseph Fleming's driving licence. The Garda investigation team believed it possible that the date of birth (20 June 1932) given by the hirer on the hiring documents was his own: the real Joseph Fleming was born on 3 October 1926. Garda efforts to follow this up were recorded in the investigation report as follows:

“A significant feature of the hiring agreements completed in respect of the two bomb blast cars is that on each occasion the hirer gave his date of birth as 20th June 1932. It was felt by the investigating members that this date of birth could be genuine as it was considered unlikely that he would repeat a similar fictitious date on both occasions, when asked to supply same.

³⁴ The documents for the hiring on 3 November have not been seen by the Inquiry.

As a consequence we sought the assistance of the RUC, Scotland Yard, and Edinburgh City Police in carrying out a check at their respective Birth Registry Departments to establish the identity of all males born on 20.6.1932. It was anticipated that the completed lists would be first checked with their local CRO, following a check on each individual's movements could be made for 30.11.1972 and 1.12.1972.

The Assistant Commissioner (Crime) at New Scotland Yard in reply to our request stated that because of the difficulties that would be encountered and the cost in manpower and time, the Commissioner regretted that he was unable to accede to our request. In view of this we did not see any great point in pursuing the enquiry at Edinburgh so we cancelled our request. The inquiry was done at the Dublin office, with negative results to date. Seventy-four male persons were born in the Republic on the 20th June 1932, and were being checked out. The enquiry is being conducted by the RUC, and the result is awaited."

Although Mr. Fleming's car was stolen in August, there is no record of the licence being used for car hiring purposes until 3 November 1972. On this occasion the car was returned. When the car hired on 23 November was not returned on 25 November 1972, there appears to have been no effort made to notify other hire firms; nor indeed do the hire firms appear to have been warned that the licence had been stolen.

MOVEMENTS OF FORD ESCORT 9551 VZ:

A number of persons claimed to have seen the Sackville Place bomb car at different times on the 30 November and 1 December 1972.

One man said that at about 6.20 p.m. on 30 November, a car pulled out from the grass margin at the side of Ballymun Road in front of him. It appeared to have been parked at a point in the road near the Dublin Airport landing lights. He stated:

"I had to ease up to allow it out so when I first got behind the car it would be 50 yards approximately ahead of me. I drove on behind the car. I immediately recognized that the number of the car was a North of Ireland one. I also noted that it was a Ford Escort, light colour. There were two men seated in the front of the car. After I noted that it was a North of Ireland car, I became suspicious and wondered what two men were doing stopped on the roadside near the Airport landing lights. I had a clear view of the number of the car from the moment it pulled out of the grass margin. The number of the car was 9551 VZ. I wrote this number on a piece of paper. I kept that piece of paper containing the number and I now hand it over to you."

The witness drove behind the car towards Dublin city for about 1½ miles. The car was travelling at normal speed:

“The driver gave me the impression that he knew the road because at the roundabout at Ballymun flats, he drove normally around it. A stranger would have to hesitate to make sure that he was on the correct road. I have had experience of this. The driver appeared to be taller than the passenger. They had normal haircuts. They didn’t look around and I cannot describe them any better.”³⁵

On the day of the bombings, at around 1.45 p.m., two witnesses saw a silver-grey Ford Escort with two male occupants in the car park of a public house in Santry. The car, which was parked in an area not visible from the main road, was said by both witnesses to have had a Northern Ireland registration containing the number 9 and ending with either VZ or XZ. The first witness claimed to have got “a reasonable good look at the two men” and described them as follows:

“No.1 i.e. the man seated behind the driving wheel, 40 years, stout heavy build, light brown to fair hair, medium length and straight, sallow complexion, dour looking and wearing a blue suit, it was mohair material. I would describe No. 2 as follows; 40 years, stout heavy build, dark brown hair, thick set and receding back off his forehead, reddish complexion, dour looking and wearing a light brown suit. From the position and appearance of both men, I would say they were tall, near the 6’ mark. I got a good look at these men and the car, as we were parked about twenty feet away from them and facing them... I might know these men again.”³⁶

A memo from the Detective Sergeant who interviewed the second witness gives the following account of the two men in the car:

“1. 40 years, grey hair, reddish face. 2. 35 years, dark hair. He said he could not elaborate further on these descriptions. [He] was reluctant to give any further information and said he did not want to get involved in matters of this kind.”³⁷

The bomb car was not seen again until parked in Sackville Place. A witness coming from Clery’s Department Store claimed to have seen it parked on the right hand side of Sackville Place, facing Marlborough Street, at around 5 p.m. He described the car as a Ford Escort, light colour, with a Northern Ireland registration ending in the letter ‘Z’. The next recorded sighting of the car was by a Garda officer who had been directed to go to Earl Place via Sackville Place, following the receipt of a bomb warning at 8.08 p.m. He stated:

“When I got into Sackville Place I checked all cars I saw on the street. I saw motor car 9551.VZ parked on the left hand side. I looked into this car but could see nothing unusual... I had just got to the junction of Sackville Place

³⁵ Statement to Gardai, dated 9 December 1972.

³⁶ Statement to Gardai, dated 5 December 1972.

³⁷ Memo of interview with witness, dated 5 December 1972.

and Earl Place when the bomb went off behind me. This was the only North of Ireland car I saw in the street.”³⁸

MOVEMENTS OF HILLMAN AVENGER OGX 782K:

The earliest possible sighting of the car that exploded on Eden Quay was by a witness who was driving from Dundalk to Dunleer on the night of 30 November 1972. In a short written statement to a Garda sergeant at Dundalk station he stated:

“At approximately 10.15 p.m.... as I was driving home from work, I observed a dark colour Avenger motor car travelling at a very fast speed in the Dublin direction at Fane Bridge on the Dublin / Dundalk road. I am almost sure that the number of the car was OGX 782K. It was being driven by a man and he was alone in the car. The driver appeared to be a big man.”³⁹

His identification of the number plate is qualified by the following information contained in a letter of Inspector T. Walsh which was sent with the statement to Garda Headquarters:

“At the time [the witness] did not make any note of the number of this vehicle but on Monday the 4th December 1972 when he read the newspaper and saw the number of the Avenger which was used in the bomb explosion he believed it to be the number of the Avenger motor car which passed him on the Dundalk / Dublin road on 30/11/72. He says he is not sure but believes it to be that number.”

Prior to seeing the Avenger, the witness had just picked up a male hitchhiker whom he did not know. According to Insp. Walsh, inquiries were made with a view to establishing the latter’s identity, but without result.

Another witness stated that on 1 December, he was driving along Cathal Brugha Street some time between 12 and 12.30 p.m. when he noticed the rear end of a car protruding out of a line of parked cars on the O’Connell Street side of the laneway that runs behind the Gresham hotel. He said:

“I took particular notice of this car because of the way it was parked... As far as I can remember the registered letters of the car were OGX followed by some numbers and finishing with the letter ‘K’. I think the car was a Hillman and it could have been grey or green colour. I also think that there was an ‘8’ or a ‘9’ in the number.”

At about 1.20 p.m., a light blue car resembling a Hillman Avenger was seen near the junction of Davitt Road and Dolphin Road, Dublin. The witness was “quite sure” about the colour. He stated:

³⁸ Statement of Garda M. Bolton, dated 8 December 1972.

³⁹ Statement to Gardaí, dated 4 December 1972.

“I am also quite sure that the car had an English registration number... There was a woman with what I thought to be dark blonde hair sitting in the front passenger seat. I would have placed her in her early thirties. The driver, a male, would have been about the same age. He had a well shaped head, with conservative type of haircut. He appeared dark haired. This car was in front of me for a short time just about the Canal Bridge... While I saw the car it was being driven with a confidence which struck me as unusual, being an English registered car and possibly driven by an English tourist.”

Another witness claimed to have seen “a dark blue Avenger motor car with a Northern Ireland registration number” travelling in front of them along O’Connell Street:

“The registered letters of this car were OX, followed by another letter and followed by, I think four digits and another letter. The car was travelling on the outside lane near the taxi rank in the middle of O’Connell Street and I formed the impression that the driver was looking for a parking space. It was exactly 2.55 p.m. when I first noticed this car. I am positive about this as I had just looked at the G.P.O. clock and noticed the time... To the best of my knowledge there were two people in the car, a man and a woman. I cannot describe them. The registration plate on the back of the car was red and the registration number was in black. When we passed this car it was still travelling slowly and just coming up to the junction of O’Connell Street and Abbey Street.”⁴⁰

Finally, a witness claimed to have seen a blue Hillman Avenger stopped at traffic lights on Custom House Quay, at the intersection with Butt Bridge. This was at about 5.05 p.m. He claimed to have made a mental note of the number at the time – something he did as a hobby - and that it was OGX 782K. He told Gardaí:

“There were two men sitting in the front of this car but I only had a rear view of them. I would describe them as follows:- No. 1. The driver had straight hair, dark colour and he had no head gear. No. 2. The passenger seemed to be much taller and heavier and he had curly fuzzy hair sticking out over his ears and I would say that he was in his middle thirties and he was the man that pointed towards Liberty Hall while the car was stopped. He seemed to be giving directions to the driver. As far as I can remember he was wearing some type of trench coat.”⁴¹

When the traffic lights had turned green, the Avenger turned right, and the witness “got the impression” it was going to park beside Liberty Hall.

The witness, who was on a motorbike, was carrying a pillion passenger at the time, but his passenger did not remember seeing the vehicle.

⁴⁰ Statement to Gardaí, date unknown.

⁴¹ Statement to Gardaí, dated 5 December 1972.

MOVEMENTS OF FORD CORTINA 9098 UI:

This car was hired at Aldergrove Airport, Belfast on 23 November 1972, using Joseph Fleming's driving licence. It was not returned.

At about 4.20 p.m. on 30 November, a witness was attempting to park in one of two adjoining spaces on Fitzwilliam Place:

“There was a Cortina car, blue / grey metallic colour, latest version of the Cortina, backing into the spaces at the same time. He took more space than he required with the result that I could not park there. The registration of the car was definitely UI. I think that 90 appeared also on the registration. I think that there were four men in the car. I have a recollection of the car being full of passengers. There was a car park attendant, very tall and thin, attending to this car as it parked. I was not back in that street again that evening. I cannot describe any of the people in the Cortina.”⁴²

It is not known whether any attempt was made by the investigation team to find the car park attendant mentioned by the witness.

Another witness claimed to have seen a metallic blue car with the registration number 9098 UI in the afternoon of 1 December 1972, though he described the model as an Escort. He told Gardaí:

“I think I saw [it] either at Suir Bridge or in the forecourt of Ryan's Filling Station, Parkgate Street, Dublin. It could be at Suir Bridge. There were three men in this car. I did not see the driver. I did not take much notice of the fellow in the back. The fellow alongside the driver had fair hair, curly, not too short or too long, big face, full chin, clean shaven, long locks, 26 / 27 years of age. [If] it was at Suir Bridge I saw this car, it would be about 2.00 p.m. If it were at Ryan's I saw it, it could be any time in the afternoon.”⁴³

MOVEMENTS OF FORD ZEPHYR 556 FOV:

This car - Joseph Fleming's own - was never recovered following its theft on 11 August 1972. However, it was apparently seen in Dublin on 1 December 1972 with five occupants and again three days later – this time with no passengers.

The first sighting, on 1 December 1972, was by a Garda officer in the vicinity of O'Connell Street after the second bomb had exploded. This Garda had been on duty at Dáil Éireann when the first bomb went off and was on his way to O'Connell St. when the second explosion occurred. He described the car as a black Zephyr 4, registration no. 556 FOV. He was aware that it was a Warwickshire number as he spent his holidays in Coventry, which used the letters OV for the registration of cars from that area. Whenever he saw cars which such letters, he took a note of it. In his statement

⁴² Statement to Gardaí, dated 8 December 1972.

⁴³ Statement to Gardaí, dated 9 December 1972.

he said that he may also have seen the car in the Kilmainham area in the morning; but having said this he appeared to discount that possibility.

He said that one of those seated on the left rear of the car stared at him as he went past and continued to stare for as long as he could. He described this man as having a flat face, with some sandy bushy hair down to his ears. Later, at 7:55 a.m. on 9 December 1972 he saw a light grey Zephyr 6 motor car, registration number ALY 378 in Inchicore with five occupants. The passenger in the left rear seat stared at him in the same way as the passenger in the car which he had seen on the 1st of December had done, someone whom he resembled.

A witness who lived in Glasnevin telephoned Gardaí to say that he had seen a large, light-coloured car with the registration 556 FOV on 4 December 1972. At a subsequent interview, a Garda officer recorded the witness' account as follows:

“[He] states that at 6.00 p.m. on the 4.12.1972 he was driving along the back road from Cabra which leads on to the main Finglas road, at Finglas bridge. When he came onto the Finglas road, he saw a North of Ireland registered car in front of him.⁴⁴ He noted the number mentally and was satisfied at the time that he had seen the car on a number of occasions within the two weeks previous in the Cabra area. The number he noted was 556 FOV. He travelled behind this car for about 300 yards...”

FURTHER INQUIRIES:

As the eyewitness evidence seemed to indicate that the bomb cars had arrived in Dublin on 30 November 1972, a check was made at hotels, guesthouses and car hire firms to cover:

- (a) any person who made a stay under the name Fleming;
- (b) any record they might have of the registered number of either of the cars;
- (c) any record of a person with a Northern Ireland address who stayed there; and
- (d) any guest who matched the description of the hirer or bore a resemblance to the photofit impression of the bombers.

All such inquiries proved negative.

Details of the bomb cars, Mr Fleming's stolen car and licence, the other cars hired out with the same licence and copies of the photofit impressions were circulated in *Fógra Tora* (part 1) on 4, 5 and 8 December 1972. According to the Garda investigation report, this circulation extended to Northern Ireland and Great Britain. Gardaí were asked to use the photofit images in the course of enquiries at “Hotels, Guest Houses,

⁴⁴ In fact, the registration number he claimed to have seen, as noted earlier, was an English one.

Air, Boat, Bus and Train termini, and all likely places” where suspects might have been seen.

On 13 December 1972, C/Supt Wren wrote to the Army Director of Intelligence, enclosing copies of the issue of *Fógra Tora* containing the photofit of the man who hired the cars. He suggested that the picture be shown to members of the Defence Forces – in particular, to anyone who had attended Ordnance or other courses in Britain.

THE FORENSIC INVESTIGATION

The scenes at Eden Quay and Sackville Place were examined by members of the Garda Ballistics, Mapping, Fingerprint and Photographic sections, as well as by an Army EOD officer.

FORENSIC EXAMINATION:

On 1 and 2 December, D/Sgt Pat Jordan examined both bomb scenes on behalf of the Ballistics Section of the Garda Technical Bureau. In relation to Eden Quay he stated:

“The explosion had taken place in a motorcar which had been parked, nose to the kerb, between two cars (Vauxhall Viva and Ford Escort)... A small crater on the tarmac road surface indicated the exact location of the blast. The distance from this crater to the wreckage of the destroyed car, which lay on the footpath outside the premises of Carrolls, Opticians, was 18 feet. The wreckage of the car included the front portion, engine, axle and wheels, steering wheel etc. The remaining wreckage was strewn along the footpath and roadway and also in the Optician’s premises. The blast effect was towards the front of the car and the evidence present i.e. crater, damage to rear axle and boot, indicated that the explosives had been placed either in the boot or in the area of the rear seat of the car. “

He continued:

“A contraceptive (French Letter type) was found beneath the wreckage but this did not appear to have been used in conjunction with the explosives. The explosives were completely expended. A detailed search of the scene was carried out and the wreckage and debris was subsequently conveyed to the Depot garage. It would appear from the conditions present that the explosives used were of the Chlorate or Nitrate mixture type.”

Concerning his examination of the Sackville Place bomb scene he stated:

“I examined the wreck of a car which had been apparently used to contain the explosives... The concentration of damage was in the rear section of the car, which had disintegrated and the engine and front section showed damage to a lesser degree.”

He continued:

“I carried out a search of the debris and portion [sic] of the outer metal casing of a 6 volt battery was found. The explosives were completely expended and it was not possible to detect any of same. It would appear that the explosives were placed in the rear section of the car, i.e. in the boot or packed behind or underneath the rear seat and that a timing device was used to initiate the explosion. This timing device usually consists of a clock or equivalent,

battery, bellwire and detonator. The battery casing found at the scene may have been used with the timing device.”

As to the type of explosive used, D/Sgt Jordan could only offer a similar tentative opinion to that expressed regarding the Eden Quay bomb:

“Characterisation present showed that the explosives used may have been of the type commonly used – Chlorate or Nitrate mixtures.”⁴⁵

The report of Ms M.A. Conroy, an analyst at the State Laboratory, said that a number of items were received from D/Sgt Jordan on 11 December 1972. This date would seem to be incorrect: the Exhibits Register in the Ballistics Section records the items as being sent on 3 December, and this is supported by the recollection of D/Sgt Jordan himself.⁴⁶

In her report, Ms Conroy described the items as follows:

“Exhibit No. 1

was a metal car-panel, very much distorted from its original shape, silver-grey in colour on upper surface, dark grey underneath. I examined both surfaces of this panel for evidence of residues of home-made bombs, such as sodium chlorate and sodium chloride, nitric or sulphuric acids, inorganic nitrate, with negative results in each case.

On the underneath surface of the panel, there were tiny glistening particles, visible to the naked eye, which were metallic (mainly iron) in character. There were several larger particles – of splintered glass – adhering to this surface.

Exhibit No. 2

was a large envelope, labelled as follows: ‘Found near scene of explosion, Sackville Place, 1/12/72’.

It contained a quantity of foam rubber and plastic car upholstery material. I detected no odour of nitrobenzene or inflammable liquids. Extraction of this material for nitrobenzene or inflammable liquids gave negative results.”⁴⁷

FINGERPRINTS:

D/Garda Hogan, Fingerprint Section, arrived at Eden Quay at 9 p.m. with another officer to assist him. At the entrance to the meeting halls in Liberty Hall, he found the handbook for the Hillman Avenger bomb car. The book was saturated with water. Once dry, it was chemically treated, but no fingerprints were found. A piece of putty

⁴⁵ Statement of D/Sgt P. Jordan, date unknown.

⁴⁶ Note of meeting between D/Sgt Jordan and the Inquiry, dated 1 June 2004.

⁴⁷ Report of M.A. Conroy, State Laboratory analyst, dated 9 January 1973.

found in Carroll's Opticians had identifiable fingerprints on it, but they were not traced to any individual. Glaziers who were shown the putty were of the opinion that it was 6 to 10 months old.

A search of the bomb scene at Sackville Place failed to yield any identifiable marks.⁴⁸

On the day after the bombings, Detective Sergeant B. Garvey, Fingerprint Section, Garda Technical Bureau, visited the offices of the firms where the bomb cars had been hired and took possession of relevant documents for fingerprint examination. The Garda investigation report summarised the results as follows:

"A number of identifiable fingerprints were developed on the documents. Some of these marks were made by innocent persons but four fingerprints yet remain unidentified. All of these marks are on the documents relating to motor car 9551 VZ. While the marks are identifiable they are only suitable for comparison with named suspects because of the limited area of ridge detail visible. Photographic copies of the marks were sent to RUC Headquarters for check. A report is awaited."

The Inquiry has seen nothing in the Garda files to suggest that a report did in fact come back from the RUC; although a negative result might well have been conveyed by telephone rather than in writing. At this remove it is simply not possible to ascertain whether this was done.

ARMY EXPLOSIVES ORDNANCE DISPOSAL (EOD):

There is no reference in the Garda investigation report to Army EOD officers examining the scene. Army records revealed that two EOD officers were called to examine the scene at Eden Quay and Sackville Place, but were diverted by a number of bomb scares elsewhere in the city.

The first of these two officers, Captain J. Fahy, reported his movements as follows:

"At approx. 20.00 hrs on the 1-12-72 I was told by the CDO⁴⁹ that an explosion had occurred at the Liffey Bar near Liberty Hall. I went to Cathal Brugha [Barracks] and collected EOD equipment. I rang the CDO and was told to go to Liberty Hall to meet Superintendent Robinson. On crossing over Butt Bridge I was informed by Gardaí that I was required in the Ormond Hotel where I met Capt Trears who had also been called out. He set off to Cathal Brugha Barracks for another set of equipment and I dealt with the problem in the Ormond Hotel."⁵⁰

From there he was called to examine suspect cars at O'Connell Bridge, Princess Street and at Store Street Garda Station. None of them contained explosives. He returned to

⁴⁸ Statement of D/Garda M. Hogan, date unknown.

⁴⁹ Commanding Ordnance Officer.

⁵⁰ Report of Capt. J. Fahy, 2 December 1972.

Cathal Brugha Barracks, but was called out again at 3.10 a.m. to examine a barrel on a railway line near Croke Park. The barrel was opened explosively, but proved to be merely a full barrel of Guinness.

On returning to barracks, he found Garda detectives waiting for him. He was taken to examine a large cardboard carton on Arran Quay and suspect cars in Cathedral Street and Moore Street. Again, no explosives were found.

The second EOD officer, Captain P.J. Trears, gave the following report of his movements on the 1 / 2 December:

“1-12-72

At approx. 2030 hrs on 1-12-72, CDO told me to go to the Ormond Hotel where a suspicious suitcase had been discovered. I met Capt Fahy at the Ormond Hotel and he dealt with the suitcase. I then went to Cathal Brugha Bks and made up a second demolition kit.

At 2130 hrs Gardaí requested that I go to Fairview where a suspicious car had been found outside cinema...

At 2230 I went to Parnell Sq where Gardaí had been informed that a Northern Ireland reg. Car contained a bomb...

Then at 2300 hrs approx. I went to Henry St where Gardaí had discovered a note on a car to say ‘This car is booby trapped’. Owner arrived and it did not contain explosives.

At 2359 hrs I then went to Eustace St following a tip-off by Gardaí about suspicious car containing a bomb...

2-12-72

At 0915 on 2-12-72 CDO told me to go to King St where a suspicious car had been discovered by Gardaí. This car had British reg and was parked in wrong direction in a one way street. It also had two wires leading from the ignition to a box at the rere of the car. I opened the car explosively and it did not contain any explosives.

At 1100 hrs I was told by Comd Ops to go to Amien St Station to a suspected car. When I arrived the owner of the car had opened the car.

At 1130 hours Chief Superintendent Doherty requested that I examine the scene of the previous night at Liberty Hall and Sackville St [sic]. I examined scenes.”⁵¹

⁵¹ Report of Capt P.J. Trears, 2 December 1972.

As can be seen from the above, the large number of calls relating to suspect objects and vehicles meant that Army EOD officers were not in a position to examine the bomb scenes until 11.30 a.m. the following morning. Even that delayed examination was ended after an hour when Captain Trears received a request from Gardaí to open a suspicious van outside Wynn's Hotel. From there he went on to examine further suspect cars at Trinity Street, Nassau Street, Wicklow Street and O'Connell Street.

According to Trears, his reason for going to the bomb scenes on the following day was to see if there were any explosives remaining. He found nothing.⁵²

On 19 February 1973, the Deputy Commissioner, D.M.A. received a report from Lieutenant-Colonel P.I. McCourt, Officer Commanding, Army Ordnance Corps Depot. It was concerned with the explosions on 1 December 1972 and on 20 January 1973 (also at Sackville Place), and was prompted by a letter from the Gardaí dated 30 January. Having explained the delay in replying by saying that he had been on a "refresher course", Lt. Col. McCourt continued:

"The greater majority of structural damage was caused by wind blast as evident by the extensively damaged windows in the vicinity.

The thin metal sheeting of car bodies offers very little resistance to the explosion, and the greater part of the explosion is translated into blast...

From tables of safety distance for blast protection for charges of uncased explosive detonated on the surface and related to the effect of unobstructed blast pressure, i.e. untamping or sand bagging of the charge, a distance of 72 yards for 100lbs TNT gives 50% of glass broken, which figure would indicate that up to 100lbs of explosive material had been detonated in the above three explosions.

The destructive effects on the car is NOT to the same extent commensurable with the quality and quantity of the explosive carried, as 3 to 5 lbs of commercial HE⁵³ detonated inside the booth [sic] would have caused similar destructive effects."⁵⁴

The report concluded with a page of recommendations concerning the examination of bomb scenes "which may be correlated with existing procedures."

A copy of this report was sent by C/Supt Joy to the Commissioner, C1 on 14 March 1973, together with the following comments:

"Following on the recent car bomb explosions in Dublin, I discussed the matter with Lt. Col. McCourt, Army Ordnance Corps and with him examined the bombed vehicles at Garda Depot. I attach copy report I have received from him... with his recommendations covering the investigations of any future explosions.

⁵² Meeting with Inquiry, 21 May 2004.

⁵³ High Explosive.

⁵⁴ Report of Lt. Col. P.I. McCourt, 19 February 1973.

You might consider circulating his recommendations for the guidance of the Force.”⁵⁵

⁵⁵ C/Supt Joy to Commissioner, C1, dated 14 March 1973.

INTELLIGENCE INFORMATION

The investigation report refers to “a miscellany of messages” received and acted upon, but concludes:

“Without going into the details of these enquiries, suffice it to say that nothing of real interest to the investigation resulted from them.”

In the absence of the jobs books and other documentation from the investigation which appears to have been lost, it is not possible to say what the nature of the information not included in the report was.

There is one exception to this: a letter of 4 January 1973 from the Deputy Commissioner’s office to C/Supt Joy referred to “some data... passed on to you about an ex-Army man.” The information gave a surname only. The letter named five individuals of that surname who had been in the Army.

It appears that this information was followed up to some extent: a letter from the police in England to the Commissioner, C3 dated 14 March 1973 referred to enquiries made by Gardaí into one of the persons named. It concluded:

“[He] is living at the address quoted, with his wife and four children... He has regular employment in this city, but from 14 November to 4 December 1972 he was sick. He was in hospital with renal colic from 14 to 22 November 1972, and was convalescing at home until 4 December 1972. His wife confirms that he was at home on 30 November and 1 December 1972.

On 1 December 1972 he purchased a suite of furniture from a local shop, and checking of the invoice with the firm concerned shows that he did in fact visit the shop on that day.⁵⁶

The investigating officers are of the opinion that [he] was not in Ireland on the dates in question.”

In the investigation report, reference was made to one specific piece of information. An anonymous letter, postmarked Eastbourne, was received by the editor of the *Irish Times* on 7 December 1972. It contained the following allegation:

“The bomb explosions in Dublin were not the result of action by the I.R.A., the U.D.R., the U.V.F or any other farcical Irish organisation. Five members of the British Armed Forces were involved and they left Dublin not by car or train to Ulster but by plane to Heathrow.”

The editor undertook to try and contact the source by inserting a letter in the newspaper, but this was deemed unacceptable by the National Union of Journalists

⁵⁶ Presumably, in saying he was at home, his wife merely meant that he did not return to work on those days.

and the idea was shelved.⁵⁷ A copy of the letter and envelope received by the editor of the Irish Times was annexed to the Report, as were copies of statements taken in the course of the investigation, an alphabetical index to such statements and the hiring documents for each of the three cars.

One other warning is referred to in the report. The manager of the Liffey Bar received a call for him personally about ten minutes after the first bomb had gone off from a caller who said there is a bomb to go off in your place to which Mr. Byrne replied, “You are a bit late it is already gone off”. The caller then said, “There is another one to go off”. The manager said that the caller spoke with an ordinary Dublin accent. It was not possible to trace the call. It appears from Garda and Army records that hoax calls were rife at that time. In this instance Gardaí found no other evidence to connect the call with the bombings.

In the course of the Garda investigation records were obtained of all phonecalls made from Dublin, Drogheda and Dundalk on the 1 December 1972 to numbers in Belfast, to ascertain whether the persons receiving the calls might have been involved in the bombings. Enquiries by the RUC did not reveal any relevant information.

British Government documents recently released by the Public Record Office include a number of telegrams and internal memos discussing the appropriate British response to the bombings of 26 November and 1 December 1972. Of particular interest is a memo from a senior civil servant at 10 Downing Street to the Foreign Office, the Northern Ireland office and the Ministry of Defence, in which he offered the following opinion:

“And I wonder if it would be better not to start talking about the recent bombing incidents while we know so little about who was responsible for them.”

The Inquiry also notes that the instructions subsequently given to the British Ambassador on 5 December 1972 echo this view. The Ambassador was asked to convey the following to An Taoiseach:

“So far we have no intelligence that indicates UDA or UVF involvement in the outrages in Dublin. The absence of hard evidence cannot be conclusive. If we do learn anything we can pass on, it will of course be passed on forthwith. We remain determined to stamp out violence from whatever quarter, be it sectarian murders in Belfast or cross-border operations.”⁵⁸

⁵⁷ The Inquiry has contacted the NUJ regarding this matter, but are informed that no written records of exist of any discussion on the matter, and those who would have been present at such a discussion are either deceased or unable to remember.

⁵⁸ Telegram from Sir Alec Douglas-Home, Foreign & Commonwealth Office, to Sir John Peck, British Ambassador, Dublin; dated 5 December 1972.

THE INVESTIGATION REPORT AND FURTHER INQUIRIES

THE INVESTIGATION REPORT:

The principal Garda report on the bombings at Eden Quay and Sackville Place was completed on 19 January 1973, and signed by Superintendent J. Robinson. Appended to the nine pages of the report itself were 319 statements, as well as copies of the car rental documents and of the anonymous letter received by the *Irish Times*.

Following a brief account of the explosions, the report summarised the initial actions taken by Gardaí, the technical and forensic examination of the scenes, and the post-mortem examination of the two deceased. There then followed an account of inquiries made in relation to the origin of the bomb cars, their movements on 30 November and 1 December 1972, information received and other related matters – all of which have been detailed above. Reference was made to a separate file prepared in relation to the malicious damage and personal injury aspects of the explosions.

In a section dealing with Garda / RUC inquiries made in Belfast, the following comments on RUC co-operation were included:

“Due to the unsettled state existing in Belfast, it was not possible for the members to pursue all enquiries to finality. This was largely due to a reluctance on the part of the RUC members to enter some areas in the city. In other instances and for reasons best known to themselves the RUC members would not permit our members to interview some persons. A case in point was the check made at ... (tel. 668531) The RUC members conducted this enquiry on their own while leaving two Garda members in a car outside. The information passed on was that the house was occupied by an eccentric old lady and her two grandchildren and to forget about her. It was not possible to pursue the matter further. [The address] is in a predominantly Protestant Loyalist area of the city. It is, we understand, in close proximity to the Belgravia Hotel.”⁵⁹

In general, the report simply set out the information acquired by the investigation to that date, without making any comment or assessment on the value of such information. There was no speculation as to who might have been responsible. It concludes with what seems to have been a standard formula for such reports:

“Enquiries are continuing and anything of interest will be reported.”

⁵⁹ In August 1973 - some seven months after the investigation report was completed - Gardaí were permitted to interview the lady concerned at her home, in conjunction with the RUC. See below.

FURTHER INQUIRIES:

Information received concerning UDA / UVF activities:

As already referred to, on 3 February 1973 a Garda Inspector reported to the Superintendent of B District, Dublin that he had received confidential information concerning the bombing outrages in Dublin on 26 November 1972, 1 December 1972 and 20 January 1973, and “the activities of UDA and UVF organisations.” He indicated that the information was from a reliable source and that he was satisfied it was genuine. He had been informed that the UVF were responsible for the bombs on 1 December 1972 and 20 January 1973.⁶⁰

His report also contained the following details concerning UDA and UVF plans for attacks in Dublin:

“I have learned that the following are targets for bombing in Dublin by the UDA and UVF organisations: (i) Dublin Corporation Rents Office; (ii) O’Connell St., Dublin with no particular target there. The UDA organisation had drawn up a list of targets in Dublin for bombing and had checked each one thoroughly and ‘cased’ each building and the routes into and out of each particular area. I could not get the names of what the targets are.

I also learned from my informant that the targets named above may not now be attacked. The UDA leadership up to three months ago had drawn up a plan to bomb targets in Dublin and had commenced to make arrangements to carry out these attacks. However, a more dissident and lower class militant crowd took over the leadership of the organisation and some of the plans were thrown out or shelved. A UDA leader in Co. Down had commenced to make bombs for use in the South and for this purpose had been delivered with alarm clocks, fuses, detonators, cable and other ingredients and had commenced working with this material. A quantity of explosives were to have been delivered to him to complete the bomb making but with the change of leadership in the organisation the explosives were not given to him and he did not complete the making of the bombs.

I also learned that the UDA and UVF selected Friday nights and Saturday afternoons to carry out bomb attacks in Dublin for a particular reason, namely, that on Friday nights targets selected would be closed and the likely hood [sic] of death and injury in the buildings would be at a minimum, but the city would be busy on a Friday night and the maximum amount of confusion and disruption of city life would take place. This reason was also put forward for the Saturday afternoon attacks, because most business premises are either closed all day or for half day [sic] but a large amount of people frequent the city at that time and confusion and disruption would be the same as on a Friday night.”

The Inspector concluded his report by stating:

⁶⁰ See chapter 5.

“I am not prepared to write down the name of my informant as he wants to remain anonymous at all costs, but I am prepared to disclose his name verbally and confidentially to one of my superior officers if this course is considered necessary. I will be keeping in touch with my informant.”

Former Commissioner Eamon Doherty has been interviewed by the Inquiry. He remembers receiving this information from the Inspector and passing it to C/Supt Wren. Doherty did not ask the Inspector to identify his source.

The information contained in the report was passed to the RUC by C/Supt Wren in a letter dated 15 February, with a request for any relevant information which might be available. Although the bomb maker was described in the original report as a UDA leader in County Down, he was described in the letter as “a retired member of the British Forces, who is now a UDA leader in the Guildford [sic] area of County Down”.

The RUC replied by letter dated 12 April 1973. It stated:

“I have now had reports as a result of enquiries made. I summarise them as follows for your information.

We have no hard intelligence on those responsible for bomb outrages in Dublin...

The retired member of the British Forces in the Gilford area has not been identified, but we believe it may refer to an ex-Colonel currently residing outside Lurgan. We are following this up.”

It seems that no further progress was made. There are no more letters from the RUC in the Garda file relating to this intelligence; nor was it referred to in subsequent Garda correspondence. It is possible that verbal contact was maintained on the issue. Again at this remove, it is not possible to say whether it was or not.

Inquiries concerning a telephone number (Belfast 668531):

As has already been noted, the investigation report referred to a refusal on the part of RUC officers to allow Gardaí to accompany them in interviewing the residents of a house near the Belgravia Hotel, Belfast. The catalyst for this inquiry had been the discovery that a telephone number given by the person who hired a car on 3 November 1972 using Joseph Fleming’s licence, and which was supposed to be the contact number for Lloyd’s Insurance Company in Derby, was in fact a Belfast number allocated to this address.

It was, of course, appropriate to investigate this further, although it was not expected that anything of substance would emerge. The likelihood of the fake ‘Joseph Fleming’ giving a Belfast phone number that had a real connection to the bombers would be remote.

The Garda request to be allowed interview the occupants of this house was renewed on 17 August 1973, when C/Supt Joy travelled to Belfast for a meeting with RUC Assistant Commissioner Maharg and Detective Sergeant Craig. He went there with the express intention of requesting permission to interview the occupants, and on this occasion permission was granted. He then visited the address with D/Sgt Craig and interviewed the occupier there.

According to C/Supt Joy's report of the interview⁶¹, the occupier was a widow who had lived there for almost twenty years. She had no lodgers staying with her and knew nobody called Fleming. Two of her grandsons who were at boarding school stayed with her occasionally. Her daughter, the mother of the two boys, also called occasionally. The boys' father had served in the RAF during the war but had died the previous year. The daughter had married a second time but the occupier would not disclose the name of her daughter's second husband, explaining that neither she nor any of her relatives had broken the law and she saw no reason why she should disclose this information. Enquiries in the neighbourhood confirmed this information. The neighbours could not recall the name of the occupier's daughter's second husband, but there was an undertaking to find out and let D/Sgt Craig know.

This information was subsequently made known to C/Supt Joy. In a report furnished to Commissioners C1, C3 and the Deputy Commissioner, D.M.A. dated 24 October 1973, C/Supt Joy indicated that he had received the surname of the man the boys' mother had married and that she and her husband were living on the same street as the Belgravia Hotel. Inquiries by the RUC had been unable to establish any connection whatsoever between the bombings in Dublin and either address. Further inquiries made by local police confirmed that no lodgers or guests had stayed at the widow's address, nor was a man of Fleming's description ever seen entering or leaving either address.

Movements of Ford Cortina TZD 992:

On 11 August 1973, the *Sunday Independent* ran an article purporting to reveal new information of possible relevance to the bombings on 1 December 1972. The article was based on a tape recording of calls between Garda patrol cars and Monaghan Garda station during the operation of a border blockade following the bombings at Liberty Hall and Sackville Place. It stated that a grey Ford Cortina, registration TZD 992, had failed to stop at a Garda checkpoint near Monaghan cathedral. The car was stopped on the Old Armagh Road, going towards the Hillgrove Hotel: the driver gave a name, said he was from England, and that he had got a loan of the car that night in Dublin. The article continued:

“Further calls tell of an abortive effort to intercept the car at Tyholland customs post, and also an instruction to contact the RUC in Armagh about it.”

Without directly alleging that the car was a getaway vehicle for the Dublin bombers, it suggested that the sight of an Englishman driving along a rarely frequented border

⁶¹ Report of C/Supt Joy, dated 21 August 1973.

road, having allegedly come from Dublin, should have aroused more suspicion in the Garda officer who stopped him.

As a matter of fact, Gardaí had investigated the incident thoroughly, and had established that it had nothing to do with the Dublin bombings. The car was the property of an Englishman living in Carrickmacross. It was stolen from outside his home sometime after 12.15 a.m. on the morning of 2 December 1972. Parked beside the space where his car had been was a green Ford Cortina. Its petrol tank was empty.

The latter vehicle was known by Gardaí to be used by suspected IRA members. It had been seen earlier in the evening travelling from a Sinn Féin meeting in Ballybay towards Carrickmacross. There were a number of persons in it. It was deduced that they stole the TZD 992 car when their own ran out of petrol.

This is supported by the fact that the person driving the car when it was stopped⁶² claimed to have borrowed the car when his own, a green Cortina with a Northern Ireland registration, had broken down. Also, one of the passengers was subsequently identified as someone known to be “very friendly” with members of the Provisional IRA.

Regarding the alleged attempt to intercept the car at Tyholland, and the apparent instruction to contact the RUC, a Garda report stated:

“Neither is it correct to say that an abortive attempt was made to intercept it at Tyholland. The Tyholland road was in fact patrolled by Garda J.F. Boyle on that night in an effort to trace another car which failed to stop when signalled to do so at the Cathedral road junction, at 11.40 p.m. on the night of the 1st December 1972. The driver of this car was located at 4 a.m. on the morning of the 2/12/72... he was fined £10.00 in respect of his failure to obey the Garda signal.

There is no record at Monaghan Station of the RUC being alerted on the occasion and I have spoken to members who were on duty that night and none of them made such call.”⁶³

Allegations of British Army involvement in the bombings:

On Tuesday 21 August 1973, a report was published in the Evening Herald under the heading “Shock New Evidence on Dublin Bombings: Government Told of British Army Link”.

The essence of the article was that the Government had been given evidence connecting the British Army’s Special Air Service Unit (SAS) with the bombings at Eden Quay and Sackville Place on 1 December 1972. This claim was in fact untrue.

⁶² Contrary to the newspaper report, it was not travelling towards the Hillgrove Hotel, but was stopped at the Ballybay / Cootehill Road junction.

⁶³ Report of Supt O. Giblin dated 24 August 1973.

The article inaccurately represented evidence accumulated by the Garda investigation team, and made other allegations that were completely unsupported by the information available to the latter.

The article made the following claims:

- 1) *Two members of the SAS, using the code names 'Fleming' and 'Thompson', were wanted in connection with the bombings.*

As we have seen, efforts to identify the man who hired the bomb cars using Joseph Fleming's driving licence were fruitless. Nor did the Garda investigation team obtain any information establishing a link with any section of the British security forces, let alone the SAS.

The only instance of the name 'Thompson' in the Garda files comes from the rental forms for the Hillman Avenger OGX 782K, hired from Avis by the man posing as Joseph Fleming. He gave the name Mr J. Thompson as a reference, describing him as the manager of Lloyd's Bank in Derby. Enquiries have found that no such person existed.

- 2) *With co-operation from the RUC, Gardaí established that these two men, along with two others, stayed in a flat beside the Belgravia Hotel which was rented by the British Army.*

The basis for this erroneous assertion may lie in the inquiries made by Gardaí concerning the inhabitants of a house near the Belgravia Hotel whose telephone number had been given by the fake 'Joseph Fleming' as the number of Lloyd's Insurance Company, Derby.

As mentioned earlier, Gardaí found no evidence of any lodgers staying at the premises, and the only connection with the British Army was that the occupier's son-in-law had served in the Royal Air Force during the Second World War.⁶⁴

- 3) *At about 7.30 p.m. on the day of the bombings a joint British Army / RUC checkpoint stopped a car just outside Newry. The car had four occupants, including the men posing as 'Fleming' and 'Thompson'. The Army unit gave the RUC the impression that the arrival of these men "was not unexpected." After a friendly conversation, the car and its occupants were taken away by the British Army. Subsequent inquiries as to their whereabouts by the RUC were ignored by the British Army.*

This allegation prompted a further Garda inquiry, the result of which was contained in a report of C/Supt John Joy dated 24 October 1973. It stated:

"Enquiries have been made and it has been established that there was no combined Army / RUC checkpoint outside or in the vicinity of Newry on the night of the 1st December, 1972. The Army and RUC

⁶⁴ See above p.59-60.

have never, unless on very special occasions, operated joint checkpoints.

On the night of the 1st December, 1972, members of the Duke of Wellington's regiment were patrolling the roads around Newry. The procedure is that members on such duty should fill in a record on termination of their tour highlighting any unusual incident that occurred. The records for the night of the 1st December, 1972, have been examined and there is nothing to show that any unusual incident occurred or that men named 'Fleming or Thompson' were held up or taken away."

C/Supt Joy acknowledged in his report that the above information was supplied by the British Army and / or the RUC. With no knowledge as to the source of the allegation made in the *Evening Herald*, Gardaí could not have taken the matter any further.

In its concluding paragraphs, the *Evening Herald* article said that the Irish Government had to accept the British Government's categorical assertion that it did not authorise the Dublin bombings in December. However, it added that in view of the admitted British connection with the activities of the Littlejohn brothers,⁶⁵ Irish Ministers were alive to the possibility that the bombings could have been carried out by British agents without the knowledge of the British Prime Minister.

Finally, the article emphasised the co-operation received by An Garda Síochána from the RUC and suggested that an alleged lack of co-operation referred to in an earlier article came in fact from the British Army.

The journalist responsible for the article, Jim Cantwell, is deceased. However, the Inquiry has spoken to former *Irish Times* journalist Dick Walsh (now also deceased), who wrote a follow-up article on the story at the time. He knew Jim Cantwell, and knew that he met, from time to time, members of the Gardaí from whom such information might have been obtained.

The confused nature of the information contained in the article suggests that the author did not have sight of the Garda investigation files. The information may well have been provided to him unofficially, in verbal or written form, by individual Garda officers.

Another journalist who believed in the veracity of Cantwell's article was Conor McAnally, who also wrote in a similar vein. He and journalist Hugh McKeown believed that their efforts to make known the facts about the bombings were being blocked.

On 30 August 1973, they wrote a letter to the then Minister for Justice Patrick Cooney, stating:

⁶⁵ See chapter 1.

“We have come across certain information during investigation into the Dublin car bombings of December 1st 1972, which casts a blanket of doubt over denials that any British Agency was involved.

We sincerely believe that this information is known to the Gardaí and your department and our efforts to follow certain lines of enquiry are being met with serious attempts by Government Departments and agencies to divert us from this course.

In view of this we request an early meeting with you to discuss the matter.”

The Minister replied by letter dated 13 September 1973 to Mr. McAnally. It was as follows:

“I have received your letter of the 30th August and which was signed also by Mr. McKeown.

Your allegations are serious but you will understand I can neither comment nor decide on them until you write me what information you have come across and describe the details of what you term “attempts by Government Departments and agencies” to divert you from enquiries. I shall expect you to name the Departments (plural) and agencies and personnel involved; when and in what form the alleged attempts to divert you took place and generally to specify any evidence that you feel substantiates your charges.

When I hear from you on these lines I can then consider whether we can usefully meet.”

The short file still extant in the Department of Justice, Equality and Law Reform does not indicate that the matter was taken further.

The Inquiry wrote to Mr Cooney in April 2004 concerning the matter, but he was unable to add anything to what was already known. Letters from the Inquiry to Conor McAnally and Hugh McKeown had not been replied to at the time of writing.

Information concerning an alleged British Army officer:

At 9.30 a.m. on 2 December 1972, a Dublin taxi driver made a statement to Gardaí concerning a man who had approached him on Lower Baggot Street at 2.20 a.m. that morning. He said:

“He opened the door of my car and he said, ‘Bring me down to see the bomb and I’ll pay you fifty shillings.’ I told him I was engaged and he said to me ‘I’ll make it worth your while’, and he put a £5 note (English) into my breast pocket... The man then got into the back of the cab. He spoke with an English accent, I would say an educated accent.”

The driver gave a detailed description of the man, including the fact that he had a tight, army-style haircut.

As they drove over Butt Bridge, the driver was told to stop and pick up a young man and girl who were attempting to hitch a lift. He drove the couple home to Cabra West. The man offered money to the young man to spend the night with him, but the latter refused.

According to the driver,

“The Englishman also spoke about horses that had won yesterday... He then talked of the bombs and said that it was done by the British and he also said that there were British soldiers in disguise down here in Dublin.”

Having dropped off the young couple, the man told the driver to take him to the Shelbourne Hotel. On the way there, he asked to be driven to Derry. They agreed a price of £40.

“When we got to the Shelbourne he went into the Hotel hallway and he spoke to the two Porters who were there. He collected a binocular case and a mackintosh coat, dark colour... I don’t think he paid any bill in the Hotel but he tipped one of the Porters... It was about 3.25 a.m. at that time. He said he hadn’t got £40 but he gave me £17 more (3 x £5 English notes and approx. £1 in silver). He also gave me a watch, a gold coloured pocket watch, as security.”

Having left the watch at the office of Blue Cabs in Westland Row, they drove to Derry via Slane, where they were stopped at a Garda checkpoint on the bridge.

“The Guard questioned both of us. The Englishman told me to switch off the engine. The Policeman asked the Englishman where he was going and the Englishman said to Enniskillen Barracks. The Policeman asked him for his name and address and he gave it as Major Glover, with an address in London. I can’t remember the details of the address.”

After they left the checkpoint, the man told the driver to go to Enniskillen first, as he had a call to make there.

“On our way to Enniskillen... he spoke of the bombs in Dublin. He asked me if I went to mass and I said yes. He then said ‘The might of the British Army would cause more bombs in Dublin.’ He also said that there would be plenty more bombs in Dublin. He mentioned that MI5 were responsible for the bombs in Dublin last night. He also spoke a lot about homosexuality during the journey. He kept enquiring when we had crossed the Border and he spoke of being a Major in the British Intelligence but he was not the man in uniform but was the man who had the money to get things done.”

When they reached Enniskillen, the man directed the driver down a number of side streets, eventually telling him to stop on a deserted, dead-end road.

“The Englishman then said to me ‘If you want to get out alive give me all your money’. He said there’s grenades in this binocular case. He didn’t show any

gun but I handed him the money which he gave me, except the first £5 note, which I had in my breast pocket and also £5 in Irish notes which was my own money. He got out of the car there and got back into it again...

He directed me to a Barracks and I stopped right outside the gate to the Barracks... Three RUC men came to the gate... The Englishman then got out of the car and spoke to the RUC men and then came back to me and said 'Piss off.' I was glad to turn around and head for Clones."

On 15 August 1973, the taxi driver was attending Dundalk Races when he thought he saw the man who had hired him to drive to Enniskillen. He reported this to a Garda Sergeant, who had the man arrested. The incident was reported in the *United Irishman* and in the *Sunday Press* of 2 September.

When questioned, the man identified himself using a different name than Glover. He made no claim to be a British Army officer. He gave an English address, and said he was currently staying at the Russell Hotel, Dublin. A telephone call from Gardaí in Dundalk to Garda Headquarters also gave the following information:

"Enquiry was made at Criminal Records, Scotland Yard, and his C.R.O. number was established... his previous convictions were for 'assaults on police'. When pressed further, the spokesman in Scotland Yard stated that there was a note attached to [the man's] file. He did not divulge the contents of the note but stated that he would complete the form and forward same to Gardaí at Dundalk in [due] course.

On the instructions of Chief Superintendent Joy, [his] hotel room was checked out with negative results. It was established that he was stopping there and was known to the Hotel staff. He had apparently left instructions that if he were called away suddenly, his bill was to be forwarded to [a named firm of Dublin solicitors].

[He] is being detained at Dundalk station until later on 16.8.73 so that further checking on his identity and business in Ireland can be made.

He also states that he was stopping in Gresham Hotel on 1.12.72."⁶⁶

In a report dated 24 October 1973 dealing with the result of Garda inquiries into this and other matters, C/Supt Joy summarised the information obtained by Gardaí as follows:

"The man referred to as Major Glover is in fact [name given], an Englishman, born the 8th June, 1944. He frequently visits Dublin and stays in the Shelbourne Hotel. He is known to be a beneficiary of a Trust Fund set up for him in 1949. The fund is operated by [a named firm of Dublin solicitors], on whom [he] frequently calls in relation to withdrawals from the fund. He is

⁶⁶ Note of telephone call from Inspr Fitzpatrick, Dundalk to Garda HQ at 8.45 p.m. on 15 August 1973.

mentally unstable and when under the influence of drink he is pro-British in his utterances. He is believed to have homosexual tendencies and has two convictions recorded against him for indecency at New Scotland Yard. He is not and never was a member of the British Forces, and there is no evidence to show that he had any connection with the bombings in Dublin on the 1.12.72.”

Alleged sighting of Ford Escort 9551 VZ in Derry:

Another matter dealt with in C/Supt Joy’s report of 24 October 1973 concerned information that the Ford Escort 9551 VZ that exploded at Sackville Place had been seen frequently in the Derry area, before and after Operation Motorman⁶⁷, passing through checkpoints without hindrance. This implied that it was being driven by someone who was either a member of the security forces in Northern Ireland or was known to them.

C/Supt Joy noted that the original owner was an Irish American who came to stay in Tyrone in 1971. When he died in May 1972, his widow sold the car to Philip Moley, who used it for his car-hire business. From the RUC, Gardaí received a full log of the hiring of the car from the time of purchase up until it was hired by the man posing as Joseph Fleming. The RUC also included some comments on the hirers.

A copy of the log was attached to the report. C/Supt Joy summarised its contents as follows:

“It will be noted that among the hirers were well known IRA members, and in particular it is shown that during the period 21st to 23rd July, 1972, the hirer was..., Belfast, a well known member of the IRA; and for the period 8th August, 1972, to 7th September, 1972, it was in the possession of ..., Belfast, also a well known member of the IRA. This would be the greater part of the relevant period covered in the allegation.

For the remainder of the period immediately prior to and after ‘Operation Motorman’ it will be seen that the car was hired out by three different persons. One... is known to have no political background. Nothing is known of the other two, a Mr.... and a Christian Brother named...”

It seems clear from this that the investigation of the hiring records did not disclose any connection between the hirers and the security forces in Northern Ireland. Even if there had been any such connection, the car had been returned and had been rented out on a number of occasions by other unrelated persons before the man posing as Joseph Fleming hired it.

⁶⁷ A British Army operation which commenced on 29 July 1972. See chapter 1.

Information concerning three men allegedly shot by Provisional IRA:

On 2 June 1975, three men were shot in their car at a place 150 yards north of the border, near Newry. They were returning home from a Munster Canine Association show, in Cork. All three were Protestants; one was a part-time member of the UDR. The Provisional IRA denied responsibility, although an RUC officer at the inquest said that the weapons used were of a type used by the Provisional IRA in other attacks in the South Armagh area.

On 6 June 1975, confidential information received by a Garda officer was reported as follows:

“Information received that the three men shot near Customs Post at Killeen... were shot by a unit of the Provisional IRA from the 26 Counties.

The reason for shooting the men was that they were supposed to have planted the bombs in Dublin on the day the Bill was passed in the Dáil bringing in extra powers to deal with subversives. After they planted the bomb in Dublin they travelled to Cork and remained with associates there until the heat went off the investigations. Their associates are known to the Provisional IRA in Cork who keep their movements under observation.

The Provisional IRA had them under observation for a considerable time and on this particular week-end had them followed to and from Cork. A car followed the dead men's car from Dundalk and had a pre-arranged signal with the assassins to point out the correct car to be flagged down.”

Following receipt of this information, Gardaí in Cork carried out further inquiries. They established that the three deceased had stayed in the Royal Hotel, Fermoy on the night before their death. They were with a party of 11 others, whose names were obtained by Gardaí from the visitor's book. A report dated 30 June 1975 concluded:

“Enquiries at the hotel did not establish that any subversive elements were in the hotel or vicinity in the period mentioned.”

On 24 July, D/Supt J.A. Carey wrote to the Chief Superintendent, Cork Eastern Region as follows:

“I am to report that this matter has been probed discreetly and so far we have no information to substantiate same. However, this matter will continue to receive our attention and information on this subject will be communicated.”

No information, then or since, seems to have come to light to connect the deceased with any subversive organisation.

It seems that this was the last line of inquiry to be followed by Gardaí in relation to these bombings. An assessment of the Garda investigation and its findings will be made in Part V of this Report.

PART FOUR

SACKVILLE PLACE

20 JANUARY 1973

THE BOMBING

At 3.08 p.m. on Saturday, 20 January 1973, a telephonist at the Exchequer Street exchange received a call from a coin box in the Crown Alley exchange area of Dublin. The caller said, "Listen love, there is a bomb in O'Connell Street at the Bridge." The caller was male and was said to have had an English accent. The precise location of the call box was not known. The message was immediately relayed to An Garda Síochána.

About ten minutes later, a man emerging from Kilmartin's Betting Office in Sackville Place noticed what he thought was smoke or steam coming from the back of a car parked outside Egan's public house. Assuming it to be a bomb, he stepped back into the betting shop. About five seconds later, he was hurled to the ground by an explosion emanating from the car.

VICTIMS:

This car bomb killed one person and injured fourteen others. The man killed in the explosion was **Thomas Douglas**, 22 years old, of Malahide Road, Marino, Co. Dublin. Originally from Stirling in Scotland, he had moved to Dublin the previous September, and was working as a bus conductor. He and his girlfriend had been planning to buy a house and get married.

The bomb exploded just as he was leaving Kilmartin's betting shop. He was found, still alive, inside a shattered shop window, but died before reaching the hospital. The State Pathologist, Dr Maurice Hickey gave it as his opinion that death was caused by shock and haemorrhage arising from multiple injuries, and that it would have occurred "very rapidly" after the injuries were sustained.⁶⁸

⁶⁸ Post Mortem on the body of Thomas Douglas, 22 January 1973.

THE PERPETRATORS – EYEWITNESS ACCOUNTS

THE HIJACKING OF THE BOMB CAR:

The car which exploded was a red Vauxhall Victor, registration number EOI 1229. It was hired in Belfast at noon on Friday 19 January 1973 from Belfast Car Hire (Inc.), 27 Grovenor road, Belfast. It was due for return at noon on 22 January.

According to the hirer, while driving along Agnes St., Belfast at 8:30 am on the following morning, the car was hijacked. He described the circumstances to the RUC as follows:

“I had travelled up Agnes Street about 150 yards when a woman suddenly walked out from my left into the path of my car. I braked and stopped but the woman just walked on. At this stage two men standing on my left shouted to me. They started to shout remarks like, ‘Stupid driving – can you not see.’ These two men came over to my car; they opened the driver’s door. I tried to explain to them that I had seen the woman.

At this stage one of them lifted the documents relating to my own car, my driver’s licence and the hire terms for this car. I got out to try and retrieve my property and I was hustled into the rear of the car. Someone got into the back along with me and I was made to get down on the floor of the car. The car was started up and driven about for some time.”

When the car stopped, the hirer’s glasses were removed and a blanket was put over his head. He was then taken out and brought to an upstairs room of some building. There he was asked his name, address and religion, and whether he was married. He was also asked why he had hired the car. That done, the blanket was taken off his head and he was kept in the upstairs room by one person wearing a balaclava.

Before he was released, he was told to report the theft at Tennent Street RUC station and not to report it to any member of the security services whom he might meet on the way. His head was then covered again and he was brought out to the car. He was released at the junction of Twaddell Avenue and Ballygomartin Road, sometime around three o’clock. He was too scared to note the particulars of the car that had brought him there.

At about 3.20 pm he reported the hijack at Tennent Street RUC station. He made a statement there. The next day, he made a further statement, amplifying much of what he had previously said.

He gave a description of one of those who had argued with him immediately prior to the hijack as being aged about forty years and 5'8" or 5'9" in height; with dark, swarthy skin and black hair. However, he also said that he would be afraid to recognise the man again.

No witnesses to the hijacking itself came forward. However, a woman who was driving her car down Crumlin Road, approaching the junction with Agnes Street, saw a “red or orange” car cross the junction from the Agnes Street direction at speed, against a red light. Her own car was about 20 yards back from the junction at this time. In her statement she said:

“The side windows of this car were steamed up and I was only able to assume that there were two persons in the front of this vehicle. I didn’t see the shadow of any person in the back. It was then about 8.40 a.m. It was raining heavy and the Crumlin Road was deserted. I did not get the number of the car.”⁶⁹

MOVEMENTS OF THE BOMB CAR:

On the day of the attack, Garda P.J. Kingston was on protection duty outside Drogheda Garda station. Part of his responsibilities involved noting the registration numbers of all Northern Ireland and English-registered vehicles. He stated:

“Traffic was very heavy until about 1 p.m. I noted and recorded as many of these cars as possible. At approx. 4 p.m. I received a message that the car involved in the bomb blast in Dublin was motor car, Regd. No. E0I-1229. I immediately checked my register for this car and found it had passed through Drogheda, travelling towards Dublin at approx. 12.12 p.m. I cannot recall how many occupants were in this car.”

Garda Kingston also supplied details of the three cars immediately in front of and behind the bomb car as it passed Drogheda Garda station. All six cars were traced in Dublin on the evening of the same day. The occupants were interviewed and the investigation team satisfied themselves that none of them were in any way connected with the bomb car.

One of the occupants remembered seeing a red car with two men in it, aged about forty. The witness described them both as being fairly short, fairly well built, and with dark hair. However, from the information available to Gardaí, it is clear that the person who made the above statement was two cars in front of the bomb car, and that the car immediately behind him (also red) was occupied by two men, approximately thirty years of age, who resembled the descriptions given by the witness. It is believed that his description relates in fact to those men, rather than to the persons in the bomb car.

Assuming that Garda Kingston’s notes were accurate, it is reasonable to assume that the bomb car could have reached Dublin city centre by 1 p.m. Gardaí obtained statements from a number of witnesses who said they saw a car resembling the bomb car in or around O’Connell Street and Sackville Place. However, many of the descriptions given were either too vague to be relied upon, or contained details which contradicted what was known about the car. As a result, Gardaí were unable to say with certainty at what time the bomb car was parked in Sackville Place.

⁶⁹ Statement to RUC dated 24 January 1973.

There was also some doubt as to the direction the car had been facing when it exploded. Within minutes of the explosion, the wreckage of the car had been moved to facilitate firefighting and rescue teams. A majority of the witnesses who gave statements were convinced that the car had been facing Marlborough Street, but this does not seem to be correct.

The most reliable evidence came from a witness who parked his car beside the bomb car at about 2.30 p.m. He was the only witness who could give the registration number in full – he had taken note of it in case his car, which was new, was damaged by the red car in pulling out. He was sure that the bomb car had been facing O’Connell Street. His view was supported by a technical examination of the damage sustained by neighbouring vehicles, and also by a Fire Brigade officer who witnessed a group of civilians moving the car to allow his fire engine to proceed.

The only other witness who claimed the car was facing O’Connell Street said he saw it at 1.45 p.m. He correctly identified the place where the bomb car was parked, although the only detail he remembered concerning the car was its colour – red. He also stated:

“I saw a lady checking the driver’s door and the passenger door of [the] red motor car... This lady walked up Sackville Place ahead of me and into O’Connell St. The lady I saw checking the red car was about 25/30 years, 5’6” or 7” in height, medium build, fair shoulder length hair, fairly thin face. She was wearing a fawn or light-grey knee-length coat. She did not carry a handbag.”⁷⁰

Another witness remembered seeing a bright red motor car, possibly an Escort, parked in Sackville Place at about 1.35 p.m. There was no one in the car at the time.

THE FORENSIC INVESTIGATION:

Forensic examination:

Detective Sergeant Eamon Ó Fiacháin, Ballistics Section, was standing inside the doors of Easons, O’Connell Street when the explosion occurred. He left the shop immediately and made his way through the crowds to Sackville Place, where he saw the wreckage of the Vauxhall Victor car:

“Having first inspected and examined the contents, as far as possible, of the remaining cars parked in Sackville Place I returned to the wreckage of the red Vauxhall Victor car, which I examined and searched... Indications of greatest blast intensity suggested that the centre of the explosion had been on the right hand (driver’s) side in the area between the rear of the rear bench seat and the boot.”⁷¹

⁷⁰ Statement to Gardaí, dated 22 January 1973.

⁷¹ Statement of D/Sgt E. Ó Fiacháin, date unknown.

D/Sgt Ó Fiacháin made no comment as to the magnitude of the explosion, but it is clear from his description of the damage caused that it was of considerable force:

“The left rear wheel hub and axle connections remained connected to the shattered bodywork of the car while the right rear wheel hub and portion of axle attachment had been hurtled across the street where it was driven through and lodged in the metal shutters of the restaurant entrance of Clery’s store. The roof of the car was missing and was later found to have been blown by the force of the explosion into Harbour Court, adjoining Wynn’s hotel, 36 Lower Abbey Street.”

As he examined the area, it became clear to him that the explosion had not occurred at the point where he found the wreckage of the car:

“An area of broken concrete road surface measuring 20 ins approximately in diameter and the centre of which was 56 ins approximately from the kerb on the eastern side of the roadway directly opposite the doorway to No.15 Sackville Place... indicated the centre of the explosion. The pattern of damage to the scarred brickwork walls of that premises and to the windows of Clery’s store on the opposite side of the thoroughfare confirmed this observation. Information was subsequently received that the wreckage of the car had been moved by civilians from the location occupied at time of explosion to where found by me for the purpose of permitting access of ambulance [sic] to remove injured.”

One final discovery was mentioned in his report:

“On searching the debris of the wrecked car I found some fragments of what appeared to have been a test tube with traces of a white crystalline deposit. These fragments and portions of the wreckage nearest the centre of explosion were taken possession of for the purpose of spectrographic analysis.”

The investigation file does not record the result of this analysis, if any.

Fingerprints:

Detective Garda Thomas Foley, Fingerprint Section, attended the scene accompanied by a Detective Inspector W. Byrne, Technical Bureau. It is not known what time they arrived there. D/Garda Foley’s statement records:

“On the 20th January, 1973... I went to Sackville Place, Dublin, where I found the wreckage of a red motor car. I had it conveyed to the Garda Depot for technical examination the result of which was negative.

Later that evening I received at Store Street Garda Station the roof of a car and had it conveyed to the Garda Technical Bureau. I examined it and found identifiable fingermarks.”

He obtained fingerprints of a number of persons for elimination purposes, and after comparison found that all the prints on the roof of the car came from one person who had no connection with the bombing.

INTELLIGENCE INFORMATION

The investigation report dated 13 March 1973 makes no mention of any allegations or intelligence having been received in relation to the bombing. In fact, a number of items of information were received, but nothing concrete seems to have emerged from them.

ANONYMOUS TELEPHONE CALL:

At 4.50 p.m. on 24 January 1973, Gardaí received a telephone call from an anonymous male caller, who stated that he was phoning from Belfast. He gave the names of five persons whom he said were responsible for the bombing on 20 January 1973.

He said that all five persons used to live in the Dock area of Belfast but had since moved out to housing estates under the re-development scheme.

He emphasised that this information should be taken seriously and that it had cost him over six shillings to make the phone call.⁷²

There is nothing in the documents seen by the Inquiry to indicate what steps, if any, were taken to follow up this information.

ANONYMOUS NOTE RECEIVED 23.1.73

On 23 January 1973, an unsigned, handwritten note was received by Gardaí in Dublin. It named two persons from the Beaumont and Whitehall areas of Dublin as having been responsible for the bombing.

This matter was followed up by Detective Inspector Doocey, who reported on 22 February 1973 that the two persons mentioned were 17 year-old boys attending the same secondary school. They were both members of a local Sinn Féin cumann, and were known to sell the republican newspaper *An Phoblacht* occasionally. D/Insp Doocey reported that one of the boys

“...has been the subject of previous anonymous calls as a result of which his home was searched by members from this Unit with negative results. It is possible that some of his classmates at ... School may be responsible for making these calls.”

D/Insp Doocey's report was sent to the Special Detective Unit (SDU) and from there to C/Supt Wren, C3. On 23 February, C/Supt Wren wrote back to SDU saying:

“The activities of these youths... should continue to receive attention and any developments reported to this office.”

⁷² In fact, the caller had to ring twice, as he was cut off during the first call.

No credible evidence to support the allegation of their involvement in the bombings has ever emerged.

INFORMATION RECEIVED CONCERNING UDA / UVF ACTIVITIES:

As has already been mentioned in connection with the investigation into the earlier bombings at Sackville Place and Eden Quay⁷³, a Garda Inspector received information from a contact whom he described as reliable, to the effect that the UVF had been responsible for those bombings and that on 20 January 1973. In relation to the latter his source told him:

“A young man named ... from the Shankill road area of Belfast planted the last car bomb in Sackville Place. This man should not be confused with ..., who is one of the leaders of the UDA organisation in Belfast.”⁷⁴

The information was conveyed by Gardaí to their counterparts in the RUC, seeking their views. A reply dated 12 April 1973 claimed to have “no hard intelligence” on those responsible for the various Dublin bombings. It continued:

“We do have two persons named ... from the area you mention who are believed to have UVF connections. They are fairly seasoned, the younger of the two being 40 years of age and I note you describe the person as being a young man...”

THE INVESTIGATION REPORT:

The principal Garda report on the bombings was completed on 13 March 1973, and signed by Superintendent J. Robinson. Appended to the nine pages of the report itself were statements from 122 individuals, as well as a location map of the scene.

The report followed the pattern of the report on the earlier bombings on 1 December 1972, and concluded with the same phrase:

“Enquiries are continuing and anything of interest will be reported.”

A full assessment of the Garda investigation and its outcome will be made in Part V of this Report.

⁷³ See chapters 5 and 10.

⁷⁴ Report to Supt, ‘B’ District, Dublin dated 3 February 1973.

PART FIVE

ASSESSMENT AND CONCLUSIONS

ALLEGATIONS OF COLLUSION

At the time these bombings took place, many people considered it possible that members of the British Army or Intelligence Services were involved. This was particularly so in relation to the attacks at Eden Quay and Sackville Place on 1 December 1972. The Taoiseach of the day, Jack Lynch referred to these suspicions in a televised interview some months later, saying:

“Well, my suspicions naturally are aroused more – we have no, as I said, indication who was responsible; and as it is now well known, a lot of people in Ireland believe that many of these unexplained activities and actions could well be related to British Intelligence or other activities of that nature.”⁷⁵

These allegations have persisted down through the years.

As has been set out elsewhere in this report,⁷⁶ a number of specific allegations (given prominence in various newspaper articles) concerning possible British Army involvement in the bombings have been shown to be based on false or misinterpreted information. Examples include the allegation that Gardaí suspected two SAS officers, ‘Fleming’ and ‘Thompson’;⁷⁷ the allegation concerning a car supposedly driven by an Englishman which failed to stop at a checkpoint near the Border;⁷⁸ and the allegation concerning a supposed British Army officer who took a taxi from Dublin to Enniskillen on the night of the bombings.⁷⁹

It is now necessary to set out other allegations that have named specific individuals who are said to have admitted a role in the bombings. The first of these is Albert Baker, a former British soldier and UDA member who in 1973 was convicted of a number of murders and armed robberies. The second is Jim Hanna, a senior figure in the Belfast UVF in 1973 who was killed in 1975 – apparently as a result of an internal feud within the organisation.

ALBERT BAKER:

Albert Walker Baker was born in Northern Ireland. In 1970 at the age of 19 he joined the Royal Irish Rangers in Belfast. He was sent to join the 2nd Battalion of this Regiment at Warminster in England. Further postings to the United States of America and then to the Persian Gulf followed.

There are conflicting accounts, but it appears that Baker had returned to Belfast by July 1972. He claimed to have deserted from the Army. Shortly after that, he joined the UDA in East Belfast, where he was part of what he called their No. 1 assassination

⁷⁵ Date unknown - quoted in Yorkshire Television documentary ‘Hidden Hand, the Forgotten Massacre’, first broadcast on 6 July 1993.

⁷⁶ See chapter 10.

⁷⁷ *Evening Herald*, 21 August 1973.

⁷⁸ *Sunday Independent*, 11 August 1973.

⁷⁹ *Sunday Press*, 2 September 1973.

Team. In a written statement dating from 1986, he described their activities as follows:

“...sectarian assassinations; armed robberies; riots; the training of young protestants to facilitate them to become the next generation of loyalist assassins; the price-tag shooting of British soldiers and various other terrorist activities.”

Baker and his associates became known as the “Romper Room” gang – named after a room on UDA premises in which some of their victims were tortured before being killed.

However, in February 1973 he left the UDA and returned to his Army regiment in England. He was court-martialled and discharged.⁸⁰ A few months later, he walked into a police station in Warminster and made a number of short statements admitting his own role in various murders and armed robberies in Northern Ireland. Baker claims that he had become totally disillusioned with the UDA and their actions, and just wanted to make a clean breast of it. He was interviewed by two RUC officers at Taunton police station, and then returned with them to Mountpottinger RUC station, East Belfast, where he was questioned further.

While in Crumlin Road jail awaiting trial, Baker says he grew increasingly fearful for the safety of his family. Eventually he barricaded himself into his cell and threatened to commit suicide unless he was visited by Northern Ireland Secretary William Whitelaw. He was visited by the Junior Minister for Northern Ireland, William Van Straubenzee. According to Baker, the latter promised to have his family rehoused in England as soon as possible, while suggesting that it would be easier to arrange if Baker himself would serve whatever sentence he received in England rather than Northern Ireland.

In August 1973, Baker was charged with the murder of four Catholic civilians, eleven robberies and a number of firearms offences. He pleaded guilty and on 15 October 1973 received a sentence of life imprisonment, with a minimum of 25 years to be served.

Immediately following his conviction, he was removed to Musgrave Park Military Hospital, and from there to Aldergrove Airport. He was flown to Wandsworth Prison in England. His family were also removed from Northern Ireland and resettled in England.

In February 1974, Baker gave evidence against seven other UDA members whom he said had tortured one of the men whom Baker himself had shot. However, the trial judge rejected his evidence on the grounds of unreliability.⁸¹

In 1976, the *Sunday World* newspaper published an article by Frank Doherty about Baker. The article stated:

⁸⁰ *Irish News* 16 October 1973.

⁸¹ Report of Garda C/Supt P. O'Toole to Secretary, Dept. of Justice, dated 12 May 1989. See also Murray, Raymond *The SAS in Ireland* (Cork 1990) p.101.

“Baker’s most shocking claim is that British Intelligence used the UDA to assist it. He named his link-man as ‘Captain Bunt’ and said that they regularly met in a Belfast coffee bar.”

It continued:

“On the Dublin bombings, Baker has claimed that the cars were driven from Belfast by UDA men, but that the explosives and cars were supplied by a leading member of the UDA in Derry – who also provided weapons and explosives for operations in Monaghan and Donegal.

Like Baker, this man, whose name has been given to the *Sunday World*, had a close association with British Intelligence...

The planning of the Sackville Place bombing on December 1 1972 was carried out in the Rangers Club, Chadolly Street in the Newtownards Road area of Belfast. One of the cars which exploded in Dublin had been rented from a Belfast car firm by a ‘well-dressed Englishman’. The man used a driving licence belonging to a Mr Joseph Fleming of Derby. The licence had been stolen. But the identity of that ‘well-dressed Englishman’ is known to SUNDAY WORLD.

One of the bombers was a member of the UDA Inner Council. At least two others have since gone to jail in Belfast for other offences, while a third has been shot dead.”

On 19 January 1976, a memorandum from Garda Headquarters requested that enquiries be made with Doherty and the *Sunday World* editor in relation to the article. There is nothing on the file to indicate if these enquiries were made and what, if any, was the result. Doherty has told the Inquiry that no approach whatsoever was made to him by Gardaí in response to this article.

The Inquiry wrote separately to the *Sunday World* and to Frank Doherty⁸², seeking the names of the suspects mentioned in the article, and any other available information. The editor of the *Sunday World* replied that they had no information on their files.

The Inquiry saw Mr Doherty on 23 June 2004. He confirmed that his information had come, not from Baker himself, but from members of Baker’s family, whom he had traced and interviewed. Their stories tallied with one another, and Doherty believed that the family were genuinely telling him things that Albert Baker had told them. He expressed the view that the family were honest, though somewhat politically naïve, and that they would not have concocted these stories themselves.

In relation to the Dublin bombings of December 1972, Doherty was told by Albert’s brother that Albert did not want to talk about them. Nor did he want to talk about another cross-border bombing in Donegal which he was supposed to have taken part in. Nonetheless, Albert’s brother told Doherty that Albert had delivered the explosives

⁸² On 2 April 2004 and 19 May 2004 respectively.

used in the bombs of 1 December 1972 from Eglington, Derry to somewhere in Belfast.

When asked for the identity of the ‘well-dressed Englishman’ who had hired the bomb cars, Doherty named a senior member of the UDA who came from England but was living in East Belfast in 1972. This man was said by Doherty to have had connections with Baker.

In a lengthy statement written while in prison in 1986, Baker himself said that in 1973 he made a number of allegations of collusion between members of the RUC and loyalist paramilitaries. In particular he claimed to know the identity of a senior RUC officer who was stealing weapons from Mountpottinger RUC station in Belfast and giving them to the UDA. In relation to subversive attacks in this State, he stated:

“I also furnish [sic] the RUC with information [in] relation to UDA bombings in the Republic of Ireland and requested the RUC to contact the Gardaí and inform them that I wished to speak to them concerning this matter. However I told the RUC that I would tell the Gardaí about the missing weapons from Mountpottinger RUC station. I have never spoke [sic] to any Garda officer about my information from the RUC. I believe the RUC were instructed by the Northern Ireland Office not to contact the Gardaí. This was a political decision taken to prevent me from creating a major political embarrassment for the British Government.”

For many years, Baker sought to be transferred from England to a prison in Northern Ireland. His requests were refused. The official reasons given were: an ongoing fear for his safety in Northern Ireland, and his record as a disruptive prisoner.⁸³ Baker persisted, and in 1989 his case was drawn to the attention of the Irish Government. On 7 December, an official from the Irish Embassy visited him in prison. Baker made allegations concerning links between a UDA man who made a bomb used in the South and British Intelligence. However, he referred only to “a single bombing incident in the south in the early 70s” and did not identify the date or the place where this attack took place. He indicated that further details would only be forthcoming if his request for a transfer to Northern Ireland was granted.

Baker was not transferred to Northern Ireland. According to the book *Lost Lives*, he was released in 1992: as far as the Inquiry is aware, he has not made any further claims since that time.

JIM HANNA:

In contrast to Albert Baker’s allegations that the UDA carried out the bombings, journalist Joe Tiernan has published allegations which suggest that the UVF were

⁸³ Letter from John Kirwan, Private Secretary to Minister for Foreign Affairs Gerry Collins, to Peter Barry TD, dated 12 March 1990.

responsible – and in particular, Jim Hanna. Tiernan has spent many years researching the bombings in Dublin and Monaghan on May 1974. He was the principal researcher on the *Hidden Hand* programme on those bombings: that programme was a major catalyst in the process which led eventually to the setting up of this Inquiry.

In a recent book on the Dublin and Monaghan bombings, Tiernan devoted some space to an account of the earlier bombings in November 1972, December 1972 and January 1973. In particular, he referred to an interview he conducted with former Chief of Staff of the Official IRA, Cathal Goulding, shortly before the latter's death in 1998, in which the following allegation was made:

“Throughout 1972/73 he [Goulding] and a number of his Official IRA colleagues held a series of meetings with UVF men, both in Belfast and Dublin, to discuss mutual working-class issues such as poverty, unemployment and bad housing... In August 1973 a meeting to discuss such issues was held in the West County Hotel outside Dublin, attended by high-powered delegations from both organisations...

Towards the end of the evening, according to Goulding, Jim Hanna pulled him to one side and told him he wished to speak to him in confidence.

‘He asked me if we, the Official IRA, would be willing to carry out bank robberies here in the South and they, the UVF, would claim them. Then, if we wished, they would carry out similar robberies in the North and we could claim them. He said army intelligence officers he was in contact with in the North had asked him to put the proposition to us as they were anxious to bring about a situation in the South where the Dublin government would be forced to introduce internment. When I refused to accept his proposition, as we were already on ceasefire, he put his hand on my shoulder and said, ‘Look, there’s no problem. You see those car bombs in Dublin over the last year, well we planted those bombs and the army provided us with the cars. There’s no problem.’ When I asked him how the bombings were carried out, he said the 1972 bombs were planted in false petrol tanks in both cars. He said they travelled down the main road from Belfast to Dublin and were stopped at a Garda checkpoint at Swords (in north County Dublin) but because the cars were not reported stolen and the Gardaí found nothing suspicious in them they were allowed to proceed.’”⁸⁴

As we have seen, there is no mention in the Garda files of the cars for 1 December 1972 being stopped by Gardaí in Swords or anywhere else. It is possible that the intended reference is to the Garda officer in Drogheda who noted the bomb car of the 20 January 1973 as it passed through en route to Dublin. On that occasion, the officer concerned was not stopping cars, but simply taking note of each registration number.

The Inquiry has met with journalist Kevin Myers, who got to know Hanna in the spring of 1973. At that stage, Hanna was known to have had close links with a

⁸⁴ Tiernan, *The Dublin and Monaghan bombings and the Murder Triangle* (2003), p.146-147.

number of British Army officers. Myers believes that these links went back at least a year. In a 1975 article he wrote:

“By 1973, Hanna had become the senior military commander for the UVF in Northern Ireland. He had also become a close friend of Captains Anthony Ling and Anthony Box and Lieutenant Alan Homer, all of 39th Brigade Intelligence at Lisburn, and a Timothy Golden, who is not listed as a member of Intelligence Corps but was possibly an SAS man attached to Intelligence. They were frequent visitors to Hanna’s home near Lisburn, and group photographs of Hanna, Homer and Golden were taken away by police after Hanna was murdered last year.”⁸⁵

Myers considered it possible that Hanna could have been involved in the bombings, but was certain that Hanna never mentioned any such involvement to him. He also said that Hanna was, to some degree, a fantasist: he often embellished or even fabricated stories to make himself seem more impressive. One could not give the same level of credibility to everything Hanna said.

Goulding and Hanna are deceased, and so it is not possible to assess the credibility of Goulding’s allegation at first hand. Joe Tiernan has not responded to requests from the Inquiry to discuss the information. In those circumstances, the Inquiry is unable to assess the veracity of the allegation.

⁸⁵ ‘British Intelligence: the loyalist links’, *Hibernia*, 13 June 1975.

FILM CENTRE CINEMA, 26 NOVEMBER 1972

Forensic investigation:

Unlike the later bombings on 1 December 1972 and 20 January 1973, and the Dublin / Monaghan bombings of May 1974, the bomb that exploded outside the Film Centre Cinema was not a car bomb. The precise nature of the explosive used is not known.

The explosion took place in a narrow laneway with buildings on either side: this confined the blast to some extent, with most of the debris being driven into the cinema itself. However, a search by Garda and EOD personnel lasting several hours failed to find anything which could be said to have formed part of the bomb.

Detective Sergeant Eamon Ó Fiacháin was the Ballistics officer who oversaw the search on behalf of An Garda Síochána. Documentary evidence provided to the Inquiry confirms that they looked for any remaining portions of explosive, fragments of the detonator, timing device, and container in which the explosive was held. D/Sgt Ó Fiacháin told the Inquiry that Ballistics officers would have been familiar with the elements of most home-made devices from seeing bombs which had been successfully defused by EOD officers, as well as from pictures and photographs.

The Inquiry has also had the benefit of a report from a former British Army Lieutenant Colonel Nigel Wylde in seeking to assess the forensic aspects of this and other bombings. Mr Wylde is an acknowledged expert on explosives with a long record of army service in Northern Ireland and elsewhere; including a period from June to October 1974 as Commander of British Army no.1 Section 321 EOD Unit, based in Belfast. Having read D/Sgt Ó Fiacháin's contemporary report, he suggested that the damage to the concrete step and door supports was consistent with a small bomb of up to 10 lbs in weight of homemade explosive or 2 to 3 lbs of commercial explosive. He continued:

“If this were a loyalist made bomb comprising homemade explosive a steel container would have been required to achieve the detonation. For a small bomb such as this one the container would have been a small gas cylinder as was used in pubs in Ireland at the time or possibly a small fire extinguisher.”⁸⁶

In the case of the Film Centre, however, the failure to find any fragments of a steel container suggests that the explosive used was a high explosive, possibly of commercial rather than home-made origin.

Similarly, the fact that no fragments of a timing device were discovered may indicate that the explosion was initiated simply by using a slow-burning fuse. Two other factors seem to support this. One is the evidence of a witness seated close to the door where the bomb was placed, who said he got a strong smell of burning coming from that direction a few minutes before the explosion occurred: the other is the evidence

⁸⁶ An example of such a device had been found and defused at Amien Street railway station on 30 October 1972: it was comprised of a small gas cylinder filled with sodium chlorite and sugar, 3 feet of cortex, an electric detonator (marked for use in Northern Ireland) and an alarm clock.

of the man who saw two men emerge from the laneway, also a few minutes before the explosion occurred.

Eyewitness accounts:

It is clear that the only sighting of the bombers that could have led to their identification was that of the barman who not only saw two men coming out of the lane, but claimed that one of them told him they had placed a bomb there.

In the view of the Inquiry, the Garda investigation team were correct to discount the evidence of the Irish Army Corporal who claimed to have seen a man and a woman enter the cinema approximately five minutes before the explosion, carrying what might have been a bomb, and then leave five or ten seconds later. Clearly, the bomb could not have been planted from inside the cinema in that time.

It should be noted in the first instance that this evidence is taken from a Garda note rather than a verbatim statement, and may not accurately reflect the time frame given by the Corporal. But even if the persons seen by this witness were inside for minutes rather than seconds, it seems highly unlikely that the bombers would take the unnecessary risks associated with bringing the bomb into a packed cinema, opening the emergency exit while a film was in progress, placing the bomb outside, closing the exit and then walking back through the cinema once more in order to leave via the front door. Such unusual behaviour would surely have been noticed by many of those in the cinema at the time; yet none of the witnesses interviewed by Gardaí offered any corroboration for this story.

It would seem also that the evidence of the unidentified American photographer should be discounted. The van which he photographed belonged to persons who were injured in the explosion, not to the bombers. It was used on the night to take some of the injured to Jervis Street hospital. The photographer's account in that regard is therefore unreliable.

The descriptions given by the barman who almost certainly did see the bombers were said by one Garda officer to resemble two republican subversives from Newry, who were implicated by confidential information received within weeks of the bombing. The investigation team eventually succeeded in apprehending these men and placing them on identification parades, but no positive identification resulted.

It is worth noting that although the barman gave reasonably good descriptions of the suspects to Gardaí, he said in his statement that he would not have known one of them again. As to the other, while he said that he had "a good idea of him", he doubted if he would recognise him again also. The value of conducting an identification parade in those circumstances was obviously limited.

Intelligence information:

The investigation team received confidential intelligence from two sources: one pointed to the suspects from Newry mentioned above; the other pointed towards

unnamed members of the Provisional IRA from Derry. Both sources, who remain unknown to the Inquiry, were viewed as genuine and reliable by their respective Garda contacts.

The views of the RUC were sought on the latter piece of information by C/Supt Wren, but no additional intelligence resulted. There is no record of a similar approach being made in relation to the information concerning the suspects from Newry.

Taken by itself, the RUC response to C/Supt Wren's request - a one-line statement indicating that no intelligence implicating any members of the Derry IRA had been received - must be seen as disappointing. There was no indication as to who the current members of the Derry Provisional IRA were; and it seems that the Garda investigation team did not seek descriptions or photographs of all such persons, for comparison with the descriptions given by the barman.

In the end, no concrete evidence linking any of the above suspects with the bombing was found. However, it is perhaps significant that all the intelligence available to the Garda investigation team pointed towards republican, rather than loyalist, subversives. Although it is true that the failure to give a warning was more typical of loyalist than republican attacks, this could also be explained if the attack was unauthorised by the IRA leadership (as the information regarding the Derry IRA members alleged).

There are other factors which make it at least conceivable that republican paramilitaries would launch such an attack. The bombing took place during a period of intense unrest in the State, in which the Government seemed to be exhibiting a new severity in its dealings with republican subversives. The forced closure of Provisional Sinn Féin's office at Kevin Street, Dublin in October caused some controversy; but matters were brought to a head with the arrest of Provisional IRA leader Seán Mac Stiofáin and his ensuing hunger and thirst strike. The day before the bombings saw Mac Stiofáin sentenced to six months imprisonment; the evening of 26 November saw massive demonstrations in the city centre and an unsuccessful attempt by armed men to seize Mac Stiofáin from the Mater Hospital. When taken together, these events could have provided the motive for an attack which ordinarily would not have been contemplated by republican subversives. This is particularly so if one considers the possibility that the bombing was carried out by a small number of republican paramilitaries, without authority from the Official or Provisional IRA leadership.

Conclusion:

Although the information available to Gardaí and to the Inquiry does not point to any particular suspects with certainty, it seems more likely than not that the bombing of the Film Centre Cinema was carried out by republican subversives as a response to a Government 'crackdown' on the IRA and their associates.

EDEN QUAY AND SACKVILLE PLACE, 1 DECEMBER 1972

Garda / RUC co-operation:

One of the striking features of the investigation into these attacks was the extent to which the Garda investigation team was facilitated by their RUC counterparts. Gardaí were allowed, with the assistance of the RUC, to play an active part in the conduct of enquiries in Northern Ireland. They took statements from witnesses who had been involved in hiring out the bomb cars; they also took possession of all the hiring documents for fingerprint examination.

According to the Garda investigation report, the only real limit to this co-operation appears to have been an unwillingness on the part of the RUC to enter some parts of the city where they might be targeted. On the one other occasion, the refusal to allow Gardaí to interview the occupants of a house near the Belgravia Hotel was subsequently rescinded, as the report of C/Supt Joy dated 24 October 1973 made clear.

The same report also mentioned the assistance given by the security forces in Northern Ireland regarding other inquiries, such as the alleged sightings of the Sackville Place bomb car in Derry before and after Operation Motorman, and the identity of the man who took a taxi-ride from Dublin to Enniskillen on the night of the bombings.

The hirer of the bomb cars:

The Garda investigation centred initially on determining the identity of the person who hired the bomb cars (as well a blue Cortina hired on 23 November but not returned) using the stolen licence of Joseph Fleming. Detailed statements were taken from the staff involved, and photofits were created from the descriptions given by them. It seems reasonable to have assumed that only one person was involved in hiring the cars, as the discrepancies in the descriptions did not outweigh the similarities.

One Garda officer even travelled to London to obtain the original of the document relating to the hiring of the car on 23 November 1972. The purpose was to test for fingerprints, though such evidence would have been of little value in the absence of a known suspect with whom comparisons could be made.

Garda detectives very properly surmised that the date of birth given by the hirer was likely to have been his own. The driving licence issued to Joseph Fleming would not have carried his date of birth. So when the hire companies required this detail, it was more than possible that the false 'Joseph Fleming' would have provided his own. The date given was the same on the hiring forms for both bomb cars, and it also conformed to the estimates of his age given by eyewitnesses.

With hindsight, the request made to the English police to search for all men born on that day was far too wide in scope and it is understandable that the request was refused. However, the hirer clearly had links with Northern Ireland; and as well as a search for all men born in Northern Ireland on that day, a more confined search – such as, for instance, a list of all members of the security forces in Northern Ireland born on that date - might have been a better line of enquiry.

Eyewitness information:

Although the photofit impressions of the man who hired the cars were not published in newspapers, they were circulated amongst members of the security forces on both sides of the Border, and it also seems that Gardaí made use of them in the course of inquiries at places where such a man might have been seen – hotels, guest houses, air and rail termini, ports and the like. The suggestion of C/Supt Wren that the photofits be shown to members of the Defence Forces who had attended courses in Britain indicated a willingness to pursue any possible lead in this matter.

However, unlike the Dublin and Monaghan bombings of eighteen months later, it seems that no effort was made to obtain photographs of any known subversives.

In addition to those who saw the man who hired the cars, a Garda officer obtained a very good view of someone who was a passenger in a car believed to be that stolen from Joseph Fleming, as well as of the same person in a different car some days later. In each case this man appeared to the officer to be acting suspiciously. This officer was obviously somebody to whom photographs of possible suspects could have been shown, had they been obtained.

In addition to the Garda officer, another witness claimed to have seen Fleming's car in Dublin, this time on 4 December. Yet despite these sightings, it appears from the documents available to the Inquiry that no effort was made to make this information public, in the hope that others might come forward to corroborate this evidence.

If other sightings of these cars could have been confirmed, there was the possibility that further descriptions of those using such cars might have been obtained. This in turn might have resulted in a decision to obtain and show photographs of possible suspects to those witnesses.

This form of enquiry need not have been confined to the State. The cars originated outside of the State and had similar co-operation been sought from the public in Northern Ireland, this too might have brought forth results.

Forensic investigation:

From reading documents and talking to EOD and Ballistics officers who served in 1972, it is clear that the Garda and Army forensic examinations at that time were focused on finding bomb remnants that could be detected with the naked eye – such as fragments of a detonator or timing device, lengths of safety fuse, or unexploded

portions of explosive. Some consideration was given to the possibility of detecting unseen chemical residues with laboratory analysis; but collection of samples for that purpose was clearly not the primary focus. In any event, the collection of samples was compromised by the use of polythene bags, and by the fact that collection took place after the fire brigade had hosed down the bomb scene.

Former D/Sgt Jordan met with the Inquiry on 1 June 2004. He explained that the explosive he was most familiar with at that time was gelignite (primarily from its use in safe-blowing). The most common home-made explosives in his experience at that time were chlorate-based mixtures. D/Sgt Jordan detected none of the characteristics of gelignite (which he believed he would have been able to identify had they been present). Because he found none of those characteristics, he assumed that an improvised explosive must have been used.

All of this means that no definite conclusions can be drawn as to the composition of the bombs at Eden Quay and Sackville Place.

Intelligence information and further inquiries:

The Garda investigation report offers no opinion as to what group or groups might have been responsible for the bombings. This accords with the practice of the time: the purpose of an investigation report was to set out the information obtained; and where that information did not amount to a credible basis for a prosecution, the report went no further than that.

Nonetheless, given the unique nature of this attack – a co-ordinated double bombing in the city center, at a time of great political controversy - it is somewhat surprising that the possibility of loyalist subversives and / or members of the security forces in Northern Ireland being involved was not mentioned at all. The failure to obtain and use photographs of possible suspects may possibly have stemmed from a reluctance to give serious consideration to the possibility of loyalist involvement in the bombings.

On the other hand, when anonymous information was received that five British Army officers had been involved and had left Dublin by air that evening to Heathrow, London, there was some follow-up. Inquiries were made with a number of airlines, but the only records held by them were records of advance bookings. There was nothing in these records which gave any confirmation of the above allegation. The proposal to contact the source via a newspaper advertisement was said to have been dropped, following opposition to the action from the National Union of Journalists.

The fact that the bombings might have been timed to affect the passage of the Offences Against the State (Amendment) Bill was not adverted to in the investigation report, although it would surely have been beneficial to the investigation to consider the possible motivations for the bombings in their efforts to find out who was responsible.

Loyalist groups such as the UDA, UVF and UFF had been active in 1972 in Northern Ireland. Even if bombing Dublin might have been assumed to be outside their area of operation, the three bombings on 28 December 1972 at Clones, Belturbet and Pettigo

should have brought the possibility to mind. And although rhetoric is a long way from being evidence of an actual intention, it is worth noting that the UDA had recently raised the prospect of an attack on Dublin. In a statement on 14 November 1972, a spokesman at UDA Headquarters claimed responsibility for a number of explosions on the southern side of the border, before continuing:

“While on this subject we would like to reiterate our firm intention to strike again across the border not only as reprisals for the IRA campaign here, but also because Jack Lynch is not doing his stuff in dealing with the IRA and is persisting in his claim of sovereignty over all Ireland...

We are prepared to hit Dublin and other cities. So don't be misled by our activities which so far have been confined to border fringe areas.”⁸⁷

In February 1973, Gardaí received confidential information that laid the blame for the bombings at the door of the UVF, and gave the surname of one individual in particular. This information was passed to the RUC for further inquiry. The response to that request was disappointing in its brevity, but does not seem to have been pursued further by the investigation team.⁸⁸

Allegations of British Army involvement:

At a general level, there are parallels between the allegations of collusion in relation to the attacks on 1 December 1972 and similar allegations concerning the Dublin / Monaghan bombings of 17 May 1974. The arguments advanced in both cases fall into the following categories:

- 1) *Aspects of the bombing operation which are said not to have been normal for loyalist attacks at that time.*

In the case of 1 December 1972, the focus has been on the use of hired cars for the bombings, and on the fact that the hirer was said to have had an English accent.

- 2) *Political developments that provided a plausible motive for the bombings.*

In 1974, it was the signing of the Sunningdale Agreement: in 1972, Fine Gael and Labour had indicated an intention to oppose the Offences Against the State (Amendment) Bill. If it the Bill had not passed, a general election would almost certainly have resulted. Given that the opposition parties were on record as opposing the measure, this in turn may well have given rise to a perception that such an alternative government would be ‘soft’ on the Provisional IRA.

- 3) *Allegations of collusion.*

⁸⁷ *Evening Press*, 14 November 1972.

⁸⁸ See chapter 10.

For 1974, the principal sources for such allegations were former members of the security forces John Weir, Colin Wallace and Fred Holroyd. In the case of 1972, allegations have centred on former British soldier and UDA member Albert Baker, former UVF member Jim Hanna, and to a lesser extent, Keith and Kenneth Littlejohn.

The points made under categories (1) and (2) regarding the bombings of 1 December 1972 might seem significant at first glance but are in fact of little probative value. The most that can be said is that they set a scene in which collusion is conceivable, and so provide reasons to take the allegations in category (3) more seriously than perhaps might otherwise be the case.

The question of why hired cars were used provides a good example of this. Even if one accepts that it was not the practice of loyalist subversives to use hired vehicles as car bombs, it would be simplistic in the extreme to conclude from this that British Army or Intelligence operatives must have been involved. There is nothing about the use of hired cars that necessarily implies a military, as opposed to paramilitary, involvement.

As to why the cars were hired rather than stolen: there are some eyewitness accounts that suggest both bomb cars were in the State on the day before the bombings. If the perpetrators had planned to have the bomb cars in the State overnight, they may have felt it too risky to use stolen vehicles.

The accent of the man who hired the cars strongly suggests that he was of English origin: those with local Northern Ireland accents seldom lose them. However, his English background does not warrant an assumption that the man must have been a member of the British security forces.

There are aspects of the theft of Joseph Fleming's own car (the Ford Zephyr 556 FOV) which are puzzling and do not seem to fit with the normal behaviour of loyalist subversive groups. The car was stolen in August 1972, and unless the number plates were changed, one would have expected it to have been either abandoned or destroyed within days. Instead, there is credible eyewitness evidence that places it in Dublin around the time of the bombings on 1 December 1972 – with the original number plates still intact. If true, this suggests that the car was hidden for nearly four months after its theft, before being used – possibly as a scout or getaway vehicle – in the Dublin bombings. But why would the bombers, who went to great trouble to hire the bomb cars, use an undisguised stolen car as part of the operation?

Similar questions arise in relation to the stolen licence. It too remained unused for nearly four months, and was then used on two occasions in November. On the second occasion, one week before it was used to hire the bomb cars for Eden Quay and Sackville Place, it was used to hire a car that was not returned. In those circumstances, the further use of the licence to hire the bomb cars would seem to have been fraught with risk.

The timing of the attacks undoubtedly had significance, and the question of who stood to benefit from their outcome is an important one. The Dáil debate on the Offences

Against the State (Amendment) Bill started on 29 December 1972; but the contents of the Bill and the distinct possibility of a defeat for the Government leading to a general election had been the subject of media attention for some days previously.

It is quite possible that the bombs were planted in order to influence the course of the debate on the Bill; but the precise timing – the fact that the bombs went off at the very time when the Fine Gael party were having a final meeting to decide whether or not to vote against the Bill - must be viewed as coincidental: such precise timing could not have been anticipated by the bombers. It seems more plausible to believe that the bombings were not aimed at securing the passage of the Bill, but were intended (at a time when a general election seemed likely) to force whatever party was in power to step up the security campaign against the Provisional IRA.

It is undoubtedly true that getting increased security co-operation from the Irish Government was a priority of the British Government at that time. But to accuse the British authorities of sanctioning two car-bomb attacks aimed at civilians is an extraordinarily serious allegation, and needs to be backed by considerably more than mere evidence of a desire for improved security co-operation.

The statement by the British Government that they had no knowledge of who the bombers was not challenged by the Irish Government, though it is clear that doubts remained.

Notes made by British Ambassador Sir Arthur Galsworthy of a meeting on 17 August 1973 with then Minister for Foreign Affairs Dr Garret FitzGerald gave the following account of misgivings raised by the latter:

“Dr Fitzgerald then said that he knew one of the Irish newspapers was conducting its own investigations into the Dublin bombings of last December and January, and that shortly they would be coming out with fresh allegations that British agents had after all been responsible. None of this would be evidence, but there would be a lot of pseudo-circumstantial surmise. I said that I had no doubt that the Irish media, particularly the press, would continue for a long time with their wild and unfounded allegations about alleged British complicity in these and other acts of violence that had taken place in the Republic. But the fact remained that these allegations were totally untrue and the assurances that Mr Heath had given to Mr Cosgrave were absolute. Dr Fitzgerald said he did not doubt for one moment that those assurances had been given in good faith. What worried him was that we might be approaching another Clones situation. On the Clones affair our subordinate authorities had had to have the truth dragged out of them, and this had only happened when they had been confronted with successive layers of evidence.⁸⁹ He was

⁸⁹ The reference to the ‘Clones affair’ concerned an incursion by armed British Army soldiers in an unmarked Bedford van in the early hours of 25 May 1973. Two soldiers visible in the front of the van were wearing civilian attire; another four were lying in the back of the van, uniformed and with blackened faces. They claimed to have been on vehicle checkpoint duty, but had no road signs and poor lighting equipment with them. Nonetheless, the men were released at 6 a.m. following an assurance from a Major in the Royal Artillery (via the RUC) that the unit was detailed for patrol duty on that night.

At 9.30 a.m., Gardaí were informed that forty minutes before their interception at Clones, the same soldiers had tried to gain entrance to a house on the border, using an entrance on the State side. When

‘desperately worried’ that the same might happen again over the Dublin bombings. Not for one moment did he think that the British Government could conceivably have authorised such acts of violence. But was it not possible that some disreputable characters in our employ or in some way associated with us might have acted on their own authority? If this should prove to be the case, and it came to light, the effect would be total disaster [for the British Government]. I replied that I accepted what had happened over the Clones affair had in some ways been unfortunate. Nonetheless, we had succeeded in getting at the truth. The circumstances of the Clones affair and the Littlejohn case were however totally different. The risk he feared did not exist.”

Dr FitzGerald has told the Inquiry that he had no information which pointed towards the involvement by members of the British security forces in the bombings. His motive for raising the possibility was simply in order to give the British Government an opportunity to pass over any information they might have. In saying that the effect of any such involvement coming to light would be “total disaster”, he was seeking to make it clear that the Irish Government would not participate in any cover-up and would pursue matters to the fullest, regardless of the potential damage to Anglo-Irish relations.

As someone who appears to have been deeply involved with the group whom he claims were responsible for the bombings – the UDA – Albert Baker’s allegations merit further investigation. The UDA were undoubtedly active at that time, and their leadership had publicly threatened to carry out attacks in the State in order to force the Irish Government into a more hardline stance towards the IRA. Unfortunately, the Inquiry has not had the opportunity of viewing RUC or British Government files on Baker. Of the material which has been seen by the Inquiry, it is worth noting that it was Baker’s family, rather than Baker himself, who unequivocally associated him with the Dublin bombs of December 1972. In his own statements of 1986 and 1989, Baker himself did not specify which cross-border bombings he was referring to. Clearly, more information would be necessary before a definite view on his allegations could be taken.

Uncertainties also exist in relation to the allegation concerning Jim Hanna. For instance, although he was clearly referring to bombings in Dublin, it is not clear whether he was claiming UVF responsibility for all the attacks that took place around that time - 26 November 1972, 1 December 1972 and 20 January 1973. It is also unclear whether the story of a Garda checkpoint at Swords was a fabrication, or simply a garbled reference to the sighting of the bomb car for 20 January 1973 in

the British authorities were contacted, this was denied at first, but subsequently admitted. Even then, the fiction that the soldiers had been on vehicle checkpoint duty was maintained, despite the evidence of inadequate equipment and an admission by one of the soldiers that they had not in fact performed any checkpoints on that night.

A previous incursion at the same house by five armed RUC officers in civilian clothes had taken place on 12 December 1972. The owner had been arrested, brought to Northern Ireland and released two days later. Complaints were made at the time by the Irish authorities, but no response was given.

Drogheda. With Hanna and Cathal Goulding both deceased, these uncertainties will never be resolved.

There is no evidence to suggest that Kenneth and Keith Littlejohn had any role in the bombings of 1 December. In any event, they were in custody from 19 October 1972, and so could not have participated directly in the attacks. Although they claimed to have been instructed by the British authorities to carry out attacks in the State in order to provoke a Government backlash against the IRA, the Inquiry has seen nothing to connect them with the bombings at Eden Quay and Sackville Place.

Conclusions:

The initial political reaction to the bombings focused on republican paramilitaries – either suggesting that they were directly responsible, or that their campaign of violence in Northern Ireland had provoked this ‘reaction’ in the State. However, there is no evidence to suggest that the IRA or any other republican group were involved in the attacks.

The restrictions on access to Ammonium Nitrate and Sodium Chlorate that were in operation in 1974 were not in place at the time of these attacks. There is evidence that the IRA had access to considerable amounts of these substances,⁹⁰ and there is little doubt that the UVF, UDA or similar groups could also have obtained such explosive substances without undue difficulty. Nor was the use of timing devices beyond the capacity of loyalist paramilitaries: devices of loyalist origin with alarm clock timers were found by Irish Army EOD officers on several occasions in the six months preceding the bombings.⁹¹

Nonetheless, there are some aspects to the attacks that were not characteristic of loyalist subversive groups at that time: the giving of a warning; the co-ordinated nature of the blasts; the use of hired vehicles; the use of a stolen licence to hire these vehicles, and the apparent use of a car stolen four months previously. In addition, the political context in which the attacks took place (during the debate on the Offences Against the State (Amendment) Bill, and following on from the arrest of the Littlejohn brothers) has led to speculation that members of the British Army or Intelligence Services may have instigated, assisted with or even carried out the attacks.

Those features may be consistent with involvement by the British Army or Intelligence Services in the bombings. However, the circumstances are not so unique, or even unusual, that they would reasonably exclude the involvement of other groups.

⁹⁰ On 1 December 1972, a Garda search of a house near Burnfoot, Co. Donegal found approximately 17 tons of prilled Ammonium Nitrate fertiliser, of English manufacture. The informant who had tipped them off also alleged that the Provisional IRA had been removing small quantities at a time.

⁹¹ Examples of bombs with timing devices included: 13 July 1972 (2/3 lbs commercial explosive, Lifford, Co. Donegal); 25 September (1 gallon nitrobenzene, Income Tax office, Dundalk); 11 October (28lbs sodium chlorate mix, Buncrana, Co. Donegal); 27 October (two 20lb commercial explosive bombs, Letterkenny Courthouse, Co. Donegal); and 30 October (sodium chlorate mix, Amien St. railway station).

As far as specific pieces of information go, there are some aspects of the allegations concerning Albert Baker and Jim Hanna which may be significant. However, for reasons already cited, the Inquiry is not in a position to make a proper assessment of their veracity.

Reference is made to the Inquiry's earlier report into the bombings in Dublin and Monaghan in 1974. As was made clear in that report, there is no doubt that collusion between elements of the security forces in Northern Ireland and loyalist subversives existed on a number of levels outside of the bombings.

However, before any finding of collusion in a specific instance can be made, two requirements need to be met. Firstly, there has to be credible information identifying individual members of the security forces as having been involved. That would establish collusion on an individual level. The second requirement is evidence which shows that such collusion was officially sanctioned.

On the information available to date, credible and reliable evidence in respect of both of those requirements is absent in respect of the bombings on 1 December 1972.

As far as the 1974 bombings were concerned, a stronger case supporting the involvement of elements of the security forces in Northern Ireland was made out. Even then however, the Inquiry concluded that unless further information came to hand, such involvement must remain a suspicion.

Similarly in the present instance; while suspicions linger, evidence has not been forthcoming to take it beyond that.

SACKVILLE PLACE, 20 JANUARY 1973

Forensic investigation:

The comments made in this report in relation to the forensic investigation of the bombings on 1 December 1972 apply equally here: those examining the scene concentrated on looking for visible remnants of the explosive or bomb mechanism, rather than on collecting and preserving items for microscopic analysis. This was quite explicable given the level of expertise and technical support available to An Garda Síochána at that time.

The Inquiry interviewed the principal Ballistics officer concerned, D/Sgt Eamon Ó Fiacháin, on 7 April 2004. He was at pains to point out the considerable pressure placed on members of his unit at that time: a small number of officers were dealing with a large workload of cases in every part of the country. He told the Inquiry that priority was naturally given to cases in which a prosecution was pending or likely. As backlogs of work built up, less attention was given to cases which were unlikely to come to court.

D/Sgt Ó Fiacháin has no memory of whether the crystalline deposit he found at the scene was in fact sent for analysis.

As with the earlier bombings on 26 November 1972 and 1 December 1972, there are little or no clues to the composition of the bomb at Sackville Place. The most useful indicator did not come from forensic examination, but from the testimony of a witness who saw “smoke or steam” coming out of the back of the bomb car just before it exploded.⁹²

On 23 November 2000, the Justice for the Forgotten group brought this statement to the attention of Dr John Lloyd, a forensic science consultant based in England. In his reply Dr Lloyd commented:

“Burning chlorate-containing mixtures can produce a white smoke. Kelly’s observation suggests that there was present a chlorate-containing explosive which initially burned before it exploded. Possibly the explosive was poorly confined or inefficiently initiated.

The residue, if it was examined, would have contained large amounts of chloride.

I suppose some kind of timing device based on a chlorate mixtures [sic] could have been involved, but I would not have thought that a noticeable volume of smoke would have been produced – certainly if the car was closed.”⁹³

Former British Army Lieutenant Colonel Nigel Wylde, also a forensic expert, agreed with Dr Lloyd’s opinion, adding:

⁹² Statement of Michael Kelly dated 22 January 1973.

⁹³ Report of Dr John Lloyd dated 23 November 2000.

“Chemical initiators had been used by the IRA in 1971 but had been abandoned as too unreliable and dangerous to the bombing team. I am not aware of any Loyalist use of chemical initiators. It is my belief that if the container of this bomb had been filled in Belfast and the bomb then driven to Dublin that some settlement of the filling had taken place that meant it was not properly confined. This led to a burning of the filling prior to detonation of the main charge. If this is correct a small explosion caused by the detonator and primer would have occurred shortly before Mr Kelly saw the smoke.

It is possible that some deposits of the explosive are to be seen on the ground in the area of the car. According to Detective Sergeant Ó Fiacháin the car had been pushed towards the deposits. This would be consistent with the deposits being blown outwards by the explosion. In my opinion this is not ANFO as it does not resemble the ANFO deposits with which I am familiar. It could equally be dirt.”⁹⁴

The sightings of the bomb car in Dublin suggest that it was in place some hours before the explosion occurred. This would imply that a timing device was used, though none was found at the scene.

Eyewitness information:

Despite extensive enquiries, Gardaí were unable to find any witness who could reliably be said to have seen the bombers. Neither the Garda officer at the checkpoint nor the drivers of the cars behind and in front of the bomb car as it passed through Drogheda were able to give a description of the occupants. Nor did anyone reliably be said to have seen the bomb car being parked in Sackville Place.

Perhaps the best possibility of an identification lay in the statement of a witness who saw a lady checking the driver’s door and passenger door of the bomb car at around 1.45 p.m. A description was given, but there is no evidence that the witness was either shown photographs of suspects or invited to construct a photofit.

The man who was driving the bomb car when it was hijacked did not give a detailed description of the men who had hijacked the car and kept him hostage. He told police he would be afraid to do so. Nor did any witnesses to the hijacking itself come forward.

It was very common for both republican and loyalist paramilitaries to commandeer houses, cars and land from people. It was also common that witnesses would not be in a position to identify the persons involved in taking property. Sometimes this was simply because they did not know who the perpetrators were. Even if they did, there was a reluctance to implicate them. The reasons for this were complex and sometimes ambiguous – fear of retaliation, or possibly because they had some sympathy for the

⁹⁴ Report of former Lt Col Nigel Wylde dated 17 May 2002.

aims of the organisation involved, or a varying mix of both. Whatever the reason, such reticence regularly served to frustrate police investigation of these incidents.

Garda / RUC co-operation:

The investigation of this bombing differed considerably from that carried out in the case of the bombings carried out on the 1st December 1972. On this occasion, Garda officers did not visit Northern Ireland to obtain evidence or to take statements from witnesses. The investigation report provides no explanation for this.

When confidential information was received some two weeks after the bombing that the UVF was responsible, the only step taken was to pass this information to the RUC Special Branch for its comments. When the name provided matched two possible suspects, this was not pursued. Admittedly those two suspects were older than the information given about the bomber, but this seems insufficient as a ground for ignoring the information altogether.

Once these various avenues were not explored, there remained no real possibility of bringing those responsible to justice.

Conclusion:

As can be seen from the foregoing account, there is no substantive evidence linking the bombing on 20 January 1973 with any particular group or groups. The fact that the hijacking of the bomb car took place in a loyalist area of Belfast suggests that loyalist rather than republican paramilitaries were responsible. Confidential information obtained by Gardaí suggested that responsibility lay with the UVF, but no evidence was found to confirm this. Nor was there any evidence to suggest the involvement of members of the security forces in the attacks.

APPENDICES

MURDER OF BRÍD CARR

On 19 November 1971, British Army personnel were involved in erecting ramps on the Lifford-Strabane road, on the Strabane side of the British customs post.

At 3:37 p.m. fifteen shots were fired at the troops, from a position on the State side of the Border. British Army soldiers returned fire.

During this exchange of fire, two women, Bríd Carr and Eleanor Mills, both residents of Lifford, were walking on the elevated footpath on the right-hand side of the Lifford road going towards Strabane. As they came alongside a military vehicle Mrs Mills saw Miss Carr, who was just in front of her, fall to the ground. Bríd Carr was immediately brought to Strabane hospital in the military vehicle. From there she was removed to Altnagelvin Hospital where an emergency operation was carried out. Unfortunately, she died as a result of her injuries. A medical examination indicated that a bullet had entered her forehead and travelled between the brain and the skull before making an exit at the back of the skull.

RUC INVESTIGATION:

As the death of Bríd Carr had occurred in Northern Ireland, the RUC conducted an investigation into the matter. On 1 December, the Garda Commissioner received a report from the Chief Constable's office summarising their findings.

The report stated that the British Army personnel had come under fire initially at 2.31 p.m., when 12 shots were fired from a position in the State. The British Army did not return fire on that occasion. When the second round of firing took place at 3.37 p.m. they fired 10 shots in return.

The report continued:

“Police immediately went to the scene after the shooting incident and made investigations regarding the positions of the gunmen, the Military returning the fire and Miss Carr when she was struck. It was established beyond doubt that none of the Military returning the fire were in front of Miss Carr when she fell as the shots were returned by Military deployed in fields some distance away from Miss Carr and to the rear and left of her position. On the other hand shots being fired at the Military would have travelled in Miss Carr's direction and it would appear that Miss Carr was glancing over her left shoulder when she was struck by one of these bullets.

On examination of the three-ton Military vehicle which Miss Carr was walking past when she was struck, a bullet hole was found in the canvas cover behind the cab and another hole in a Perspex window in the side of the vehicle. From the direction the shots came, these two bullet holes appeared to have been made by the same bullet and a line through the entry hole and extended beyond the exit hole would have passed through the point where Miss Carr fell.

Mrs Eleanor Mills made a statement to the Police to the effect that she was within a few feet of Miss Carr when the latter fell to the ground. Mrs Mills was under the impression that Miss Carr had fainted and confirms that there were no shots fired beside her when the girl fell nor did any of the Military fire while she, Mrs Mills, was sheltering behind the Military vehicle.”

The report concluded by asking An Garda Síochána to conduct enquiries in the Lifford area concerning the identities of the gunmen who were believed to have been responsible for Bríd Carr’s death.

GARDA INVESTIGATION:

A report from C/Supt P.G. Power to the Commissioner, C3 dated 11 January 1972 gave some more details concerning the incident. It stated that the British Army had commenced working on the road at about 2 p.m. Aside from the soldiers directly involved in the work, at least five were observed lying on the river banks on the Northern side of the River Foyle. They were in concealed positions and had their guns facing Lifford. A British Army helicopter hovered overhead.

The report continued:

“On observing the activities of the British Troops the local Gardaí kept the situation under observation and patrols were sent out along the river bank from the town of Lifford towards the Porthall direction and also towards the Clady direction, but no suspicious movements or activities came to notice. The troops were observed in position on the river bank until about 3 p.m. when they entered an Army vehicle which was parked on the Strabane side of the Bridge.”

As for the shots fired at 3.37 p.m., the evidence suggested that they were fired from an area between Lifford Post Office and the river behind it, about three hundred yards from where the British soldiers were working. The report noted:

“The troops returned the fire but it is alleged that this fire was directed towards the centre of town.”

The source of that allegation was not identified in the report.

When the shots were heard, Gardaí on duty at Lifford station went onto the street, where a passerby shouted to them that there was shooting near the Post Office. They went immediately to that area and carried out a search which proved fruitless. With the assistance of Army personnel, the search was then extended over a wider area, but again with negative results.

Concerning the origin of the shot that killed Bríd Carr, the Garda report stated:

“We cannot say who fired the shot which hit Miss Carr or where it was fired from. Mrs Eleanor Mills in her statement [to Gardaí] said that she did not hear any loud shooting from beside her at the time Miss Carr was hit. This would indicate that the soldiers who were near Miss Mills at that time were not shooting. The RUC version of the shooting which took place at 3.37 p.m. on the relevant date would appear to be correct.”

However, concerning the allegation that shots had been fired from the State side of the border an hour earlier at 2.31 p.m., the report stated:

“...we have no knowledge or information of the incident... Reliable information indicates that no shots were fired from the vicinity of the Post Office at that time.”

The gunmen who fired the shots at 3.37 p.m. were seen by three witnesses. All the witnesses refused to make written statements and gave their information only on condition that their identities would not be made known. They named three persons originally from Strabane but then resident in Lifford as having fired the shots. All three suspects had been resident in Lifford for some time. Of the three, one was identified by one of the witnesses, whereas the other two were identified by all of them.

The latter two gunmen were seen by a Garda officer shortly after the shooting, approximately two hundred yards from the vicinity of the Post Office. On the following day, the same officer found four spent bullet cases in that area. They were identified as types used in a .303 rifle and a Bren gun.

The three suspects who had been identified by witnesses were not interviewed by An Garda Síochána because it was considered that it would be “a futile exercise.”⁹⁵ Nonetheless, it seems to the Inquiry that nothing could have been lost by interviewing them. If their assessment proved correct, the position would be no different; but had it proved incorrect, new material might have emerged.

The refusal of the witnesses to supply written statements is readily understandable. Nonetheless, it seems to have brought Garda enquiries to an effective end. On 19 January 1972 copies of the RUC and Garda reports referred to above were sent from the office of the Commissioner, C3 to the Secretary, Department of Justice. The covering letter concluded:

“As there is no witness prepared to come forward and supply a statement regarding this incident, it is proposed to inform the RUC that we have enquired into the incident but regret we are not in a position to supply any information regarding the identity of those responsible. You might kindly indicate if you agree with this course.”

⁹⁵ Report of C/Supt P.G.Power dated 11 January 1972.

If a response was forthcoming to this letter, it has not been seen by the Inquiry.

In conclusion: it seems clear that Bríd Carr met her death as a result of gunfire coming from the State side. It is to be regretted that the Inquiry has not been provided with a medical report indicating the course of the bullet through the deceased. The evidence available to the Inquiry supports the proposition that she was looking back over her shoulder when she was struck by it – something she might well have done, knowing that shots were being fired from behind her.

MURDER OF OLIVER BOYCE AND BRÍD PORTER

At 2.08 a.m. on 1 January 1973, Gardaí discovered the bodies of Oliver Boyce and Bríd Porter lying on the grass verge at the side of Glenn Road, a minor road about 1½ miles outside of Burnfoot, Co. Donegal, and about a mile from the Border as the crow flies. Both deceased had been shot several times, and stabbed with a long-bladed knife.

Shots and screams had been heard by persons living in the neighbourhood at around 1 a.m. Two of them went to Burnfoot Garda station and reported the matter at 1.45 a.m. It was this that led to the search and discovery of the bodies by Gardaí.

EYEWITNESS INFORMATION:

A number of people gave statements in relation to the movements of the deceased on the night in question. Some apparent mistakes and inconsistencies in these statements will be examined below. The following facts are uncontroversial:

- (a) Oliver Boyce was seen by several witnesses in the Inishowen Hotel from 7.30 p.m. It would appear that he left the Hotel on his own at around 8.30 p.m. He was driving his father's car, a beige Cortina JIH 871.
- (b) Three witnesses saw him driving through Buncrana at 9 p.m., in the direction of Bríd Porter's home at Maherinture, Buncrana. Bríd Porter was alone in the house. She and Oliver Boyce left there some time after 11 p.m., when her parents returned.
- (c) Witnesses at the Boyce family home in Clonmany said that Boyce and Porter arrived there at 11.45 p.m. Boyce and Porter saw in the new year at the Boyce family home. They then left at 12.10 a.m., without saying where they were going. Further confirmation of this came from a witness who saw them on the outskirts of Clonmany at around that time.

Witnesses A and B:

On their way to the Boyce family home at Clonmany, Boyce and Porter encountered two men (witnesses A and B) trying to repair a car which had broken down near a place called the Weavers, about 2 miles from Buncrana. The car belonged to witness A, and the two men had driven out from Buncrana in witness B's car to try and fix it.

Witness A gave a statement to Gardaí on 3 January 1973. He said that they had left Buncrana at 11.30 p.m. It was raining heavily. After they had spent 5-8 minutes attempting to fix the car, Boyce and Porter drove up to them from the Clonmany direction and stopped. Boyce helped them for about 15 minutes, leaving between 11.40 and 11.55 p.m. Witness A said that Boyce and Porter then drove towards Buncrana. A couple of minutes later, witnesses A and B drove into Buncrana in B's car. They did not encounter Boyce's car on the way.

The two men parked in Market Square. They bought minerals and chips, eating them in the car. Witness A said he looked at his watch and it was 12.10 a.m. People were just coming out of the local cinema. They then drove off to witness A's house, arriving there around 12.15 or 12.20 a.m. They parked in the driveway and talked in the car. After 5-10 minutes, Boyce's car passed them, going towards Buncrana from the Clonmany direction. The driver tooted the horn about 3 times. According to witness A, witness B remarked that there were four people in the car – two in the front and two in the back. Witness A said he could not make out who was in the car, but from the fact that the horn had been tooted, they assumed Boyce was driving. Witness A concluded his account by saying that he went indoors finally at about 12.45 p.m. Witness B then drove away.

Witness B gave a statement to Gardaí on 2 January 1973. He agreed that things had happened more or less as witness A had described them, with one exception: he did not mention the sighting of Boyce's car outside witness A's house.

There was another important aspect in which witness B's statement conflicted with that of witness A: his estimates as to when the various incidents referred to had occurred were about 20 minutes earlier than those given by the latter. However, on the following day witness B gave another statement in which he said:

“I stated in my first statement that I met [witness A] at 10.45 p.m. It should have been 11.05 p.m. I was 20 minutes out in my time, so all the other times given by me were therefore out by 20 minutes; they should all read 20 minutes later than stated.”

After witness A went inside his house, witness B drove back into Buncrana once more and parked in Market Square. In his first statement, he said that after 30 minutes or so, he saw Boyce's car go past him, travelling south towards Burnfoot. He again noted that there were four people in the car, but was unable to identify any of them. He said that Boyce sometimes blew his car horn when passing him, but that he did not do so on this occasion.

In his second statement, he amended this account, saying:

“In my original statement I stated that I was in Buncrana for 30 minutes before Boyce passed. That was only an estimate; I have now stated that I was there for about 15 to 20 minutes. That would be more correct.”

He also now claimed to remember the incident in which Boyce's car passed them outside witness A's house, tooting the horn three times.

There are aspects of these statements that are quite clearly unreliable. Their statement that Boyce drove from the Weavers towards Buncrana sometime after 11.40 p.m. is unlikely to be true, as it conflicts with reliable evidence placing Boyce and Porter in Clonmany at 11.45 p.m. Either the two witnesses were mistaken when they say that Boyce's car travelled south after leaving them; or alternatively, the whole episode

occurred considerably earlier. Some support for the latter explanation might be found in the statement of a shopkeeper in Buncrana who said he saw a car with Boyce's registration come down the Main Street and then travel back up it again, sometime around 11:30 p.m.

Nonetheless, the Garda investigation team seems to have accepted that the sightings recorded by the two witnesses did take place. From this and other eyewitness evidence, Gardaí concluded that Boyce's car must have left the main road for a period of 20 minutes or so, before arriving in Market Square. The investigation report stated:

"Any observations I may offer on this aspect will be mere speculation; but there are two theories, either of which would appear to be feasible:

- (a) that he turned into Cassy Road en route to Porter's house, and most likely in defiance of the two passengers;
- (b) that he was forced or persuaded to drive on to the car park in Buncrana.

If we accept that the two persons who were in Boyce's car... are the culprits, then the latter would appear the most likely.

It is highly probable that, at whatever point the car left the main road, Boyce was ousted from the driver's seat. This theory is put forward for two reasons:

- (i) there was no salutation (hooting of the horn) when passing [the] car in Market Square;
- (ii) it is freely accepted by people who knew [the] deceased, Oliver Boyce, that if he was hi-jacked and forced to drive someplace against his will, he would crash the car, rather than obey."⁹⁶

At 1.15 a.m., Boyce's car was seen parked on the Muff / Burnfoot road, some 50 yards from Main Street, Muff. The village of Muff is about 200 yards from the Border.

At 8.05 a.m. on the following morning, the car was identified by a Garda officer and preserved for technical examination.

Movements of pedestrians:

According to the investigation report, 22 persons were seen walking at various points along the Buncrana / Clonmany road and adjoining roads. All those persons were identified and satisfactorily accounted for with the exception of two young men. At 11.40 p.m. they were seen thumbing a lift near the North Pole bar, Drumfree, on the Buncrana side. They were seen by another witness at midnight, approximately half a mile nearer Buncrana, and still seeking to hitch a lift.

⁹⁶ Report of Supt T.J. Kelly dated 11 May 1973.

Their descriptions were said by Gardaí to match those of two youths who were seen entering the North Pole bar at about 9.30 p.m. with two others. The four remained there for a short time, and left without ordering drinks. The witness who saw them stated that he saw a red Vauxhall Viva come from the direction of Buncrana and stop outside the bar. Four young men got out of the car and went into the bar. A fifth man (the driver) remained in the car. About two to three minutes later, the men came out of the bar and drove off again. After travelling 100 yards in the Buncrana direction, it stopped. Two of the men got out of the car and were heard to say that they would meet the others in Buncrana. The car then drove off in that direction.

The investigation report raised the possibility that Boyce and Porter may have given these two persons a lift, but said that all efforts to identify the two men had failed.

The witness gave descriptions of the four men seen entering and leaving the bar. Two were in their middle to late twenties and had beards; the other two were younger. One of these two was between 6'2" and 6'4" in height. Of the other three, two were small, around 5'6" in height."

FORENSIC INVESTIGATION:

Searches were conducted by Gardaí and soldiers, not only in the immediate area where the bodies were found, but also in adjoining roads, fields and possible routes used by the culprits in leaving the scene. The main Muff / Burnfoot road and subsidiary roads between the scene and the place where the car was found were also searched. The main aim of the searches was to look for any weapons used in the murder.

Technical examination of the scene and of the vehicle involved was conducted by D/Sgt T. O'Connor, Ballistics Section, accompanied by officers from the Fingerprint, Photographic and Mapping Sections. D/Sgt O'Connor reported:

"A preliminary examination and search was carried out in the laneway adjacent to the drain in which the bodies were found. D/Garda Gavin picked up two spent .32 self-loading pistol cartridge cases. I took possession of the two cartridge cases. On same date (1/1/73) I carried out an examination of a Ford Cortina motor car, Reg. No. JIH 871, parked on roadway at Muff. This car was taken to Burnfoot Garda Station for a more detailed examination."

Later on the same day, D/Sgt O'Connor took possession of five spent bullets – four .32 and one .38 – removed from the victims during the post-mortem, together with some blood samples. On the following day, he took soil samples from the laneway where the murders took place. He then carried out a further examination of the Ford Cortina car at Burnfoot Garda station:

“From same I removed portion [sic] of the front passenger seat cover and floor mat (left side) under seat. Both items were blood stained. A sample of soil adhering to the mat was placed in a separate receptacle.”⁹⁷

On 4 January, D/Sgt O'Connor conveyed the blood samples, soil samples, portions of the car seat cover and floor mat to the Metropolitan Police Laboratory in London, together with a boot and a sock found on the Burnfoot / Muff road.

A further, more detailed search of the murder scene was carried out by Inspector P. Jordan, Technical Bureau on 5 January 1973. He found three spent cartridge cases and one spent bullet:

“The three cartridge cases found were of .32 calibre (equivalent 7.65mm), bearing headstamps ‘Norma .32 ACP’ and had been fired from a self-loading pistol. The spent bullet was of .38 calibre, was square shouldered and had apparently been fired from a revolver. There were traces of what appeared to be blood on same.”

The bullet and one of the cartridge cases were sent to the RUC Data Reference Centre at Springfield, Lisburn, Co. Armagh. The cartridge case was compared with others from incidents in Northern Ireland, but without result. The bullet was confirmed to be of .38 calibre, most likely from a hand-loaded cartridge. The report commented that the weapon from which the bullet was fired was a most unusual and very old model, perhaps verging on the antique. The Data Reference Centre had no similar revolvers on record, and did not believe that one of that type would be immediately available.

FURTHER INQUIRIES:

On 20 February 1973, three men were stopped at a casual RUC checkpoint at Drumahoe, near Strabane, Co. Derry. One of the men, Robert Daly, was found to be in possession of a Colt .32 pistol, serial number 743339 and ammunition. Another, Bartholomew (Bert) Hamilton was found with a .45 British Bulldog revolver and ammunition.

The three men were taken into custody and interviewed by RUC D/Sergeant D. Hunt. They declined to make written statements. Daly admitted ownership of the .32 pistol and said that he had been in possession of it for about 8 months. Hamilton admitted ownership of the .45 revolver.

The flat which they shared in Derry was searched. In the course of this search, a dagger or sheath-type knife was found. The third man, Robert Little told the RUC interviewers that the knife was his property and said that he had had it for about five years. However, when interviewed by Gardaí on 14 March, Little said that he had been given the knife by his girlfriend about two or three weeks before he was arrested.

⁹⁷ Statement of D/Sgt T. O'Connor, dated 19 May 1973.

All three stated that on the morning of 20 February they had left Derry with the intention of robbing a post office at Gortaclave, Co. Derry, but had abandoned their plans as there were children in the vicinity. Two of them admitted having stolen the car they were driving from Castlefin, Co. Donegal, two days previously. They had travelled to Castlefin in a car belonging to one Robert Taylor.

On 22 February Inspector Pat Jordan, Ballistics Section, travelled to the Forensic Science Laboratory, Belfast, where he witnessed comparison tests carried out between a bullet test-fired from the Colt pistol and one of the .32 bullets found in the bodies of Boyce and Porter. He was satisfied that both bullets were fired from the same gun. Subsequent microscopic examination of cartridge cases further confirmed his belief that the Colt pistol 743339 had been used to kill Boyce and Porter.

The knife was shown to Dr Kennedy, the pathologist who had performed the post mortem on Boyce and Porter, on 26 February 1973. Dr Kennedy stated that it could have caused the stab wounds inflicted on the victims, taking into account the length and depth of the blade and the dimensions of the wounds.

At a conference between a Garda investigation team, comprising D/Supt D. Murphy, D/Insp H. Reynolds, Insp Jordan, and senior RUC officers held on 23 February 1973, Garda officers were promised full co-operation.

On the following day, the Garda officers had a meeting at Victoria Police Station, Derry with RUC Detective Chief Inspector D. MacNeill, Superintendent Johnston and D/Sgt D. Hunt; in the course of which they were made aware of the circumstances surrounding the arrest of the three men and the information obtained from them. They were also given photographs of the three suspects and of Robert Taylor, the man whose car was said to have been used. A photograph album containing these photographs was assembled. In total there were sixteen photographs, which included one of each of the four men. On 14 March 1973 the album was shown to witnesses from the Boyce and Porter investigation.

One witness picked out Little, Taylor and Daly as being three of the four men he saw entering and leaving the North Pole bar, Drumfree on the night of the murders. Another witness picked out Taylor as being one of the two men he saw attempting to hitch a lift near the North Pole bar at 11.40 p.m. on that night.

On 14 March 1973, a team of Garda officers interviewed Daly, Little, Hamilton in Belfast. On 15 March, Taylor was interviewed by Garda and RUC officers in Derry. Blood samples were taken from Daly, Little and Hamilton, but not from Taylor.

Hamilton made a written statement that he refused to sign. According to the statement, he said he had bought the .45 revolver about 12 months previously in Belfast. He denied travelling into the Republic and said that the only time in the last two years that he had been there was on 18 February 1973 when he was involved in stealing a motorcar. He said that on New Years Eve he had been at a British Legion Club in Antrim with his wife, her parents and other relatives. He said that he and his

wife, as well as a barman in the club had signed a register at the club. Both these details were found by police enquiry to be false.

He also said that he and Little were members of the UDA 'A' Company in Derry and that Daly was a member of 'C' Company, also in Derry.

Daly declined to make a statement but did make certain verbal admissions. He admitted ownership of the .32 Colt pistol and said that no-one else had had it since he obtained it in August 1972. He reaffirmed this statement on several occasions. However, towards the end of the interview he said that it had been left in a dustbin for him three to four weeks before his arrest on 20 February 1973.

Little denied all knowledge of the murder of Boyce and Porter. He stated that he had been at home all day on 31 December 1972, that his girlfriend had visited him at home from 3.30 to 11 p.m. and that after she left, he remained at home with his mother.

Taylor was interviewed by two detectives - one from An Garda Síochána and one from the RUC. According to the two detectives, at first he denied he was in Buncrana at all on the night in question, saying that he had been with his girlfriend. However, he eventually admitted that he was there, and made a number of other admissions which they noted. At one point they were joined by another RUC officer, who drew a sketch of the Buncrana area. He pointed to a place on the map as being where the murders had occurred: Taylor disagreed, indicating that it had happened at a different place. The RUC and Garda officers then accompanied Taylor to the flat where the weapons had been found. Taylor pointed to where the guns had been hidden, and a further search was made, but no other gun was found. The two detectives who interviewed Taylor stated that they then returned to Victoria RUC station, where a written statement was taken from Taylor after caution. It was read over and signed by Taylor.

About forty minutes later, another Garda officer (who had been present when the statement was taken) returned to the interview room and asked Taylor to describe the route taken by him on the night of the murders. The RUC officer who had drawn the previous sketch was also present. Taylor drew a sketch and signed it.

Taylor's oral and written admissions implicated himself and the other three suspects in the murders. In essence he said that they had been directed by another member of the UDA to do 'a job' in Buncrana. They drove there and spent some time in an amusement arcade. They left Buncrana on the Derry road. They stopped at the Foot Inn: Taylor said that he stayed outside while the others went in for a drink. When they came out they drove towards Borderland (a dance hall at Muff). As they were doing so they saw a white car driving in front of them. Little told them to pull in front of the car. The other three got out of the car and went over to the white car in which there was a young man and a young woman. Hamilton had a .38 revolver, Daly had an automatic pistol and Little had a knife. The victims were taken out of the white car; then Taylor heard shooting. After the shooting Daly ran back and got into Taylor's

car, whilst the other two drove off in the white car. They drove towards Muff, then ditched the white car. From there all four drove back to Derry in Taylor's car.

It should be noted that Taylor's statement implies that the couple were shot on the main road, after Taylor's car had pulled in front of Boyce's car, forcing them to stop. Yet the victims' bodies were found down a side road; and the discovery of spent cartridges in the vicinity suggests they were killed there.

It is also worth noting that Taylor apparently said that Hamilton had a .38 with him, although the gun found in Hamilton's flat to which he admitted ownership was a .45. As we have seen, the forensic evidence established that the other gun used besides Daly's .32 pistol was a .38, not a .45.

Items of clothing were taken from the suspects, and together with the knife, were sent to the Police Forensic Science Laboratory in London, where blood samples from the two victims had already been analysed and grouped. Samples were also taken from Little, Hamilton and Daly, but not from Taylor. Tests found one item of clothing which had blood stains of a type consistent with the victims' blood group. It was stated:

"This group which occurs in 18.5% of the Irish population is the same group as that of both Miss Porter and Mr. Boyce and different from that of Little, Hamilton and Daly."

Warrants for the arrest of all four were granted by the District Court of Merville on 16 March 1973. The warrant against Taylor was successfully endorsed and his extradition was obtained. The warrants against the other three could not be immediately executed, because charges arising out of their arrest on 20 February 1973 were pending in Northern Ireland. The Garda investigation report stated:

"These three men have been charged by the RUC with possession of firearms with intent to endanger life at Drumchoe on 20th February, 1973 and also with an armed robbery at Coleraine, Co. Derry. The RUC have indicated that they intend to proceed with these charges. Our warrants cannot be executed until these cases have been disposed of."⁹⁸

The charges against Robert Taylor came up for trial in the Special Criminal Court on 10 September 1973. The trial lasted until 20 September, when he was acquitted on both charges. A full transcript of the trial does not exist, but the Inquiry has seen a transcript of the evidence of Taylor, as well as a copy of an interim judgment dated 14 September 1973 concerning the admissibility of the accused's oral and written statements. The Court was satisfied that his statements had been made voluntarily and without duress. However, it found that a portion of his oral admissions had been made without a proper caution having been administered. That portion was ruled inadmissible, as was his reply to a later question from an RUC detective as to how he

⁹⁸ Report of Supt T.J. Kelly dated 11 May 1973.

(Taylor) felt; but the rest of the oral evidence, his written statement and a sketch of the murder scene drawn by him were allowed to stand.

The Inquiry has also spoken to the barrister who defended Taylor at the trial. He has informed the Inquiry that in his view, the accused was innocent. He said that the defence put before the court solid evidence that Taylor could not have been at the scene or involved in the murders.

It is clear from the transcript of Taylor's evidence that the case made by the defence in court was that the accused had not been in Donegal that night.

The Inquiry has been unable to obtain the final judgment of the court; but it is presumed that this defence was accepted.

In June 1976 the RUC received a request from one of the remaining suspects, seeking to know whether a warrant for his arrest still extant in Northern Ireland would be executed. The request was passed on to An Garda Síochána; then to the State Solicitor for Donegal, who passed it on to the Director of Public Prosecutions. There appears to have been no response from the DPP's office.

In June 1978, the suspects having served sentences in Northern Ireland for firearms offences, Gardaí approached the State Solicitor for Donegal, seeking advice as to whether the extradition of Daly, Hamilton and Little should be sought. Their request was passed on to the DPP by letter dated 6 June 1978. The matter was considered by officials in the DPP's office, and on 15 June an internal memo to the Director recommended that extradition should not be sought. It was said that two of the suspects had no case to meet and that the evidence against the third was insufficient.

It is assumed that the Director agreed with this advice. However, there is nothing on file to suggest that a formal decision was ever made. No such decision was conveyed to the State Solicitor, and a further request by the latter in December 1979 was not answered. No application to seek extradition of the other three suspects was ever made.

In 1979, the families of the two victims sought return of the belongings of both deceased. The belongings were subsequently returned in December 1979.

Although the RUC co-operated fully with An Garda Síochána, the Garda investigation report shows that difficulties were still encountered by reason of the fact that much of the investigation had to be carried out in Northern Ireland. Paragraph 161 of the report stated:

“Due to the location of the scene and where Boyce's car was found after the murder much of our enquiries were centred around Derry City and County. Unfortunately our investigations were greatly hampered due to conditions prevailing in Northern Ireland at the time. While the RUC co-operated with us fully, their enquiries on our behalf were also impeded by the security situation

prevailing. As a result of this, various statements made by the accused could not be verified.”

CONCLUSIONS:

As we have seen, the evidence of witnesses A and B, who saw Boyce's car at the both before and after midnight is unreliable. They were confused about the times at which events occurred, and appear to have been wrong about the direction Boyce was driving after he left them at the Weavers.

Nonetheless, it is possible that Boyce's car was seen with four occupants at around 12:25 am at the home of witness A, as well as some fifteen to twenty minutes later in Buncrana, by witness B alone. The time taken to travel the one-and-a-half miles could then have been explained by the fact that Boyce had picked up two hitchhikers, and that subsequent to the first sighting they had taken over control of the car.

This seems unlikely, but there is some evidence to support it. The evidence that four young men went into the North Pole Bar, Drumfree at about 9:45 pm is supported by three different witnesses, even though their descriptions of the men vary. As we have seen, one of the witnesses picked out Daly, Little and Taylor from photographs.

Support for the theory that Boyce and Porter picked up two hitchhikers is found in the statement of this witness, who said that he saw two men get out of the car after they had travelled about a hundred yards; leaving the car to drive away towards Buncrana. He also claims to have heard them saying to the others, “We will see you in Buncrana.” There is evidence that these two men were seen hitching a lift in that area at about 11:40 pm., and further down the same road at midnight. One of them was identified from photographs as resembling Taylor.

Given that the two men were supposed to have got out of the car at around 10 p.m., it may be a little far-fetched to suggest that they were still waiting for a lift near the bar nearly two hours later – let alone at 12:20 a.m. or so, when Boyce would have passed them. In any event, the witness who saw Boyce's car in Buncrana said that it did not stop there. It is possible that they contacted the other two men in Buncrana and continued on to the scene of the murder. But that would leave a question as to why they would have travelled so far.

Assuming one accepts that Boyce and Porter did pick up two hitchhikers, they may have been ordinary hitchhikers with no connection to the killings; but who, for whatever reason, did not come forward to give evidence.

To give any credence to the theory that two of the killers hitched a lift with their victims, it is necessary to accept the evidence of witness B. However because of the discrepancies between his two statements, the Inquiry would be reluctant to do so.

Ultimately, it seems far more likely that Boyce and Porter had driven alone to the Glynn Road (where their bodies were later found) and had been there for some time when the killers, on the lookout for likely victims, saw them.

The conflicts in the statement of Robert Taylor suggest that he was not there at all, a conclusion supported by his acquittal. Taylor was aged 17 at the time: the other suspects were three years older. Taylor became a suspect only because the other three implicated him in the theft of the car which they were driving when stopped by the RUC on 20 February 1973.

The only matter upon which the Inquiry can be certain is that the gun which was used in the murder was found in the possession of Daly. It seems probable that the knife used was that found in the possession of Little.

In the opinion of the DPP's office, this evidence was insufficient to justify a prosecution against Daly, Little or Hamilton.

These three men were members of the UDA, and it is likely that whoever shot and stabbed the deceased had a connection with that organization.

BOMBING OF CLONES, BELTURBET AND PETTIGO

At 10.01 p.m. on 28 December 1972 a car bomb exploded in Fermanagh Street, Clones, Co. Monaghan. Two men were seriously injured. At 10.28 p.m. another car bomb exploded on Main Street, Belturbet, Co. Cavan. Two people were killed; eight more were severely injured. Finally, at 10.50 p.m. a bomb exploded outside the licensed premises of Hugh Britton at Mullnagoad, a village near Pettigo, Co. Donegal. No one was injured, although a number of persons had passed the place where the bomb had been set up a few minutes before the explosion occurred.

The victims who died in Belturbet were **Patrick Stanley**, 16 years, of Clara, Co. Offaly, and **Geraldine O'Reilly**, 15 years, of Drumacon, Belturbet, Co. Cavan.

Patrick Stanley was employed as a helper on a Calor Gas delivery lorry. On this particular evening, there had been a problem with the lorry; he and the driver decided to stay in Belturbet overnight. When the bomb exploded, Patrick Stanley was in the public phone kiosk on Main Street, trying to telephone his parents to tell them he would not be home. He received massive head injuries from flying shrapnel and was killed instantly.

Geraldine O'Reilly had come into town in her brother's car to get some chips for her family. The bomb car was parked directly opposite the chip shop. The explosion occurred while she was in the shop, waiting to be served. She too sustained massive head injuries and died instantly.

CLONES:

Eyewitness information:

The bomb car was a blue Morris 1100, registration number 431 LZ. It had been stolen from a car park in Enniskillen, Co. Fermanagh some time between 6.20 and 7.35 p.m. that evening.

From the Garda reports seen by the Inquiry⁹⁹ it would appear that no one else remembered seeing the car between then and the time it exploded in Clones.

There were two Gardaí on duty in Fermanagh Street on the occasion of the explosion, but as no report of the theft of the car had been received from the RUC, they had no particular reason to notice it.

⁹⁹ The file seen by the Inquiry was not the investigation file (C1), but the C3 (Security and Intelligence) file. This contained some early reports on the incident, but no investigation report with statements attached.

Forensic investigation:

A Garda report dated 29 December 1972 stated:

“The scene of the explosion was visited by Comdt. Clancy, Army Ordnance Corps who estimated that the amount of explosives in the car was something between 50 and 100 lbs.”¹⁰⁰

Comdt. Clancy’s written report simply stated:

“I estimate that 100lbs approx. of high explosives were used in the car bomb. These were placed in the boot of the car.”¹⁰¹

D/Sgt O’Connor gave the following account of his findings:

“On examining the remains of the car I found a small fragment of the outer insulation of a burning fuse (safety fuse) and a fragment of polythene. I was unable to find any trace of an explosive substance on the piece of polythene and it may have been used to contain the explosive charge believed to be a mixture of Ammonium Nitrate and Diesel Oil (ANFO)...

At a distance of approximately three feet from the crater and close to the kerb I found traces of diesel oil on the roadway... Despite an intensive search of the immediate area, there was no trace of an electric device having been used.”¹⁰²

Intelligence information:

In a confidential report dated 1 January 1973, C/Supt J.P. McMahon, Monaghan stated:

“It is the general belief in this area that Protestant extremists from Northern Ireland were responsible for this bomb and also for another bomb in Belturbet, Co. Cavan on the same night. I spoke to a contact in the RUC in Northern Ireland and he stated that he believed that those concerned in the bombing incidents were not members of the UDA or UVF but rather self appointed and acting on their own initiative. He also said he thought that the bombs may have been manufactured in Belfast and brought to Enniskillen to be placed in position by those freelance bombers that he had mentioned. He also stated that the likely suspect was Robert Bridges of Lisbellaw, Co. Fermanagh. I asked the informant if it were possible that such a person may be members [sic] of an organisation known as ‘The Red Hand’. He replied that he had never heard of ‘The Red Hand’ until shortly before Christmas when there was a report from Belfast about such an organisation. Robert Bridges has been referred to in a report forwarded from this office on 17.11.1972 under caption ‘Re: UDA Activities in Co. Fermanagh’.”

¹⁰⁰ Report of Sgt J.P. McArdle to Supt, Monaghan dated 29 December 1972.

¹⁰¹ Report of Comdt. Clancy dated 3 January 1973.

¹⁰² Report of D/Sgt T. O’Connor dated 18 January 1973.

The report went on to say:

“There is a full investigation in progress in relation to this bombing and there is close co-operation with other members who are engaged in the investigation of [the] bombing incident in Belturbet on the same night...

Our main difficulty, however, is almost a complete absence of information on members of extreme Protestant organisations in Northern Ireland and the identity of vehicles used by them. A special effort is being made in this direction at present but I think [in] the absence of members travelling into Northern Ireland and making determined effort [sic] to secure this information that much progress will not be made.”¹⁰³

¹⁰³ Report of C/Supt J.P. McMahon, Monaghan to Commissioner, C3 dated 1 January 1973.

BELTURBET:

Eyewitness information:

The bomb car was a red Ford Escort, registration AIL 2402. It was stolen from outside the home of its owner in Enniskillen, Co. Fermanagh, some time after 5 p.m. on the day of the bombing. It was not reported to the RUC as stolen until 9 a.m. on the following morning.

Between 8.45 and 9.15 p.m. on the night of the bombing a Garda check point was in operation on the border at Aghalane Customs Post. At 9.05 p.m. approximately the bomb car approached the check point from the Northern Ireland direction and was stopped by two Garda officers. The make and registration number were noted, and one of the officers spoke to the driver:

“I asked the driver to produce his driving licence but he said that he had not got it on him so I asked him for his name and address which he gave without hesitation as ... [from a place near] Derrylin. I told him to go on as the address was a local one and also the car behind was being kept waiting. He drove off at a normal speed. The driver appeared to be in his mid or late twenties with fairish or light brown hair, a pale rather long face and a fairly large nose. I did not see what type of clothes he was wearing as the interior of the car was unlighted nor could I say what height he was. He was accompanied by a female who was seated in the front passenger seat but I did not see her clearly and I cannot give a description of her except to say that she was in her early twenties. There may have been another person in the rear seat but I am not sure of that. I did not notice anything unusual in the behaviour of the driver of the Escort.”¹⁰⁴

Enquiries subsequently found that there was no one of the name mentioned from Derrylin. Statements were taken from the drivers of nine other cars stopped at the check point, but they were unable to assist further concerning the description of the persons in the bomb car. Gardaí asked the RUC to question the drivers of two cars from Northern Ireland which were also stopped at the check point. There is nothing in the investigation file to indicate whether a response was received. At this remove it is not possible to say whether any response was obtained or not.

The bomb car was not seen again until approximately 9 45 p.m., when a witness saw a red motor car parked in the place where the bomb car later exploded. The same witness also saw a ‘greenish’ car, possibly a Ford Cortina, double parked outside Hunt’s pharmacy on Main Street:

“The driver’s door was open and the car was being revved. I noticed the passenger door open as well. I went to cross the road and stopped about four feet from the car to let it go as I expected it to move off at any minute. As I was waiting near the car two men suddenly came from the direction of the

¹⁰⁴ Statement of Garda John O’Donnell, date unknown.

kerb at Hunt's side of the road and got into the car; one got into the back seat beside a girl and the second in beside the driver. The car then drove off at speed towards the 'Diamond' and down Bridge St. It was about 9.50 p.m. when I first noticed the car double parked."

The witness gave a detailed description of the driver, from which a photofit composite was compiled. According to the investigation report, it bore "a remarkable likeness" to a photofit compiled by the Garda officer who had stopped the bomb car at the Aghalane check point.

A man with the same name as that given by the driver of the bomb car was arrested in Northern Ireland shortly afterwards and prosecuted for an unrelated subversive offence. Photographs of this man were obtained and shown to the two witnesses who had created photofits. They did not identify him as the man they had seen.

The investigation report also referred to the theft of a lagoon blue Ford Cortina, registration BIA 477 from Main Street, Belturbet some time after 9.30 p.m. on the night of the bombing. On 3 January 1973, this car was found by the RUC at Crumlin, Co. Antrim. It was bearing the registration plates of another car – a Ford Cortina AIA 9898. The latter had been stolen from the home of an RUC officer in Belfast on 27 December, and found burnt out in a quarry near Enniskillen two days later. The car at Crumlin (BIA 477) had been noticed initially on 31 December. When it was still there two days later, the RUC called in the British Army who blew it up. The car caught fire and was burnt out. The remains were technically examined, but with negative results. Gardaí were of the opinion that persons seen by the witness referred to earlier must have stolen the BIA 477 car.

There were three other witnesses who claimed to have seen two men acting suspiciously near the junction of Main Street and Castle Hill, although their accounts do not agree.

The first witness saw a man walk down Main Street and stop on the corner. He then saw a light blue car, "Vauxhall or Cortina type" come down Main Street, turn into Castle Hill where it parked. The driver, who was alone, got out of the car and walked to the corner where he spoke to the first man. Both men then got into the blue car and drove away.

The second witness did not see the car, but did see the first man being joined by another man at the corner of Main Street and Castle Hill. He said they then turned left into Main Street and disappeared.

The third witness also saw a man walking towards along Main Street towards Castle Hill who then met another man. He said he then saw the first man walk across the street to the Post Office.

When first interviewed, none of the three witnesses told Gardaí what they had seen. They were interviewed again on 10 January 1973 and made further statements. They said that they had discussed the matter on the day after the bombing and had agreed

not to inform Gardaí about the two strangers as they were afraid that these men had been responsible for the bombing.

On this occasion, Gardaí received descriptions of the two men from each of the witnesses. It is not known what use was made of this information, but on 20 January 1973 the investigation report stated:

“The motor car and men described are presently unknown.”

Finally, Gardaí also received statements from witnesses in McCartan’s licensed premises on Butler Street who saw three strangers come into the bar shortly after 9.30 p.m. and order drinks. Descriptions were given of each of them. They left the bar about ten or fifteen minutes before the explosion took place. While in the bar, they sat close together, and their conversation could not be heard. One of them spoke to the licensee and made a reference to Arklow, Co. Wicklow.

The investigation report stated:

“Enquiries are continuing locally and in Wicklow with a view to establishing their identity.”

No other information concerning these enquiries has been seen by the Inquiry.

Forensic investigation:

The scene was examined by D/Sgt O’Connor and Comdt. Clancy, as well as other members of the Garda Technical Bureau.

D/Sgt O’Connor reported:

“The car used to contain the explosive charge had disintegrated and a crater, 18 inches deep and 52 inches wide, close to the kerb indicated the site of the explosion. An examination of the wrecked car and the immediate area did not reveal any trace of the explosive substance used or type of device used.”

Summarising his findings at Belturbet and Clones he concluded:

“The damage at both scenes and the use of a car as a ‘car bomb’ suggests the likelihood of Ammonium Nitrate and Diesel Oil having been used as the main explosive charge initiated by safety fuse, detonator and primer.”¹⁰⁵

Comdt. Clancy’s report was on a standard EOD Task Report form. Under the heading, ‘EOD Action’ was written:

“Investigated wreckage for further explosive – none found.”

Under the heading ‘Additional Info’ was written:

¹⁰⁵ Ibid.

“I estimate that between 100 and 150 lbs of high explosive placed in boot of car was used in the bomb.”

The report does not indicate the basis for this estimate.

Intelligence information:

On the day after the bombings, the *Belfast Newsletter* carried denials of responsibility for the Clones and Belturbet bombs from the UDA and the Provisional IRA.

The Garda investigation report states that a Superintendent at Ballyconnell Garda Station received information from an unidentified source that Robert Bridges and two other named men from the Enniskillen area were involved. The date on which the information was received was not mentioned.

This informant claimed that Bridges and one of the men were seen in a car between 11 p.m. and midnight on the night of the bombing, travelling from Lisnaskea towards Enniskillen. The source also claimed that Bridges was seen near the burnt out shell of motor car AIA 9898, whose number plates were found on what may have been the getaway car - the Ford Cortina BIA 477.

Bridges was later arrested by the RUC on 27 June 1975 and charged with the murder of one Patrick O'Reilly in May 1975. An internal Garda memo dated 1 July 1975 records a request that Bridges be questioned in relation to the Belturbet, Pettigo and Clones bombings. On 11 December 1975, Gardai wrote to RUC Assistant Chief Constable Johnston asking that Bridges be questioned in relation to the Belturbet bombing. The Inquiry is not aware of the result, if any, of these requests.

PETTIGO:

Eyewitness information:

On the night of the bombing there were only a few customers in the premises where the explosion occurred. One customer, a man from Northern Ireland who was a regular and well known to the licensee, had parked his car at 7.45 p.m. in the side passage where the bomb later exploded. He saw nothing on the ground in that area at that time. At about 8.30 p.m. he drove out to visit friends. Again, he noticed nothing on the ground. He returned at around 9 p.m., this time parking in front of the premises. He finally left the premises at around 10.30 p.m. In driving away, he did not get a view of the area where the bomb was.

Shortly before the bomb exploded, another customer went to the rear door of the premises via the side passage to get water to fill the leaking radiator of his car. An early Garda report assuming that the bomb had been planted by this stage, concluded:

“He must have passed within feet of the bomb. He has been interviewed but he cannot recall seeing anything unusual in the entry, although he passed by where the bomb was on at least three occasions – on his way in for water, on his way out and on his way back to return the empty container. He states that he had travelled about 100 yards from the licensed premises when the explosion occurred.”¹⁰⁶

However, the author of the investigation report thought it “unlikely” that the bomb was there at the time this witness was passing through, and suggested that it must have been planted mere minutes before it exploded. It also confirmed that neither of the above witnesses were believed to have had anything to do with the bombing.¹⁰⁷

A car was seen travelling towards Beleek (away from Pettigo) at a distance of $\frac{3}{4}$ mile from where the bomb exploded. It was seen at most 2 minutes after the explosion. The investigation report stated:

“The car concerned cannot be identified and there is a possibility it was the culprit vehicle.”

Forensic investigation:

The scene was examined by members of the Garda Technical Bureau and by Army EOD officer Lt. D. Donagh. The EOD report contained only the following information:

“Bomb had exploded causing extensive damage to the Public House and outhouse.

¹⁰⁶ Report of Supt D.J. Murray to C/Supt, Letterkenny dated 2 January 1973.

¹⁰⁷ Report of Sgt P.G. Bevan dated 11 January 1973.

Due to a smell of Ammonia from the sand in the bottom of the crater Ammonium Nitrate would seem to have been used.

Size of crater: 5ft x 5ft x 3ft deep.”

The Inquiry does not know at what time Lt Donagh examined the scene. A statement from one of the Garda officers at to the scene mentioned smelling “some chemical substance – not gelignite”, on his arrival at 11.57 p.m.

From the position of the crater, it would seem that the bomb was placed on the ground, midway between the gable wall of Britton’s premises and the barn on the other side of the passage. The investigation report commented on the bomb’s construction and placement as follows:

“Fragments of metal found at the scene by the Army would indicate it was contained in a vessel of aluminium alloy or like material such as a beer cask, creamery can or milking machine bucket... it seems that shrapnel flew for a good distance taking chips off trees up to 50 yards away. However, it does seem that whoever placed the device did not set it to achieve maximum effect, because had it been place [sic] near a door or window, or even against the gable wall, damage would have been far more extensive. As it was, the gable wall absorbed the main force of the blast.

Thus it would seem that the attack was either inefficiently carried out, or that the bomb was merely dumped at Britton’s because the real target was inaccessible or too risky. The latter would seem the most likely. Bingo is played in [the] local R.C. Parish Hall at Pettigo every Thursday night, generally terminating at 10.45 to 10.50 p.m. However, on 28.12.72, this Bingo session was over at 10.30 p.m., as the operator had another appointment and rushed the game.”

The report went on to point out that the bombs at Clones and Belturbet on the same night had both occurred on the main street of the towns concerned, before concluding:

“It is possible that the bomb was meant for the Bingo Hall or the main street as the people left Bingo, and the early termination of the game plus the fact that [a] patrol car was operating in the vicinity of the village at the time, could have forced the culprit to abandon his plan. If this occurred the road to Beleek would be the safest way for him to enter Northern Ireland and Britton’s would be the only worthwhile target on that road.”

Intelligence information:

No intelligence information of any significance appears in the documents seen by the Inquiry. The investigation report stated:

“Investigations have been carried as far as possible for the present. There is, as yet, no indication as to the identity of the culprit and it would seem there is no

idea as to who is responsible, either among local people, or others interviewed.”

The report went on to offer one possible reason for this apparent lack of knowledge:

“It has been found that persons are slow to come forward with information, to avoid getting involved as they apparently feel that revenge may be taken against themselves if the culprit[s] were detected.”¹⁰⁸

On 25 January 1973 a copy of the investigation file was sent to the Commissioner, C1. The covering letter stated:

“All evidence indicates that the crime was committed by a subversive group from Northern Ireland. The premises attacked are situated in a very vulnerable position approximately 250 yards from the Border. The owner of the premises is a Catholic and it is assumed locally that the attack on these premises was a reprisal for IRA activities in Northern Ireland, particularly in Co. Fermanagh where it is known that there are strong UVF and UDA groups.

Enquiries are continuing and positive lines of enquiry are being pursued.”

CONCLUSIONS:

By the time of Robert Bridges’ arrest on 27 June 1975, Gardaí had received a number of pieces of intelligence information suggesting that he had been involved in several bombings in the State. Further and more detailed information as to his involvement was obtained in 1976. From this it appeared that Bridges was in charge of a group of around ten men who planned and carried out a number of attacks in the border area between 1972 and 1975. The group was based in the Enniskillen area, and several attacks were planned in Bridges’ home. The number of such attacks greatly diminished following Bridges’ arrest and subsequent conviction for murder in 1975.

The Inquiry is satisfied that Robert Bridges was involved in the bombing of Belturbet and that his group would also have been involved in the bombings at Clones and Pettigo on the same date. The basis for this view is the absence of any intelligence pointing to other groups or individuals, and the effective cessation of cross-border attacks in the area following Bridges’ imprisonment.

Nonetheless, there are many questions that remain unanswered. In the case of the Belturbet bombing: who were the couple who drove the bomb car through the Garda checkpoint at Aghalane? Is it likely that they would have driven through this checkpoint with the bomb already in the car, taking the risk of its being found? If not, then when and where was the bomb placed in the car?

¹⁰⁸ Report of Sgt P.G. Bevan dated 11 January 1973.

Other questions arise from the bombers' apparent means of escape from Belturbet - a car stolen from the Main Street less than an hour before the bomb exploded. The Garda investigation team were satisfied that the owner of the car was not complicit in the theft. That being the case, it seems an extraordinary risk to have undertaken such an operation with no getaway vehicle arranged, merely trusting that they would be able to steal a car at the scene.

Of course, it may be that another getaway car had been arranged, but that something had gone wrong and they were forced to steal a replacement. But the investigation uncovered no evidence which might support this theory.

Equally unanswered is the part played by Ford Cortina AIA 9898 in the bombings. The stolen getaway car BIA477 was eventually found in Crumlin, Co. Antrim. Yet it must firstly have joined up with AIA 9898 for the number plates to have been changed. That being the case, it seems likely that the bombers would have switched to the latter car at that stage. The fact that this car was eventually found, burnt out in an area close to where the suspected bombers lived seems to support this. It seems strange also that AIA 9898 was burnt out, but BIA 477 was simply abandoned, without being burnt out.

OTHER BOMBING INCIDENTS IN THE STATE, 1970-74

1. ST. JOHNSTON
2. LIFFORD
3. CARRIGANS
4. BRIDGEND
5. CLONES
6. CLOUGHFIN
7. PETTIGO

EXPLOSION AT ST. JOHNSTON (SEPTEMBER 1970)

At around 10 p.m. on 16 September 1970, an explosion occurred in the junior classroom of Trentaghmucklagh National School, St. Johnston, Co. Donegal. The damage was not discovered until the school teacher's arrival on the following morning.

Eyewitness information:

Gardaí interviewed everyone living within a mile radius of the school. In most cases, they remembered hearing an explosion at around 10 p.m.

At about 9 p.m. one local resident, travelling towards the main Derry / St. Johnston / Raphoe road, was forced to drive onto the grass verge to avoid colliding with a dark-coloured Ford Anglia travelling fast in the opposite direction. He was unable to remember the registration number. He said the car stopped for a moment at Trentagh Crossroads before proceeding uphill towards Glentown. From there, it was possible to take a rough road through Glentown Quarry which led to a point 200 yards or so above the school. To access the school from this point could be done by crossing two fields.

Forensics:

A search of the premises by Garda and Army personnel resulted in a number of significant finds, including the remains of an alarm clock, some batteries and fuse wire.

EOD officer Comdt D.C. Boyle described the cause of the explosion as:

“a High Explosive Mine encased in a 3/16” steel container, filled with some 60 ½ oz. circular steel shipbuilding rivet tops and functioning on time by means of an alarm clock.”

He continued:

The alarm clock used in the mine had a paper face with the words ‘Made in Scotland’ printed on it. This was also the case in the explosion which damaged

the RTE Mast at Mongorrry Hill on 15.2.1970. Parts of the alarm clock, some 60 steel shipbuilding rivet tops and the shrapnel of the steel container, together with remnants of the electric wiring and batteries are in the possession of the Garda Authorities.”¹⁰⁹

It was established that the bombers had entered the building via a window at the rear of the classroom. D/Garda Fitzpatrick, Fingerprint Section found a number of fingerprints there, which he lifted for further examination. D/Garda Jones, Ballistics Section, took possession of a number of metal and iron pieces which were strewn around the floor.

One of the fingerprints found at the point of entry was of good quality. It was believed that the print belonged to one of the culprits; but it did not match those of any local suspects on Garda files. It was sent to the RUC for further comparisons, but the file does not indicate the result, if any.

Further inquiries:

On 21 September 1970, a local foundry was searched for explosives. Houses belonging to the owner, his son and seven employees were also searched. Another man, not employed in the foundry, was named as “a likely suspect” because of his service in the British Army. The man had an address in Derry, but spent most of his time at a house in the St Johnston area. This house was also searched. Statements were taken from all concerned, regarding their movements on the night of the bombing.

It is not clear from the investigation report whether these searches were carried out on the basis of specific intelligence received, or whether they were part of general inquiries. In any event, nothing of significance to the investigation was found.

A possible explanation as to why suspicion fell upon that foundry can be found in a later Garda report dated 7 October 1970. It stated:

“The metal cuttings, or punchings, which were found at the scene and had been used as shrapnel in the bomb, are to be found in foundries. They are the left-overs when holes are punched in iron bars. Samples of these cuttings were procured from all foundries... and forwarded to the Technical Bureau for comparison with the cuttings found at the scene. The result of this examination has not yet been received; neither has the result of the fingerprints comparison.”

In relation to the general progress of the investigation it stated:

“Despite continued enquiries no information has yet been received as to the identity of the culprits in the case. The car, [seen] at about 9 p.m. on the

¹⁰⁹ Report of Comdt. D.C. Boyle dated 18 September 1970.

night... has not been traced... Nothing was found during the searches referred to to connect any of the persons concerned with the explosion.”¹¹⁰

On 12 October, a copy of the investigation file was sent to the Commissioner, C1. The covering letter gave the following update:

“The metal punchings found at the scene can be found at any foundry and are all of more or less standard size and are not recognisable as coming from any particular foundry. They indicate that culprits had access to a foundry.

A good fingerprint was found at point of entry. It does not match the fingerprints of any of local suspects whose statements are attached. There are good grounds for believing that the print belongs to one of the culprits. This print is being forwarded to RUC for search.

Certain similarities exist between this explosion and that at Mongorrry Hill on the 15th February, 1970, when an attempt was made to damage the RTE mast there.

Progress report will be called for.”¹¹¹

The last item in the C1 (Crime and Security) file on the bombing is a progress report dated 10 February 1971. It stated:

“Enquiries have been continued but no useful information has come to light.”

The report referred to the explosions at Mongorrry Hill and at Lifford Customs and Excise Station in the same year, for which no one had been made amenable either. It concluded:

“It is thought there may be a connection between all three crimes which were more than likely the work of some subversive elements, such as the Ulster Volunteer Force (UVF) which makes it rather difficult to make any headway in solving the outrages.”¹¹²

¹¹⁰ Report of Supt D. Brennan to C/Supt, Letterkenny dated 7 October 1970.

¹¹¹ Letter from C/Supt, Letterkenny to Commissioner, C1 dated 12 October 1970.

¹¹² Report of Supt D. Brennan to Commissioner, C1 dated 10 February 1971.

EXPLOSION AT LIFFORD (JANUARY 1971)

At 5.07 a.m. on 26 January 1971, an explosion virtually destroyed the Customs & Excise station at Lifford, Co. Donegal. The bomb had been planted against the wall of the station. Windows in premises up to 400 yards away were broken.

There were no warnings, and no claims of responsibility.

Eyewitness information:

Gardaí conducted extensive local enquiries, but no one claimed to have seen anything unusual or suspicious on the date in question. The last official to leave the building had done so at midnight.

Forensics:

Captain Gallagher, EOD, Athlone, examined the scene. From the damage to surrounding buildings, he estimated that about 20lbs of gelignite was used. No fragments or residues that might have indicated the composition of the device were found.

Further inquiries:

A Garda report dated 28 May 1971 stated:

“Enquiries were continued in the matter but to date the identity of the persons responsible for the explosion has not been established.”

The report referred to the earlier explosions at Mongorry Hill and St. Johnston, and to the theory that all three explosions were probably the work of “some subversive element such as the Ulster Volunteer Force (UVF).

EXPLOSION AT CARRIGANS (OCTOBER 1972)

On 16 October 1972 at 11.10 p.m. an explosion occurred in a lock-up roadside store owned by Donegal Fertilisers Ltd, Carrigans, Co. Donegal. The store was located about one mile from the Border, and approximately six miles from Derry city. No-one was injured in the explosion, but extensive damage was done to the store, and some damage to neighbouring property.

Eyewitness information:

The premises had been locked up by two staff members at 6 p.m. Another staff member returned at about 9 p.m. to finish some work in the office; he noticed nothing unusual.

At around 7.30 p.m. a witness saw a car parked near the factory on the main road, but was unable to recall any details of it. Another witness saw two men going through a field in the direction of the building at around the same time. One of them appeared to be carrying something.

The UDA claimed responsibility for the bombing, alleging that the factory had been supplying fertiliser to the IRA for use in bombs in Northern Ireland.

Forensics:

The scene was examined by Sergeant Michael Hunt, and on the following day by Detective Sergeant William O'Shea. In the course of Sgt Hunt's examination, metal fragments from a milk churn or beer keg were found as far as seventy-five yards away. There does not appear to have been any find of explosive residues.

Army EOD officer Comdt J. Barrett estimated that at least 50 lbs of explosives had been used. According to a Garda report, he removed samples of dust particles for further examination.¹¹³ His own report simply stated:

“Bomb had already destroyed fertilizer storage buildings. From some pieces remaining it appears to have been in a milk churn.”

Further inquiries:

Despite Garda inquiries, no further information came to light concerning possible suspects. The investigation report referred to the UDA claim of responsibility before concluding:

“The most likely suspects are believed to live at Nixon's Corner about two miles across the border in Co. Derry. This place is known to be a center of

¹¹³ Report of Supt F.C.Hanly to Commissioner, C1 dated 17 October 1972.

support for the UDA. So far there is no evidence to connect any person with the outrage. There is no suspicion of malice insofar as any employee is concerned or former employee...

The allegation that the premises were supplying fertiliser to the IRA for use in Northern Ireland appears to be without foundation and the manager... and his family would be in no way concerned in such transactions. They are known to be of moderate political views. The only reason I could discover that might have led to the outrage is that [an] employee is known to have taken part in the disturbance in Saint Johnston on the 12th and 13th July 1972, when an Orange Parade was attacked and later homes and other property belonging to Protestants were attacked and burned.”¹¹⁴

The report also noted that this employee was related by marriage to the owner of a pub in the area which was subsequently bombed. The UDA also claimed responsibility for that bombing.

It should be noted that the UVF also claimed responsibility for the Carrigans bombing, in a phone call to the *Derry Journal*.

The investigation file records no other developments.

¹¹⁴ Report of Sgt M. Hunt dated 12 November 1972.

EXPLOSION AT BRIDGEND (NOVEMBER 1972)

At 11.35 p.m. on 19 November 1972, an explosion took place in the showroom of James McLaughlin & Sons, a garage in Bridgend, Co. Donegal. The explosion demolished the showroom, which contained ten cars. It also caused fires, which were extinguished by a fire brigade from Derry. A man who lived across the street sustained minor injuries from flying glass, blown out from the front of the shop; there were no other casualties.

Shortly before 2 a.m. on the following morning, the Dublin office of the *Irish Times* received a call to say that the UDA had taken responsibility for the explosion. The caller also said that another blast would occur in Buncrana unless people in the housing estates who were storing explosives for the IRA got them out of there. Earlier, at 1.30 a.m., an RUC Inspector had phoned Buncrana Garda station so say that the *Belfast Telegraph* had received information that the UDA were planning to plant a bomb in Buncrana.

Eyewitness information:

The garage proprietor had left the premises at 8 p.m. on the night in question. All was in order at that stage. No one came forward with any information regarding suspicious persons or activities.

There was no evidence to suggest how the bombers had reached the premises. Bridgend was regularly patrolled by a Garda car. This patrol was in the vicinity of the garage from 10.30 to 10.45 p.m. Between 10.50 and 11.50 p.m., they operated a checkpoint on the Bridgend – Letterkenny road, about a mile from Bridgend. They saw nothing suspicious during that time. They then returned to Bridgend and were driving towards the border, approximately 60 yards from the garage when the explosion occurred.

Forensics:

A number of pieces of heavy aluminium were found by local Gardaí in a search of the bomb scene. These were handed over to D/Garda Niland, Technical Bureau on his arrival at 4 p.m. the following day.

Despite numerous requests, no report was forthcoming from the Technical Bureau by the time the investigation report came to be written almost a year later. That report stated:

“There had been similar explosions around the same time in other parts of County Donegal. It appears that the bomb which was placed in the garage had been in a beer keg. The pieces of aluminium found at the scene bears [sic] this out. There were beer kegs used in most of the other explosions as well. The prime suspect for this crime is Lindsay John Mooney, Waterside, Derry who was killed while planting a bomb at Cloughfin, Co. Donegal on the 17/3/1973.

He was a member of the Derry command of the UDA. Extensive enquiries were carried out but to date no useful information has been forthcoming. There are no known members of the UDA in this area.”¹¹⁵

The final document in the investigation file relating to the bombing is a letter from Supt T.J. Kelly to the Commissioner, C1 dated 20 April 1974, indicating that the file had been retained pending receipt of the Ballistics report – which at that date had not yet been received. It concluded:

“There have been no developments in the investigation of the crime.”

¹¹⁵ Report of Sgt M. McCole to Supt, Buncrana dated 3 October 1973.

EXPLOSION AT CLONES (OCTOBER 1972)

At 11 p.m. on 16 October 1972 a bomb exploded in a yard known as the “Butter Yard” containing a lock-up premises at the side of Creighton Hotel in Fermanagh Street.

Eyewitness information:

There was no firm evidence as to those responsible. What is known is that the bomb was left in the creamery can in the corner of the Butter Yard. Other evidence is contradictory.

Two men who were parked in Fermanagh St., beside the Butter Yard, were waiting to see a business contact concerning a building contract. They told Gardaí that shortly before the bomb exploded, they saw a red Vauxhall Viva drive into the Butter Yard. Some minutes later, they saw a second car drive in, and then a third car.

The second car was in the Yard at the time of the explosion, and was damaged. The driver did not see the bomb. The driver of the third car did see the bomb and was going towards it to investigate when it exploded, causing him severe internal injuries. The red Vauxhall Viva was not in the Yard when the bomb exploded, and the two waiting men suggested that it must have driven out without its lights on.

There was also the evidence of a local customs officer who saw a green Ford Cortina with four or five men in it pass him in Fermanagh Street and turn into the car park concerned. He told Gardaí that he recognised one of the men in the car as belonging to the Provisional IRA. However, he refused to reveal the man's name. He also appears to have seen the waiting car with the two men in it.

If the two men and the customs officer both saw the same car, there is no explanation as to why they have described it so differently.

Gardaí did not question the customs officer further as it was felt that this should be done by senior officials in his own service. Efforts were made for this to be done but there is no record of whether it was done, or if so, what was the result. It must be presumed that he did not divulge the name of the suspected PIRA member.

Two Northern Ireland registered cars were seen leaving the vicinity, one before and one after the bomb exploded. Other Northern Ireland registered cars were seen acting suspiciously near the border. The numbers of the vehicles were circulated. There is nothing on the file to suggest any further progress.

Forensics:

The Army Ordnance Officer, Comdt Boyle, who examined the scene following the explosion suggested that the explosive used was ANFO, but with too much fuel oil. Some steel fragments were also found but these did not come from the container

which was a creamery can. It was suggested that they must have been mixed with the explosive.

Intelligence information:

The information concerning the cars which were seen acting suspiciously near the border came to a Garda officer, who suggested that the militant Loyalist subversives in the area were members of a new organisation known as the Red Hand Commandos. This group was regarded as being affiliated to the Ulster Vanguard Movement. The Garda officer also named a senior RUC officer who he alleged was passing information to the Red Hand Commandos. He further said that the RUC authorities had apparently discovered this and had sidelined the officer concerned, where he would not be in a position to pass on such information.

From the documents seen by the Inquiry, it appears that no other information supporting this theory was received.

EXPLOSION AT CLOUGHFIN (MARCH 1973)

At about 10 p.m. on 17 March 1973 a car bomb exploded in the car park adjoining Kirk's Licensed Premises at Cloughfin, Castlefin, Lifford, Co. Donegal, where 350 people were attending a cabaret. Cloughfin is about five hundred yards from Clady, Co. Tyrone which is situated on the Border. No warning was given of the bombing.

The bomb had exploded prematurely, killing one Lindsay John Mooney, a 19-year old from Derry. Following examination of his dental records, Gardaí were satisfied that he was the perpetrator of the crime. Fifteen other people required hospital treatment. Severe damage was caused to the licensed premises itself, to motor vehicles in the car park and to other property in the area. Had the bombing operation gone according to plan, there is little doubt that serious loss of life would have resulted.

Eyewitness information:

The car which contained the bomb was a green Austin 1100, registration number 8467IL. It was stolen between 8 and 8.15 p.m. on the night of the bombing from a yard in Castlederg, Co. Tyrone, approximately nine miles from the scene of the explosion. The theft was reported to the RUC, but this information had not been passed to An Garda Síochána.

The investigation team obtained 94 statements, of which 69 were attached to the investigation report. The report stated:

“While the investigation team succeeded in getting statements from the majority of persons whom they wished to interview, it was impossible to contact a number of those because of their residing outside our jurisdiction.”

One witness saw what Gardaí believe to have been the bomb car travelling at speed from the Clady direction towards Lifford. After a short distance, it made a u-turn towards Castlefin, and then pulled into Kirk's car park. The driver was alone in the car.

Three witnesses who entered the car park at around 9.45 p.m. saw the explosion take place. Each remembered seeing the bomb car being parked, seeing a bright flash and then hearing the explosion. They were sure the driver had been alone, and they saw no one leave the vehicle prior to the explosion.

Regarding possible accomplices, the investigation report stated:

“There is no available evidence to show that [the] deceased, Mooney, was accompanied by any other person at Cloughfin on the night of the 17th March 1973, when the explosion occurred. There is no evidence of a ‘Get Away car’. Transport may, however, have been available to meet him on the Northern Ireland side of Clady Bridge in view of the fact that he approached the scene via that route. It is of significance to note that at 4.10 p.m. on Saturday 17/3/73

two men... were seen getting into Mooney's car, GUS 168D, at the rear of his house and drive away with Mooney. This information was received... from a civilian informant in Derry, who actually saw the three men get into the car and drive away."

Mooney's car was found on the roadside in Derry, not far from his home, with the door open and a jacket belonging to him lying on the grass beside it. The RUC promised Gardaí they would investigate the matter further. The report continued:

"There is information that the victim, Mooney, was aware that his car, GUS 168D, was identified with the outrages listed at paragraphs 65, 66 and 67 of this report and he was instructed by his organisation that in future only stolen cars were to be used on similar operations into the Republic. It is believed he was complying with those instructions on this occasion."

The outrages referred to were:

- 1) An explosion on 16 December 1972 at a lock-up garage near Manorcunningham, Co. Donegal;
- 2) A similar explosion on 10 January 1973 at a builders' providers in Stranorlar, Co. Donegal; and
- 3) An attempt to set fire to the Roman Catholic church at Iskaheen, Muff, Co. Donegal on 6 January 1973.

On each occasion, Mooney's car was seen at or near the scene.

Forensics:

The bomb scene was examined by members of the Technical Bureau including D/Gda T. Jones, and by Lieut. P. Boyle of the Army Ordnance Corps.

Portions of the deceased were found scattered over an area about 80 x 40 yards west of the building. The search also found fragments of metal from the bomb container. D/Gda Jones stated:

"I searched the bomb crater and found that it contained a piece of blue denim, pieces of rusted metal, pieces of light alloy, wires, a rubber washer and two semi-circular pieces of metal. These two latter pieces form a single unit when fitted together. I am satisfied that they originally formed the cap of a Guinness metal beer barrel... I collected pieces of rubber cushioning from around the scene of the explosion and on examination found that there was a pink coloured substance adhering to parts of the rubber. I also found a plastic container with nozzle attached close to the crater. This appeared to contain a saline solution. I conveyed both the latter items and the rubber cushioning to the State Laboratory on 20/3/73 and there handed them over to Miss Conroy, for chemical analysis."

The results of that analysis were contained in the report of M.A. Conroy dated 31 May 1973:

“Exhibit No. 1:

a plastic bag, containing a large quantity of plastic foam, sacking and moquette – normal car upholstery materials. I analysed a representative sample of these for residues of inflammable, explosive or combustible liquids, with negative results.

It also contained a small quantity of miscellaneous debris i.e. gravel and sand particles, a small piece of zinc sheeting and a small piece of plastic insulating sheath material. I analysed the debris for residues of explosive substances or devices such as sodium chloride, chlorate, nitrate and sulphuric acid, and I detected only traces of sodium chloride.”

Analysis of the plastic container with nozzle found only sodium chloride. The container was labelled “Steriflex No. 1 Sodium Chloride Injection B.P. 0.9% Normal Saline Solution for injection.”

According to the Garda investigation report, Lieut. Boyle expressed the view that approximately 100 lbs of explosives were used. He was unable to indicate the type or manner of detonation.¹¹⁶

Intelligence information:

On the day after the bombing at Cloughfin, RUC Detective Inspector Johnston was approached by a prominent member of the UDA in Derry, who informed him that the man killed in the explosion was a UDA member named Lindsay John Mooney.

The Garda investigation report stated:

“It is now known that [the] deceased was a Sergeant in ‘C’ Company. UDA Eglinton and associated with members of that organisation.”

It also mentioned that one of the men allegedly seen with Mooney in the latter’s car on the afternoon of 17 March 1973 was a Lieutenant in the same UDA company. Other members of that company included suspects for the murder of Oliver Boyce and Bríd Porter at Buncrana on 1 January 1973.

¹¹⁶ Report of Supt D. Kenny dated 24 March 1973.

EXPLOSION AT PETTIGO (SEPTEMBER 1973)

At about 11.35 p.m. on 28 September 1973, a car bomb exploded outside the dwelling house and grocery store of Plunkett Reid, at Mill Street, Pettigo, Co. Donegal. No warning was given of the bombing.

The village is on the border and is connected to Tullyhommon in Northern Ireland, which is on the other side of the River Termon. Although three bridges crossed the river between the two villages, on the night in question only one bridge was passable.

There were few injuries, although two persons required hospital treatment. Structural damage was done to a number of buildings and cars in the vicinity.

Eyewitness information:

The car which contained the bomb was a Morris 1100, registration number 9344IL. It was the property of a man who lived in Northern Ireland, about a half a mile from Pettigo. It was taken from outside his home, sometime after 7.30 p.m. on the night of the bombing. There is no firm evidence as to when the bomb car was in position, but from evidence available to the Gardaí it seems to have been parked sometime after 11.20 p.m.

In the course of the Garda investigation, two hundred and fifty people were interviewed. Suspicions were raised that the getaway car had been seen, and that the bomb had been transferred to the bomb car after it had arrived in the village, from another car seen at one of the bridges, which was blocked by bollards. However, further inquiries into these allegations by Gardaí and the RUC failed to produce any firm evidence.

Forensics:

Following the explosion, Gardaí preserved the scene, which was later technically examined by members of the Garda Technical Bureau and by Lieutenant Colonel of the Army Ordnance Corps. Superintendent DJ Murray arrived at the scene at 12:40 am and took charge of the operations. He was joined later by Chief Superintendent J.M. Doyle, of Letterkenny. No residues were found at the scene; it was estimated that the bomb would have been one of a hundred pounds.

Intelligence information:

The Garda investigation report named a number of possible suspects for the bombing, but was unable to find any evidence against any of them at that time. Amongst those named were a former customs officer from Co. Fermanagh who was believed to lead a group of loyalist subversives in West Fermanagh; and a former British Army soldier then serving as a customs officer at Beleek, Co. Fermanagh.

In the case of the latter, enquiries made with the RUC produced a negative response: the RUC said that he had not come under their notice before, and that they did not suspect him of this crime. According to the Garda investigation report, this man was “an associate” of well-known loyalist subversive Robert Bridges; but they were unable to interview him as he was resident in Northern Ireland.

Pettigo had been under constant threat of retaliation from persons living in Tullyhommon, owing to the fact that an attack on the latter village had resulted in the death of a British soldier. Evidence was obtained that on 26 September 1973, two days before the bombing, a warning had been given to a husband and wife living in Pettigo that a bombing was intended for the following Friday. The warning had been discounted at the time; firstly because it was given by somebody while drunk, and secondly because similar warnings had been given from time to time.

Security was always tight in Pettigo, and on the night in question there was one sergeant and four Gardaí on duty. According to the investigation report, the Army had been scheduled for duty that night between 9:00 pm and 1:00 am, but did not arrive.

The conclusion to the investigation report stressed that “great difficulty was experienced” in following certain lines of enquiry, owing to the fact that all of the suspects and a number of potential witnesses resided in Northern Ireland. Additionally, the writer of the report felt that full co-operation was not forthcoming from security authorities in Northern Ireland. The conclusion to the report continued:

“Furthermore, the fact cannot be overlooked that members of the British Army may have been involved in some way in carrying out this bomb attack on Pettigo.

Members of the investigation team were warned that they could be in danger by continuing their investigation in the North. There was also the added threat of members being attacked by the Provisional IRA for collaborating with security forces in the North. Enquiries are continuing by members of the investigation team, who are familiar with all aspects of case, with a view to eliciting further information as to the identity of those involved.”

The reference to the British Army arose from a statement given by a local farmer. He said that sometime in the spring of 1973 he was stopped on the way to his farm by British Army soldiers. He said:

“One of the soldiers asked me a lot of questions about Pettigo and wanted to know about the IRA... He said there could be a wee bit of a bomb there (pointing towards Pettigo) at the end of the harvest time, and I took it to mean at the end of September 1973.”

Reference was also made to the presence of members of the British Army on the northern side of the River Termon, following an explosion in Tullyhommon on 30 August 1973. The statement does not indicate anymore than that the area around Pettigo seems to have been the subject of a general surveillance operation.

The reference to danger to the Gardaí comes from the memo of an interview between an RUC Inspector and two Garda officers from Co. Donegal.

The note of the interview read:

“I was in Enniskillen the other day at a conference, and it was mentioned that your men were interviewing and taking statements from people on this side, and that your movements were being watched and people were complaining about being questioned by the Gardaí. Personally, I do not think there is any danger of your men being interfered with, but my authorities seem to think there is danger.”

Further inquiries:

In May 1976, information emerged during the trial of a UVF member which named a number of persons said to have been responsible for a number of bombings, including that in Pettigo on 28 September 1973.

The following details were also given as to how the latter bombing was carried out: it was said that the car used in the bombing was stolen in Northern Ireland and that the explosives, which had come from Belfast, were placed in it. The car was then driven to Pettigo with two occupants, accompanied by a getaway car and a ‘scout’ car. The bomb car was parked at Mill Street and the two occupants returned in the getaway car to Northern Ireland.

One of those mentioned in this information as having planned and participated in the Pettigo attack was Robert Bridges.¹¹⁷

In the investigation report, Bridges had also been named as a suspect; but it was said that he had been arrested in Enniskillen on the day before the Pettigo bombing for possession of arms. The report continued:

“Whilst Bridges was in custody on the date of the bomb, and therefore could not have taken part in the planting of same, it is felt that he had something to do with the planning of it.”

¹¹⁷ See appendix 3.