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28 April 2016

Our Ref: MIS/L108/KRW/GB

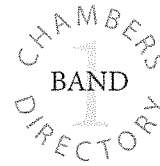
Minister for Justice  
Department of Justice and Equality  
94 St. Stephen's Green  
Dublin 2  
D02 FD70

Dundalk Garda Station  
Police Station  
The Crescent  
Dundalk  
Co. Louth  
Ireland

Dear Sirs/Madam,

**RE: The murder of Seamus Ludlow (Deceased) 2 May 1976**

Seamus Ludlow was murdered on the 2 May 1976. Today we reach the 40<sup>th</sup> anniversary of his murder without the full disclosure of truth from the Irish State. This is one of the worst cases of collusion perpetrated in this jurisdiction, by both the Irish and British State. We as a family have been campaigning for over 40 years for the truth in this case and are determined as a united family to achieve this.



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**Firstly as a family let us be clear:**

- 1. Seamus Ludlow was murdered by members of the UDR and Loyalist paramilitaries.**
- 2. Seamus Ludlow was not an informer.**
- 3. Seamus Ludlow was not murdered by members of his family.**
- 4. Seamus Ludlow was not murdered by the IRA.**

Seamus Ludlow was born in 1929. He lived just south of the border for 47 years, at Mountpleasant, Dundalk, County Louth with his mother and his sister's family. At the time of his death he was unmarried and was employed as a forestry worker. He was Catholic and had no connections with any paramilitary organisation.

On Saturday 1st May 1976 Seamus Ludlow had spent the evening drinking at various bars in Dundalk. He left the Lisdoon Arms, Dundalk and was last seen shortly after midnight outside a garage hitching a lift home, which was about two miles away. Seamus Ludlow failed to return home. His sister, Mrs Nan Sharkey, began a search for her brother the following morning, 2nd May 1976. His body was found that day by Edward McArdle, from Jonesborough, around 3:00pm in a lane just half a mile from his home, at Culfore near Dundalk.

A post-mortem examination was carried out by Dr John Harbison, the State Pathologist. According to the post-mortem report, the body was lying on top of a grassy bank beside the lane. The post-mortem report concluded that Seamus Ludlow died from shock and haemorrhage as a result of bullet wounds in his heart, right lung and liver. Three bullets were retrieved from Seamus Ludlow's clothing and body and handed to Detective Garda Niland. The pathologist offered no opinion in the post-mortem report regarding the calibre of bullets that killed him. This report noted that Seamus Ludlow's shoes "looked remarkably clean in view of the muddy nature of the lane in which the body was found". This led the murder investigation team at



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Dundalk Gardai Station to conclude that Seamus Ludlow had been murdered elsewhere and dumped near his home.

As the body was found south of the Irish Border the investigation into the murder of Seamus Ludlow was conducted An Garda Siochana. The investigation was headed by Superintendent Dan Murphy (deceased) from Dublin Castle, together with a team of thirty detectives from Dublin and Dundalk.

Local newspapers reported soon after the killing that the Gardai were investigating the possibility that Seamus Ludlow had been mistaken by his murderers for a senior Republican living in the area and was on the wanted list of the SAS and the outlawed Loyalist paramilitary group the Ulster Volunteer Force (UVF).

However, after three weeks of investigating the murder the Gardai suspended their initial investigation without explanation. A local Garda informed the Ludlow family that he believed orders to halt the investigation into the murder came from Dublin.

An important line of enquiry was ignored by the Gardai namely, that Seamus Ludlow was a victim of either British Army or Loyalists paramilitaries' intent on murdering a senior Provisional IRA man. The Gardai failure to question a group of eight SAS men found over the border shortly after Seamus Ludlow's murder.

More particularly, the Gardai conducted an orchestrated and persistent smear campaign against the dead man by making unfounded allegations that he was murdered by the IRA for being an informer. This theory was spread by both the Gardai in Dundalk and the investigating murder squad in Dublin without any supporting evidence.



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Two family members were told separately and by different members of the Gardai that Seamus Ludlow had been killed by the IRA for informing and that other family members had known about the planned killing beforehand.

Seamus Ludlow's brother-in-law, Kevin Donegan (now deceased), contacted the Gardai regularly after the murder to find out about the progress of the investigation. According to his son Michael Donegan, he was consistently told that Seamus Ludlow had been killed by the IRA and that members of his family had colluded with them. The IRA denied any responsibility for the murder of Seamus Ludlow shortly after his death.

The British Army also took an interest in the investigations conducted by the Gardai. The day after Seamus Ludlow's funeral, a British Army patrol called to Kevin Donegan's home, which was north of the border. Kathleen Donegan was informed that they had been sent by the Royal Ulster Constabulary, to find out about the line of enquiry being pursued by the Gardai. Kevin Donegan refused to speak to them but later went to Forkhill barracks to talk with the RUC. However, no RUC were present, only British Army personnel. He was airlifted to Bessbrook army base where a British Army officer questioned him for over an hour on the Gardai investigations.

An inquest into the death of Seamus Ludlow was held at County Louth on 19th August 1976 and conducted by Coroner Dr Thomas Edward Scully. No member of the Ludlow's family attended the inquest. The Gardai deliberately ensured that no member of the family or its legal representatives were present at the inquest. No attempt was made to inform or contact Seamus Ludlow's sister, Mrs Nan Sharkey, with whom he had lived. This was admitted by Detective Sergeant Gannon in a letter to Kevin Ludlow's solicitors dated 16th January 1997:



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*“In relation to the inquest, I wish to state that a member attached to Dundalk Station, had, at the time, been given the task of notifying witnesses and family of the inquest, but it appears he overlooked your client. I only became aware of this on the date of the inquest and did everything I could to correct the situation.”*

Detective Sergeant Gannon falsely represented himself as the family’s representative at the inquest.

A local newspaper, The Dundalk Democrat, reported the inquest at the time. No reference was made to any ballistics report. It reported that the only evidence offered to the inquest by the Gardai was the pathologists’ evidence. The jury returned a verdict in accordance with the medical evidence that death was due to gunshot wounds.

For 40 years Seamus Ludlow’s murder remained unsolved. Evidence regarding the murder was brought to the family’s attention by an investigative journalist, Joe Tiernan. According to family sources, they were informed by Joe Tiernan that Loyalist paramilitaries from the North had murdered Seamus Ludlow, not the IRA. We were also told that the Gardai knew of this all along. Joe Tiernan revealed to our family that the source of this information was a retired detective.

As a result of this new evidence we as a family sent a file to the Garda Commissioner, who at the time was Patrick Culligan, and requested that the case be re-opened. This was done on 16 May 1996.

Chief Superintendent Ted Murphy, from the Garda Drug Squad, was appointed to head the inquiry into the original investigation.

Chief Superintendent Murphy has since admitted openly to the family that crucial evidence identifying the killers of Seamus Ludlow had been available to the Gardai all along. This evidence was in the original



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investigation file when he began his inquiry and he could offer the family no explanation as to why the Gardai had acted as they had.

This appears to have been confirmed by reports in the Sunday Tribune that the family were informed by a senior detective that the identities of Seamus Ludlow's murderers were known to the Gardai not long after his death. It was known that they were members of the loyalist murder gang, the Red Hand Commando, a member of which was giving information to the authorities.

About 3 years after the murder, the suspects' names were given to a member of the Seamus Ludlow murder squad, Detective Chief Superintendent John Courtney, by the RUC. He along with a colleague had travelled across the border to the RUC's headquarters in Belfast, where he was given the names of at least three prime suspects responsible for Seamus Ludlow's murder. This information was passed to his superiors and placed on a file with other sensitive information given by the RUC, but was never acted upon by the Gardai.

As part of the inquiry into the original investigation, Detective Chief Superintendent Courtney (now retired) has been interviewed. We were informed in November 1998 that the Gardai investigation led by Detective Superintendent Ted Murphy was now complete and a file has been handed to the Gardai Commissioner.

The names of these suspects were uncovered as a result of an investigation conducted by a Dublin Sunday paper, the Sunday Tribune. One of the suspects, Paul Hosking, a 41 year old from Newtownards in the North of Ireland provided this paper with an in-depth interview regarding the events which led to Seamus Ludlow's murder on 1st May 1976. He also provided RUC Special Branch officers with the same account of events over 10 years before 1987 and again more recently, between 17th and 20th February 1998. This latter interview was given to the RUC following his arrest, along with 3 former Red Hand Commando members.



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According to Paul Hosking, on the 1st May 1976 he was drinking in his local bar in Comber with a few friends. By chance, he met up with three other men who he knew socially. These three men were known to be members of the Red Hand Commando, two of whom were also members of the Ulster Defence Regiment (UDR). One was a captain in the UDR, the second was also an officer. The third man was from Bangor and nicknamed "Mambo". The pub was deserted, so Paul Hosking spent the afternoon with them. He noticed that the UDR men were armed. Paul Hosking together with the three men moved on to another pub. They drove the second UDR officer's car, a two-door yellow Datsun. Paul Hosking was in the rear passenger seat with the UDR captain and Mambo was in the front passenger seat. These seating arrangements did not change over the period in question. This pub was also quiet so the UDR captain made a suggestion. According to Paul Hosking, he

"... Mentioned that there were supposed to be IRA checks along the Border. It was information obviously from the UDR that they were doing something on the Border. He said do you fancy going down to spy on them? I said great, it was like an adventure."

They were waved through a permanent British Army check point after the driver showed his UDR pass. They spent about an hour in a pub in Omeath where Paul Hosking watched a football match on his own away from the others. It was after closing time when they left the pub. Paul Hosking said that by then he was quite drunk as he had consumed around 13 or 14 pints that day. They then drove south towards Dundalk where they came across a man thumbing a lift. The car stopped and they let the man into the back of the car. After a short time the man told pointed out to them where he lived. According to Paul Hosking:

"We went on down anyway and I remember him reversing up a wee lane. Mambo got out and pulled the seat back and I got out, I went over the hedge near the front of the car. I was standing having a pee and the next I heard was banging. I swung round and there was this guy Mambo sort of half in the car and he was shooting in the car. All I remember then is your man Mambo pulling him out and [another man] was



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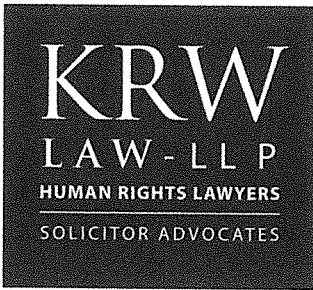
pushing him out. The guy fell on the floor so they got out and picked him up and threw him on to a hedge I think it was. Then your man shouted get in. I was standing there shocked, I was horrified. My first thought was that they were going to do the same thing to me because I had seen what they had done. I was horrified. I got in the back and the whole way back I just stared out of the window”.

The car crossed the border and dropped Paul Hosking and the UDR captain off at Killyleagh. The captain then drove him home to Comber. Paul Hosking said that he was threatened by Mambo, who said that if he could get away with it he could kill a Protestant too. Two days later he was approached by the UDR captain who warned him that unless he joined the Red Hand Commando he would be killed because of what he had seen. Paul Hosking had been a low level member of the Ulster Defence Association (UDA) during the Ulster Workers Strike in 1974. He asked the UDA to intervene on his behalf. After this he did not hear about the murder until eleven years later. Paul Hosking said he did not contact the police because of fears for his own safety and that of his family.

In 1978 Paul Hosking went to live in Scotland. He returned to live in Comber in 1986. While attending a family funeral he was told by a relative who was a member of the RUC that the Special Branch wanted to see him about “something serious”. Along with this relative as a witness, he met a Special Branch officer in a pub in Newtownards in January or February 1987. According to Paul Hosking this officer “seemed to know all the story”. The officer told Paul Hosking that he knew he had been there but hadn’t been involved. He was asked to provide his own account of events after which, the officer said, “Forget it, it is political”.

Once again Paul Hosking did not hear anything more about the murder until 17th February 1998 when along with three other men he was arrested. He said he first remarks to the CID were “Why are you coming to look for me now? I told the Special Branch this ... and you’re looking for me now”. He told the CID the full account of the murder of Seamus Ludlow. Newspaper sources have speculated that the RUC Special Branch chose to ignore Paul Hosking’s evidence in 1987 because they were protecting an informer amongst





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the three Red Hand Commando members, possibly the trigger man himself, Mambo. It has also been suggested that this cover-up began just after the murder itself was committed.

The RUC have confirmed that four men were held at Castlereagh Holding Centre and questioned in connection with the Seamus Ludlow murder. They were released without charge. A police investigation file relating to the death of Seamus Ludlow was prepared and forwarded to the Director for Public Prosecutions for Northern Ireland on 23rd October 1998. The Director for Public Prosecutions confirmed that the contents of this file would be considered.

Report on the inquest into the death of Seamus Ludlow on 2nd May 1976, Dundalk Courthouse, Dundalk, Co Louth. 5th –6th September 2005

Professor John Harbison, then State Pathologist, gave evidence as to the cause of death and Sgt Jim Gannon provided evidence relating to the identification of the deceased. The verdict was never overturned or legally impugned and as such, remained a properly constituted inquest that was prime facie lawful. However, The Attorney General directed a fresh inquest on foot of new evidence. At this second inquest the Coroner, Ronan Maguire BL told the jury that the 1976 inquest barely fulfilled the statutory requirements of the 1962 Coroner's Act.

Retired Garda Superintendent John Courtney held the rank of Detective Inspector at the time of the killing. He told the inquest he investigated the case along with the then local superintendent Mick Fahy. The initial investigation consisted of holding Garda conferences, sending out questionnaires and taking approximately 1,000 statements. In looking for leads, the Garda considered a number of possibilities, which included any connection the deceased may have had with subversives: they concluded there was none.

The extent of the Garda investigation team's initial liaison with the RUC was limited to "over the phone" conversations. However, the witness said he later met, and discussed the killing with, the RUC but in the



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context of an unrelated investigation. Some 18 months after the killing he met two RUC officers from CID in Belfast who said they “may be able to help” with the Ludlow investigation. That was 1979 and the witness was then a detective superintendent in Dundalk [a position he held from September 1978-June/July 1979]. He stated that the CID officers gave him the names and addresses of those involved: all were Loyalists. Asked if he believed those persons were the killers, the witness replied: “they would be very, very strong suspects”. This information - which he believed highly relevant and required to be “followed up” - was forwarded to Garda Head Quarters in Dublin’s Phoenix Park. However he “heard no more about it” and was told “nothing was being done about it” Asked how he reacted, he replied: “I was annoyed”.

Deirdre Murphy S.C. put it to the witness that the impression was created that Seamus Ludlow was killed by the IRA. Mr Courtney stated that, after considering IRA involvement “we” [the Gardai] eliminated” that organisation approximately two to three months after the killing. Asked what was on the Gardai file to reflect this, he said there was nothing on file to that effect. By this stage, the new information concerning the Loyalist suspects had been sent by Superintendent Fahy to the chief superintendent in C3 in Garda Head Quarters. The witness wanted to interview them about the Ludlow killing but required the authority to do so.

Deirdre Murphy submitted that the Ludlow family had been informed by the Gardai that the deceased man had been killed by the IRA but “clearly there was now another scenario, from a few months after”. The family, having waited 30 years to get to the truth, should be able to investigate the evidence of this witness that he was aware of UDA involvement. However, the coroner accepted Mr Murphy’s submission and the jury returned.

Deirdre Murphy put it to Mr Courtney that, on the basis of this information from the RUC, these four people killed Seamus Ludlow. These were the people he now sought to interview. They were very, very, strong suspects he replied. Asked if he told the Ludlow family of this development, he said he had not as they had not been checked out. Neither had he heard that the family had been told of IRA involvement.



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The witness reiterated that he sent his report on the four suspects to Superintendent Fahy and he in turn forwarded it to the chief superintendent in C3. The witness felt he had important information. When nothing came back over a period of time he wondered why it was not being acted upon:

“They sat on it up at Head Quarters...I was anxious to interview these people, I did not get any authority to do it”. He then contacted a detective sergeant in C3 whom the witness knew but was told “the man in charge would not do anything about it...he was taking no action”. Asked what further action he took Mr Courtney replied: “I did no more, what could I do?” He concluded by saying that the gardai had not recovered the gun used in the killing. .

#### September 6th evidence

Retired Chief Superintendent Ted Murphy told the inquest that former Garda Commissioner Patrick Culligan had asked him to re-examine the original Gardai investigation. His first task was to re-locate the original investigation file and upon examination, concluded that it was a “very thorough investigation”. In 1998, the four Loyalist suspects were arrested, detained and questioned by the RUC at Castlereagh under Northern Ireland’s Prevention of Terrorism Act. He explained that an extradition warrant could be used for the purpose of extraditing and charging a suspect in this [Republic] jurisdiction only. It could not be used merely for questioning. He agreed that the DPP in Northern Ireland did not bring prosecution against any person in connection with the killing of Seamus Ludlow.

The witness stated that the information that led to the arrest of the four came to the RUC in the first instance from an informer. During questioning, two of the four suspects gave the same information about the killing, details of the car and made certain admissions in circumstances where there was no collusion or opportunity to dovetail their accounts. Moreover, the two gave the same information as the informer that the shooting took place in the back of a car. The witness was satisfied that the four suspects had travelled from the North



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intending to kill someone “it did not matter who” and for no apparent reason. Mr Ludlow was a highly regarded man and his killing appeared to be a random one.

Deirdre Murphy SC put it to the witness that an inquest into Mr Ludlow’s death was held on 19 August 1976 and, most unusually, reached a verdict despite the fact that a Gardai investigation was ongoing. In such circumstances, inquests opened but then adjourned. The witness agreed it was unusual that these procedures were not followed. He also agreed that whatever the Ludlow family were being told about IRA involvement, the information supplied by Superintendent Courtney “clearly pointed in a diametrically opposite direction”. “Yes, absolutely, I did see his [Courtney’s] report and he did sent the report on”. And nothing was done about it? Counsel enquired.

“...there wasn’t, yes” he replied.

He stated that he searched Dromad, Drogheda, Dundalk and Garda Head Quarters for documents relating to the case and physical evidence. He could find none, apart from just one of the three .38 calibre bullets recovered.

Detective Sergeant Gannon was a uniformed sergeant at the time of the killing. He met Kevin Ludlow, brother of the deceased man. Deirdre Murphy put it to this witness that the rumours of IRA involvement emanated from him. He denied this. He further rejected Ms Murphy’s suggestion that he maintained “right through” that Seamus Ludlow was killed by the IRA. He said he suspected there were such rumours going around at the early stages but there was not a tenant of evidence to back it up. Ms Murphy put it to the witness that as late as 9 June 1995, Kevin Ludlow enquired as to whether there had been any progress in his brother’s murder and was again told it was the IRA. Furthermore, he was told a member of his own family was implicated in the killing. “Did you say that?” “I cannot recall saying that ... I don’t think so,” the witness replied.



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Questioned about the 1976 inquest, the witness said he first heard of it at 10am on that day from Frank Murphy in Dundalk. He admitted being surprised: he knew Kevin Ludlow was in Newry and doubted if he was going to make it. Sergeant Gannon said he was not given the task of liaising with the family and that he was a “mere witness” at the 1976 inquest.

### **Verdict**

The jury returned a unanimous verdict of unlawful killing. The foreman handed the Coroner a written comment, which after consideration, the Coroner did not make public. The jury concluded by expressing their sympathy to the family of Seamus Ludlow.

## **THE BARRON REPORT**

### **Missing Files**

**The Barron Report examined the events of Seamus Ludlows death. It found a number of things:**

No Security & Intelligence (C3) files appear to have been opened on the first three of the suspects. A file was opened on the fourth suspect in 1976 as a result of unrelated information from the RUC, but is missing.

The Technical Bureau’s (C4) files from the Murder Investigation Unit/Murder Squad and Fingerprints are missing, as are some of the Ballistics files. [pp. 7 – 8]

Some exhibits are missing, including two of the bullets found at the murder scene, and photographic records of certain fingerprints taken at the scene. [p.8]



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There was a Department of Justice, Equality and Law Reform file opened on the death of Seamus Ludlow, which contained a copy of the Garda investigation file, but no additions were made to it when the Gardaí received information from the RUC regarding suspects in 1979: nor was a new file opened on the matter. [p. 9]

The PSNI provided no new information concerning the suspects named to the Gardaí in 1979, no records concerning the questioning of Kevin Donegan, and no documentation from 1977, when information on the suspects was first received by the RUC Special Branch. [pp. 9 – 10]

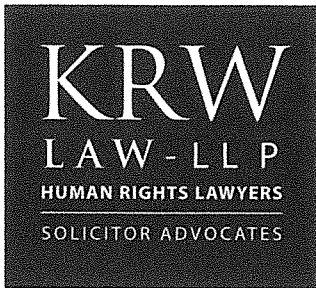
Approaches to individual Garda officers produced very little information; most officers had no memory of the crime. [p.11]

**In relation to the Garda Investigation, it found:**

“In all, 1,700 questionnaires were completed and processed, but nothing of value was obtained which gave any indication as to how or what time the deceased was picked up, or as to how or what time his body was placed in the position in which it was later found.” [Garda Investigation Report, 21st May 1976] [p.14]

“One week after the murder, on the night of 8th May, 35 Gardaí mounted checkpoints at various points along the Dundalk / Newry road between 11.00 p.m. and 3.00 a.m. This was with a view to interviewing any motorists who may have travelled the same route on the night of the murder. In all, about 1,400 cars were stopped; but no positive information resulted from these inquiries.” [p.14]

The lack of bloodstains at the scene and the fact that Seamus Ludlow’s shoes were clean led detectives to conclude he had been killed elsewhere. [pp. 15 – 16]



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A key was found on the ground nearby, but may have been there for some time. A man's black leather right-hand glove and a bag of dry bread were also found at the scene, and marked on a map, but were not referred to in the investigation report. A former member of the Fingerprint Section has told the Inquiry that fingerprints were also found on two chip bags, but there is no mention of this in the available Garda documentation. [p.16]

On 5th February, this information was conveyed by letter from Garda Headquarters to Chief Superintendent R. Cotterell, the Divisional Officer at Drogheda. On 15 February 1979, Superintendent John Courtney and Detective Sergeant Owen Corrigan travelled to RUC Headquarters in Belfast and met with the head of CID, Chief Superintendent William Mooney. Courtney was at that time Border Superintendent, based at Dundalk Station. He had been promoted in September 1978. Prior to this appointment, he had been a Detective Inspector with the Murder Investigation Unit, Technical Bureau; in which capacity he had assisted Detective Superintendent Dan Murphy with the original 1976 investigation. In the course of the meeting they were introduced to two RUC Special Branch officers who said they had information regarding the Ludlow murder. In his report of the meeting (dated 15th February but clearly written 2 or 3 days later, as it refers to further information received on 17th February) D/Supt Courtney gave an account of what they were told.

It must be emphasised that Supt Courtney's report was based on his own recollection of what was said to him by the RUC officers at their meeting: it was not a verbatim transcript of the information given to the RUC by their informant. It is reproduced here solely for the purpose of assessing what information was available to Gardaí in 1979. He wrote:

*'On the 15th February 1979 I had a discussion with [two named Special Branch officers]. This meeting took place at Belfast. Both these men related the following. A contact told them that No. (1) Hosking, was involved in a murder in Dundalk some time ago. Hosking and the other three travelled to Dundalk in Fitzsimmons' car. All the persons mentioned were at the time members of the North Down Volunteers, and they went to Dundalk to shoot some 'Provo' at random. They had a snub-nosed Smith and Wesson revolver...*



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### **An Garda Síochána's failure to act on the RUC's information**

Detective Superintendent John Courtney said that, when the RUC imparted the names of the perpetrators, he filed a report and expected to be directed to ask the RUC to interview the four men. No such directions were forthcoming, to his disappointment. He took the matter up with C3 and was told that Deputy Commissioner Larry Wren [i/c C3 – see p. 75] had said that they would not seek the men's extradition because the RUC would respond by seeking extradition of IRA men. [p. 51]

However, Ted Murphy found from his perusal of the [incomplete – see pp. 49 – 50] documentation:

- “- delays in replying to minutes issued from Assistant Commissioner, Crime Branch;
- no indications as to what developments, if any, were taking place in regard to the suspects;
- no record of any directions as to what action was to be taken or by whom against the suspects;
- a clear indication that Superintendent Courtney was personally dealing with any action that was to be taken concerning the suspects;
- no written indications from Superintendent Courtney as to what action he was taking.

In short, the documentation does not provide any clear indication as to what precise plan of action, if any, was being followed and by whom. It is unlikely that Detective Superintendent Courtney was solely responsible for preparing and executing a plan of action without the knowledge of and or consent of his superiors; unfortunately, records now available do not assist in reaching any definite conclusions.” [p. 50]

When interviewed on 16th November 1998 [presumably by Ted Murphy], Larry Wren could not recall anything about the Ludlow case. [p. 53]

**Judge Barron said:**





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“When C/Supt Murphy informed him that the suspects were first mentioned by the RUC in a letter to C3, Garda Headquarters dated 30 January 1979, Courtney was surprised and said this document had never been produced to him or brought to his attention. He remained sure that the first he had heard of the four suspects was at the Belfast meeting on 15th February 1979.

C/Supt Murphy believed that the letter from the RUC dated 14th February 1979, which referred to a request by Supt Courtney for further details on the suspects, implied that he must have known of their existence before the meeting on 15th February. But as we have seen, this letter was not received in Garda Headquarters until 28th February, and it is likely that it was posted on the 24th, not the 14th. This supports C/Supt Courtney’s contention that he had no knowledge of the suspects until the 15th, but leaves open the question as to why he was not given the information when it was received at Garda Headquarters on 30th January and passed to the Divisional Office on 5 February.” [p.52].

As a result of the Barron Report, The Sub-Committee of the Oireachtas recommended that a commission of investigation be established to investigate the following:

- i) Whether the evidence collected at the scene of the murder of Seamus Ludlow in 1976 was available in 1979 and if not, why not?
- ii) Why were credible leads given to the Gardaí by the Northern Ireland police force not followed up?
- iii) Why were the four named suspects not interviewed?
- iv) Was there a policy in existence not to interview suspects in Northern Ireland for crimes committed in this jurisdiction?
- v) Was a decision taken not to actively pursue the investigation of the murder of Seamus Ludlow and if so, who took that decision and why?”;

**and,**



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“The Sub-Committee recommends that a commission of investigation be established to investigate the following:

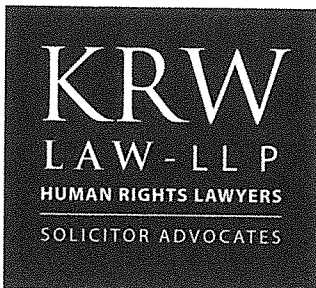
- a) What documents were created or maintained by An Garda Siochana including security intelligence C3 Section in relation to the murder of Seamus Ludlow?
- b) Where are those documents?
- c) If those documents are not available for inspection what is the reason for this
- d) What documents were created or maintained by the Department of Justice (and Departments of An Taoiseach, Foreign Affairs and Defence, in respect of the Cabinet Sub-Committee on Security), in relation to the murder of Seamus Ludlow?
- e) Where are those documents?
- f) If those documents are not available for inspection what is the reason for this?”

In February 2015 the Minister for Justice wrote to our family to advise that there would be no further Commission of Investigation. You advised that nothing put forward in the document represents new or substantial information which would in the public interest warrant an inquiry of the kind that is sought.

By refusing to follow through on the Barron recommendations, the Irish State have acted in breach of our legitimate expectation, by failing to properly take account of relevant matters, having acted unreasonably, irrationally, disproportionality and/or in breach of our’ Article 2 ECHR rights.

When the Barron Inquiry was established to investigate the murder of Seamus Ludlow, a substantive legitimate expectation was created. We have been forced to take the Irish government to the High Court in Dublin. As you know we are currently engaged in a Judicial Review against the Irish State and have been granted leave to proceed to full hearing against you. We will continue this fight by whatever legal means until we get truth.

We as a united and strong family will continue to fight for the truth from both states in this case.



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We look forward to hearing from you in due course.

Yours faithfully

**KRW Law LLP on behalf of  
The Family of Seamus Ludlow**

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