

Special report Northern Ireland

Gun running, police errors and the trail to the Loughinisland murders

In 1994 six Catholics were gunned down in a village bar - but no one was charged.

Ian Cobain follows the supply of arms used in the massacre, and investigates the allegations of collusion by the state



Shortly after 10pm on 18 June 1994, Ireland were 1-0 up against Italy in the opening match of the 1994 World Cup. The second half had just kicked off, and inside the Heights Bar at Loughinisland, 21 miles south of Belfast, all eyes were on the television. The bar is tiny; there were 15 men inside, and it was packed. Aidan O'Toole, the owner's 23-year-old son, was serving. "I heard the door open and then I just heard crack, crack, crack and felt a stabbing pain inside me," he recalls. "I just ran. It was instinctive. I didn't know what was happening but I knew I had to get away."

Others inside the bar turned when the door opened and saw two men in boiler suits, their faces hidden by balaclavas. One of the intruders dropped to one knee and fired three bursts from an automatic rifle. Barney Green was sitting with his back to the door, close enough for the gunmen to reach out and tap his shoulder had they wished. He took the first blast, with around nine rounds passing through him before striking other men. Green, a retired farmer, was 87.

Green's nephew, Dan McCreanor, 59, another farmer, died alongside him. A second burst killed Malcolm Jenkinson, 53, who was at the bar, and Adrian Rogan, 34, who was trying to escape to the lavatory. A third burst aimed at a table to the right of the door missed Willie O'Hare but killed his son-in-law, Eamon Byrne, 39. O'Hare's son Patsy, 35, was also shot and died en route to hospital. Five men were injured: one, who lost part of a foot, would spend nine months in hospital.

Loughinisland had been scarcely touched by the Troubles. A village of 600 or so people, where Catholics and Protestants had lived side by side for generations, none of its sons or daughters had been killed or hurt before, and none had been accused of terrorist offences. It is not a republican area - many of its Catholic inhabitants were so uninterested in politics that they did not vote even for the nationalist Social Democratic and Labour party (SDLP) - and Protestants often drank at the Heights. Only by chance were no Protestants killed or wounded that night.

Ninety minutes after the attack, a loyalist paramilitary group, the Ulster Volunteer Force (UVF), telephoned a radio station to claim responsibility.

Police promises

Despite years of death and destruction in Northern Ireland, people around the world were shocked by the slaughter at the Heights. The Queen, Pope John Paul II and Bill Clinton sent messages of sympathy. Local Protestant families visited their injured and traumatised neighbours in hospital, expressing shock and disgust.

The police told the victims' families they would leave no stone unturned in their efforts to catch the killers and bring them to justice.

The morning after the killings, the gunmen's getaway car, a red Triumph Acclaim, was found abandoned in a field seven miles from Loughinisland. The farmer who spotted it called the police at 10.04am. A few weeks later, workmen found a holdall under a bridge a couple of miles from where the car had been found. Inside were three boiler suits, three balaclavas, three pairs of surgical gloves, three handguns, ammunition and a magazine. Not far from the bridge, police found a Czech-made VZ-58 assault rifle, which scientists confirmed was the weapon used to kill the men at the Heights.

The same weapon had been used the previous October in a UVF attack on a van carrying Catholic painters to work at Shorts aircraft and missile factory in Belfast, in which one man died and five others were wounded.

In the months that followed the Loughinisland shootings, nine people were arrested and questioned. All nine were released without charge. A 10th was arrested and released the following year, and two more suspects were arrested for questioning a year after

that, all released without charge. The police repeatedly assured the families that no stone would be left unturned. Emma Rogan was eight years old when her father, Adrian, was killed at the Heights. "I was told that these bad men came into the bar, and that my daddy was dead. I didn't really know what they meant."

As she grew up, she had no reason to doubt the police when they said they were doing everything in their power to catch the killers. "We didn't question the police: that's what this area is like. If they said they would leave no stone unturned, you took that at face value."

By the time the 10th anniversary of the killings came around, Rogan was anxious to learn more about her father's death, and hear of any progress the police had made. A series of meetings was organised between senior investigators of the Royal Ulster Constabulary and the victims' relatives, and later more information emerged when the police ombudsman for Northern Ireland published a report in 2011 on the investigation. Relatives of the dead men came to the conclusion, as Rogan puts it, that "they had treated us like mushrooms, keeping us in the dark for years and feeding us whatnot".

The getaway car had passed through four owners in the eight weeks before it was used in the shooting, changing hands so quickly that the first person in the chain remained the registered owner. The morning after the killings, a Belfast police officer was asked to call at this person's home. The officer did so, but found the man was out. The officer then recorded the time of his visit as 9.30am - 34 minutes before the farmer had rung police to tell them he had discovered the car.

Some time between 11am and noon, a second police officer - a detective with no connection to the murder inquiry - telephoned the second person in the ownership chain, and asked him to come to the local police station to give a statement. How this detective came to know that the car had passed through this man's hands is unclear. What is known, however, is that a statement was given, and that a note was attached to it, saying that the individual who gave it could be contacted only through the detective who took it.

The Loughinisland families argue this amounts to evidence that the person who gave this statement - one of the people involved in supplying the car used by the killers - was a police informer.

The Guardian has interviewed this man. He is Terry Fairfield, and today he runs a pub in the south of England. Fairfield confirms that he was a member of the UVF at the time, but denies he was a police informer. He says he did subsequently receive several thousand pounds from the detective, for helping him take a firearm and some explosives out of circulation. He accepts that being invited to attend a police station, rather than being arrested, was highly unorthodox. The detective says he had known Fairfield for years and contacted him after hearing of the Loughinisland shooting, but that only members of the murder inquiry could decide whether to arrest him.

A second man, who is widely suspected locally of having been in the getaway car, and who is also alleged to have been an informer, has also told the Guardian that he has never been arrested.

The families also question the failure to take samples from some of the people arrested for questioning. The Guardian understands that at least five of the men arrested in the months after the shootings were not fingerprinted before being released without charge. No DNA swabs were taken from either of the two people arrested in 1996.

One man, Gorman McMullan, who has been named as a suspect



Scene of carnage
The bloodstained interior of the Heights Bar at Loughinisland, the morning after six Catholic men had been killed and five others injured in a loyalist gun attack. Aidan O'Toole, a survivor, and Emma Rogan, daughter of one of the dead, below, believe the evidence points to police collusion
Photographs: Pacemaker Belfast, Paul McLerrane

in a Northern Ireland newspaper, was arrested the month after the shootings and released without charge. He was one of the people who were released without being fingerprinted and no DNA swab taken. McMullan firmly denies that he has ever been to Loughinisland or that he was ever in the getaway car, and no further action was taken against him in connection with the shootings. He acknowledges however that he was "involved in the conflict".

The police admitted to the families they had handed the getaway car to a scrap metal firm to be crushed and baled. They said this had been done because the vehicle was taking up too much space in a police station yard. That decision means it can never again be tested for comparison with samples taken from any new suspects.

Families' disbelief

Emma Rogan and Aidan O'Toole cannot believe that the destruction of the car or other failings in the investigation were an accident. They believe that this is evidence of police collusion. "They knew exactly what they were doing," Rogan says.

The families lodged a complaint with the police ombudsman for Northern Ireland. When the ombudsman, Al Hutchinson, published his report, it contained mild criticism of an investigation that displayed "a lack of cohesive and focused effort". To the anger of the families, it refused to state whether or not police informants were sus-

pected of involvement and appeared to gloss over the forensic failures. It concluded that the destruction of the car was "inappropriate", rather than evidence of corruption or collusion.

The report was widely condemned in Northern Ireland. Hutchinson agreed to leave his post, and his successor is now reviewing the report. There will be no examination of the arms shipment, however, as the ombudsman's remit extends only to the police, not the army. Much of the suspicion about British involvement in the 1987 arms shipment revolves around Brian Nelson, a former soldier who joined the Ulster Defence Association (UDA) in the early 70s. In 1985, Nelson offered himself as an informant to the Force Research Unit (FRU), a covert unit within the army's intelligence corps that recruited and ran agents in Northern Ireland. He quit the UDA the following year and moved to Germany with his wife and children.

The FRU, operating with the approval of MI5, approached Nelson in Germany and persuaded him to return to Belfast to rejoin the UDA as an army agent.

For the next three years, Nelson was paid £200 a week by the government while operating as the UDA's intelligence officer, helping to select targets for assassination. He informed his army handlers in advance of attacks: only two were halted, while at least three people were killed and attempts were made on the lives of at least eight more.

A detailed account of this extraordinary operation appears in a report on the loyalist killing of the Belfast solicitor

Pat Finucane that Peter Cory, a retired Canadian supreme court judge, prepared at the request of the government in 2004. An FRU report from July 1985 discloses that the army paid Nelson's travel expenses when he travelled to Durban in South Africa that year to make initial contact with an arms dealer. "The [British] army appears to have at least encouraged Nelson in his attempt to purchase arms in South Africa for the UDA," Cory concludes. "Nelson certainly went to South Africa in 1985 to meet an arms dealer. His expenses were paid by FRU. The army appears to have been committed to facilitating Nelson's acquisition of weapons, with the intention that they would be intercepted at some point en route to Northern Ireland."

Nelson is said to have told the FRU that the UDA possessed insufficient funds at that time to purchase any arms. "The evidence with regard to the completion of the arms transaction is frail and contradictory," Cory says. As a result, "whether the transaction was consummated remains an open question".

In July 1987, the funds to purchase a large consignment of weapons were secured with the robbery of more than £25,000 from a branch of Northern Bank in Portadown. The proceeds of the robbery were to be used to purchase weapons that were to be split three ways between the UDA, the UVF and Ulster Resistance (UR), a paramilitary organisation set up by unionists in response to the 1985 Anglo-Irish agreement.

What happened next is described by a former senior employee with South Africa's Armscor, a man who was intimately involved in the plot to smuggle the weapons into Northern Ireland.

According to this source, officials in South Africa introduced a senior figure within UR to one of the corporation's representatives in Europe, an American arms dealer called Douglas Bernhardt. In October 1987, Bernhardt is said to have flown to Gatwick airport for a face-to-face meeting with a senior UDA commander, John McMichael, after which couriers carried money from the bank raid, in cash, to Bernhardt's office in Geneva.

Bernhardt was not told where the money had come from, according to the Armscor source. "When you get that sort of dirty banknote, you don't ask," the source says. Bernhardt obtained a bank draft which was then sent to an arms dealer in Beirut, who had obtained the weapons from a Lebanese militia.

As the operation progressed, according to the Armscor source, Bernhardt would regularly call his UR contact at his place of work. This man would then call back from a payphone, and they would talk in a simple code, referring to the weapons as "the parcel of fruit". At each stage, Bernhardt is said to have been told that the arrangements needed to be agreed by McMichael and by his intelligence officer - Brian Nelson. "Everything had to be run by the head of intelligence."

Bernhardt is said then to have travelled by ship to Beirut, where arrange-

ments were made to pack the weapons into a shipping container labelled as a consignment of ceramic floor tiles. Bills of lading and a certificate of origin were organised, and the weapons were shipped to Belfast docks via Liverpool.

"There were at least a couple of hundred Czech-made AKs - the VZ-58," the Armscor source recalls. "And 90-plus Browning-type handguns: Hungarian-made P9Ms. About 30,000 rounds of 7.62 x 39mm ammunition, not the 51mm Nato rounds. Plus a dozen or so RPGs, and a few hundred fragmentation grenades."

Sources within both the police and the UVF have confirmed that one of the VZ-58s was used at Loughinisland.

According to the Armscor source, the UR member who dealt with Bernhardt was Noel Little, a civil servant and former British soldier. Now in his mid-60s and living quietly in a Belfast suburb, Little denies this. "My position is that I wasn't involved," Little says. But he adds: "I would deny it even if I was."

Little confirms, however, that he was a founder member of UR, and a central figure within the organisation at the time that the weapons arrived in Belfast. He also appears to possess detailed knowledge of the way in which the arms were smuggled and distributed.

The weapons arrived in Belfast in December 1987, a few days before McMichael was killed by an IRA car bomb. Early in the new year, they were split three ways at a farmhouse in County Armagh. The UDA lost its entire slice of the pie within minutes: its share of about 100 weapons was loaded into the boot of two hire cars that were stopped a few minutes later at a police roadblock near Portadown. The three occupants were later jailed, with their leader, Davy Payne, receiving a 19-year sentence.

The following month, police recovered around half the UVF's weapons after a tip-off led them to an outhouse on the outskirts of north Belfast. Little was also arrested, after his telephone number was found written on the back of Payne's hand. "John McMichael had given it to him, in case he got into any trouble in Armagh," Little says. Eventually, he was released without charge.

Little says that while UR redistributed a few of its weapons - "there were some deals around the edges" - most of its consignment was kept intact. "They were never used. They were for the eventualities of the British just walking away - doing an Algeria - after the Anglo-Irish agreement was signed." As far as he is aware, the consignment has never been decommissioned.

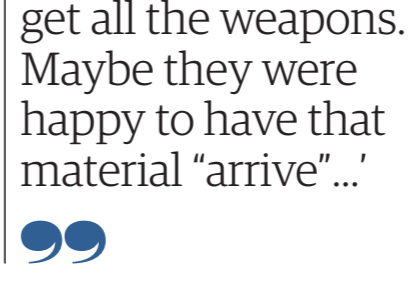
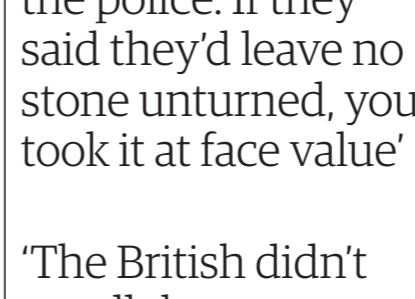
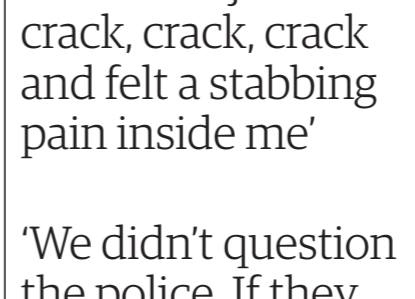
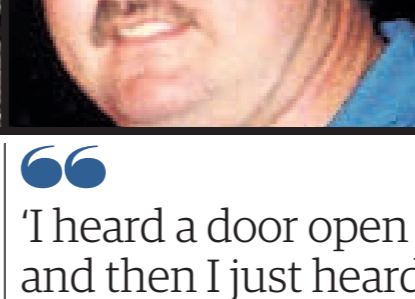
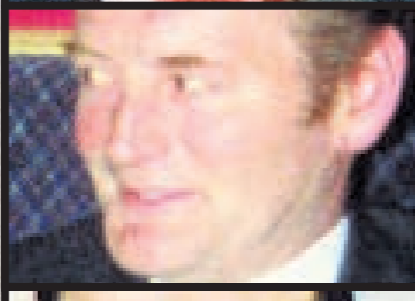
Dramatic arrest

The following year saw Little arrested again, this time in France, in dramatic fashion. He had travelled to Paris with two fellow loyalists, James King and Samuel Quinn, to meet Bernhardt and a South African intelligence officer operating under the name Daniel Storm. Officers of the French security agency, Direction de la Surveillance du Territoire (DST), seized the three Ulstermen and the South African in a raid on a room at the Hilton International, at the same moment that Bernhardt was being grabbed in the foyer of the Hôtel George-V, and lifted bodily, according to one witness, out of the building and into a waiting car.

The five had been caught red-handed attempting to trade stolen parts from the sighting system of a ground-to-air missile that was under development at the Shorts aircraft and missile factory in Belfast. The apartheid regime wanted to use the parts in the development of its own missile for use in Angola, where its Cuban forces were vulnerable to attack by Cuban-piloted MiGs.

Storm was set free after claiming diplomatic immunity, while the others were interrogated in the basement of the DST's headquarters in the 15th arrondissement. "It was slapped about a little," says Little. "But not too much." The DST told Bernhardt it had listened in on a meeting the previous night, through a bug in the chandelier of the room at the George-V where the men had gathered. "They knew all about the fruit code used in 1987," the Armscor source says. "They thought the talk about pineapples was a huge joke. They must have been monitoring the phone calls. And they knew all about Lebanon."

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many did they know in advance? Why didn't they move more quickly? Maybe they were perfectly happy to have that material... sort of 'arrive', and put into the hands of the loyalists."

Noel Little also suspects the British turned a blind eye to the 1987 arms shipment. "It is a theory I can't discount," he says. "Brian Nelson was inserted into the UDA as an agent, he wasn't a recruited member. How could he know about it and not tell his handler?"

Little believes that his attempt to hand over stolen missile technology to Armscor in Paris - straying into "secrets and commerce", as he puts it - would have been a step too far for the British authorities, obliging them to tip off the French.

After eight months on remand, the four men were brought to court charged with arms trafficking, handling stolen goods and terrorism-related conspiracy. Bernhardt told the court that he had helped arrange the Lebanese arms deal for loyalist paramilitaries in 1987. The four were sentenced to time served and fined between 20,000 and 100,000 francs (£2,000-£10,000 then).

Brian Nelson was finally arrested in January 1990 after John Stevens, then deputy chief constable of Cambridgeshire, had been brought in to investigate collusion between the security forces and loyalist paramilitaries in Northern Ireland. At court, a plea deal resulted in Nelson being jailed for 10 years after he admitted 20 offences, including conspiracy to murder.



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