



WESTMINSTER 7<sup>th</sup> September 2016 Niall Murphy  
*The Loughinisland Massacre – A Policy of Collusion*

Wednesday 7<sup>th</sup> September, 7:00pm,  
Boothroyd Room, Portcullis House, House of Commons, London

## INTRODUCTION

Having watched that short film, you now understand the precise circumstances and horror of what occurred at a rural country pub, in June 1994. The savagery of the murders, stood out in a time when society was numbed at times to the brutality of such violence.

The bereaved families were left to watch as the ceasefires were called within weeks and months and society endorsed all protagonists to the conflict to engage in the Peace Process. The concepts of truth, justice and accountability were not ideals which any of the bereaved or survivors felt able to raise or pursue. That changed in 2004 when the families regrouped at the 10<sup>th</sup> Anniversary. Emma Rogan, who was 8 when her father Adrian was murdered, was now 18, a confident young woman, who wanted answers and did not feel sensitive to fragilities of the Peace Process. Allegations had always swirled as to the suspicion that loyalists operated with impunity with perhaps the tacit endorsement of the RUC, but there was never any evidence to substantiate these concerns.

Indeed, the families overwhelming dynamic was not to prove that collusion, was a feature in the atrocity, The families conceded within themselves as a group that Justice as an ephemeral concept was impossible by virtue of the fact that the majority of society had voted for the GFA that ensured that anyone convicted of the murders would only serve two years in prison. Indeed the families demands were much more straightforward. They merely wanted to know what happened, what evidence was recovered, what was the state of the police investigation, was there a prospect of any convictions, what were the facts. What was the truth, as to what happened.

In doing so, the families embarked on a truth recovery campaign that has taken them on a journey from the depths of rejection on receipt of an initial Police Ombudsman report in 2011 by Al Hutchison, to the empowerment afforded by the report published on 9<sup>th</sup> June 2016 by Dr Michael Maguire.

Dr Maguire's report is one of the most damning expositions of State collusion in mass murder, that has ever been published. It joins the ever growing library of indictments of Stalker, Stevens, Cory, Saville, de Silva and O'Loan, but these reports cannot sit on a shelf gathering dust and being examined by academics. There must be accountability.

The documented catalogue of explicit incidents of the commission, preparation and instigation of acts of terrorism by police officers, in the report, is terrifying.

Dr Maguire declared he has '*no hesitation in unambiguously determining that collusion is a significant feature of the Loughinisland murders*'. Collusion on the part of the police force, the Royal Ulster Constabulary (RUC), was here understood in both an active sense ('to conspire, connive or collaborate') and in the failure to act (by 'turning a blind eye' or 'pretended



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ignorance’ of what should ‘morally, legally or officially’ be opposed). It included ‘*wilful acts*’ to protect informers, ‘*catastrophic*’ investigative failures and ‘*the destruction of records*’. All facilitated, by a “hear no evil, see no evil, speak no evil” approach to the use of informants’ by RUC Special Branch; something also evident in the actions of British military intelligence units. There have been many reports into conflict-related killings, but few as important and likely to challenge previous official narratives of the nature of the conflict’ as that into the attack at Loughinisland.

The report incredibly provides a continuum of evidence of collusion from the 1970’s, through to the 1980’s to the 1990’s. From Glenanne to South Africa, to the worst examples of informer handling in the 1990s, which conclude in the murder of 6 men, who were just watching a football match on TV, as many of us have done over the Summer.

The evidence of collusion outlined in the report sets out the use of illegal methods and techniques through the organized alliance of useful likeminded and sympathetic groups of individuals, often cultivated through serving and former soldiers, into paramilitary gangs, the use of pseudo gangs, counter gangs, agents, and informers, that inevitably result in countless murders are at the core of the collusion policy. The instructive pretext of official deniability also frames these activities.

All of this is completely connected and planned – it should not be viewed in silos or isolation. In doing so we better understand the framework policy and expose the nonsense of the ‘rogue’ element and ‘bad apple’ theory. Collusion was an institutional systemic policy, approved and resourced at the highest levels of government and military of the time.

**Before we assess the import of the recent Dr Maguire report, I want to specifically juxtapose the previous report by Al Hutchison. Also, when assessing Dr Maguire’s revelations, particularly about the South African arms importation, we should remind ourselves of the conclusions drawn by Sir Desmond de Silva on the topic and re-consider their veracity.**

## FACTS KNOWN FROM AL HUTCHISON REPORT IN 2011

### Just to recap on the facts we knew from the 2011 report:

Man B owned the Red Honda Triumph Acclaim in the weeks before the massacre, in fact he says he was attracted by the fact that it had a cherished number plate.

### MAN B / Police Officer 4 Pages 12 – 17 of the Police Ombudsman’s Report.

#### *Man B was an informer handled by Police Officer 4.*

The atrocity occurred at just after 2210.

1. The getaway car was found the morning after the atrocity at 09:40. (para 5.26)
2. the car was reported to police as found at 10:04 (para 5.26)
3. Man B was phoned at home by PO4 and attended Tennent Street between 1100 and 1200 ie within an hour of the car having been found. (para 5.41)
4. PO4 then recorded an exculpatory statement from Man B, which ensured he would never be arrested. Man B, as a matter of fact, has never been arrested. (para 5.42)
5. PO4 was not a member of the Murder Investigation Team. (para 5.42)
6. Police Ombudsman investigators have established that a note was written on Man B’s ‘get of jail free statement’, recorded within an hour of the car having been found, stating that Man B was ‘only to be contacted through PO4’. (para 5.45)
7. The car was then destroyed within 10 months by the RUC. This was in contravention of all policing guidelines yet no one is held responsible by this report. **No authority was given to destroy this exhibit yet it was destroyed.** The advances in forensic science since, can never be applied to this most important of exhibits, yet, it is excused by this report as no one is held accountable.

The original Police Ombudsman’s report was a cover up. It refused to comment on the role of

- Informers
- Special Branch
- It ruled out collusion as there was ‘insufficient evidence’.

The reason that there was insufficient evidence is because the RUC kept destroying the evidence.

- They destroyed the car within 10 months,
- they destroyed all notes of the 13 arrests which occurred in the first two years.
- They lost evidence, the Log Book of the car, a letter sent naming suspects to a local councillor and
- refused to gather evidence.

## FORENSICS

When I say refused to gather forensics I mean that, 9 out of 16 people did not have forensic samples taken properly IN A MASS MURDER INVESTIGATION, and 3 people Q / R and G did not have any DNA or fingerprints taken, in a case where the evidence recovered included :

- The Getaway Car ; the largest physical exhibit in a mass murder case
- All of the weapons used by the murderers.
- 3 balaclavas
- 1 pair of gloves
- 3 boiler suits

I should point out that none of these items were actually found by the police, they were all found by members of the public.

## ***YET***

Notwithstanding the evidence above AH could not find evidence of collusion.

The families were devastated by the facts recovered by the report, however this was a process that they entered to recover facts, and to that end they knew more in June 2011 than they did for 17 years, however they did not for second feel that the full story has emerged, and how they were proved right!

The Report attempted to rule out the role of informers the fact of the matter is that the Report adopts the position of refusing to confirm or deny the status of any individual. The role of informers is not addressed much less ruled out.

Two words did not appear in AH's report – **Special and Branch**. That a 56 page report, addressing the serious concerns of State Collusion in an atrocity, did not remotely address the role of Special Branch is an insult to the intelligence of these families. We enquired at the time was there a special arrangement in existence between the Ombudsman's office and Senior Police to ensure that Special Branch no longer feature in reports ?

By refusing to countenance the issues of the role of Informers and the Role of Special Branch, and having set those issues aside, to state that there was no collusion is an exercise in **factual gymnastics and was an insult to the families**.



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## **JUDICIAL REVIEW CHALLENGE TO AL'S 'WIDGERY' REPORT**

The families did not accept the Widgery-esque whitewash and immediately challenged the report in the High Court in Belfast by way of judicial review, lodged in September 2011. The families were then confronted with a ridiculous and irrational refusal of legal aid to Brigid Green, to take the challenge, a decision which was itself successfully challenged by judicial review in June 2012<sup>1</sup>. As such, the substantive judicial review against the Police Ombudsman was delayed by a full year by the necessity to successfully challenge LSC's unlawful decision to grant Mrs Green legal aid for the substantive judicial review.

The main case did not come before the court until September 2012, whereupon lawyers appearing for the Police Ombudsman sought an adjournment of the leave application to consider their position. When the matter was next mentioned on 21st December 2012, the Police Ombudsman conceded the case on the papers without necessity for even the leave application to be heard, and invited the court to grant an order of Certiorari quashing the report.

Mrs Green passed away on 4<sup>th</sup> December 2013. She did not live to see the day that she had longed for and that she had fought for, in the winter of her life. The unlawful decision by LSC in September 2011, delayed the substantive case by at least a year, possibly longer, time that Mrs Green did not have. Had Mrs Green not challenged both LSC and PONI in 2011 and 2012, the truth, as evidenced in the s62 statement published on 9th June 2016, might not ever have seen the light of day. The tragedy in the context of the Loughinisland case is that Mrs Green did not live to see the product of her tenacity.

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<sup>1</sup> Green's (Brigid) Application [2012] NIQB 48 [https://www.courtsni.gov.uk/en-GB/Judicial%20Decisions/PublishedByYear/Documents/2012/%5B2012%5D%20NIQB%2048/j\\_j\\_TRE8553Final%20-%20Publish.htm](https://www.courtsni.gov.uk/en-GB/Judicial%20Decisions/PublishedByYear/Documents/2012/%5B2012%5D%20NIQB%2048/j_j_TRE8553Final%20-%20Publish.htm)

## **SOUTH AFRICAN ARMS SHIPMENT – INDEFENSIBLE INTELLIGENCE FAILURES**

The lethality with which loyalism was able to increase its capacity to kill is traced by this report, to the South African Arms shipment.

This report proves that Special Branch had reliable intelligence that there was to be an arms importation in 1987/88 and further that police informants were involved in the procurement, importation and distribution of these arms.

*Special Branch had reliable intelligence that there was to be an arms importation in 1987/1988. Moreover, reliable intelligence indicates that police informants were involved in the procurement, importation and distribution of these arms. The failure to stop or retrieve all the weapons, despite the involvement of informants in the arms importation was a significant intelligence failure. (p3)*

The report also states that

*“an individual who performed a central role in UDA attempts in 1985 to acquire firearms from South Africa whilst in the employ of the RUC’s Special Branch as an informant remained in a senior position within the UDA.” 4.166*

Dr Maguire concluded that

*“police were aware of plans by the UVF, UDA and Ulster Resistance to import a significant consignment of weaponry to Northern Ireland in mid to late 1987 and knew about the arrival of the assault rifles, semi-automatic handguns, grenades and other weapons forming the shipment shortly after it was landed in Northern Ireland.” Para 9.2*

Despite this, in his 2012 report on the 1989 killing of human rights lawyer Pat Finucane, Desmond de Silva QC concluded the arms shipment was a *‘separate operation with which Nelson and the FRU had no involvement’*. Indeed, despite his key intelligence role within the UDA de Silva accepted Nelson’s contention he (and by implication, his handlers) did not know the origin of the imported arms until several months later. De Silva also reserved special praise for the efforts made by the security forces in arms seizures of loyalist weapons, including those of a portion of the 1987 shipment made in January and February 1988. For de Silva the RUC record of seizing weapons was clear evidence to refute as ‘untenable’ arguments that loyalist ‘terrorists’ were ‘simply State-sponsored forces’.

The findings of the Loughinisland report stand in stark contrast to such conclusions, painting a very different portrait of the foreknowledge of state agencies and the role of state agents and informers. Michael Maguire states categorically the ‘origins’ of the 1987 arms shipment lay in Nelson’s 1985 visit to South Africa, organised ‘with security force oversight’ by a *‘senior member of the UDA who provided information for the RUC’s Special Branch’*.



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**4.87 At the time of the importation of the firearms and subsequent receipt of intelligence in 1990, the RUC had informants in senior positions of some of the Loyalist Paramilitary Organisations involved. One of those sources was named in the intelligence as being involved in the importation.**

## GLENANNE FARM

The activities of a gang which operated from a farmhouse at Glenanne have been well documented, most forensically in the book ‘Lethal Allies’ by Ann Cadwallader. Twenty-five British soldiers and police officers were named as purported members of the gang. Details about the group have come from many sources, including the affidavit of former member and RUC officer John Weir; statements by other former members; police, army and court documents; and ballistics evidence linking the same weapons to attacks which prove the gangs involvement in 120 murders, all of which were conceived, prepared and instigated at the farm house of James Mitchell, an RUC Reserve Constable from 1974-1977.

That this arms shipment from South Africa, was stored at the very same farmhouse owned by James Mitchell from which the Glenanne Gang operated is a disturbing fact, and is now a feature of the factual matrix which informs our history.

The report states that the police who arrested the drivers of the Ford Granada’s noticed that traces of manure, mud and straw had been found on their shoes, and further that intelligence received stated :

*“... that the weapons had been stored in a barn at a farm near a blue coloured house within four to five miles of Tandragee, in the direction of Markethill.” (4.109)*

Which was an exact description of James Mitchell’s farm.

Indeed, the report informs us that Police Officer 16, a Detective Superintendent responsible for CID, ‘joined detectives in the Markethill area with a view to locating the farm’ without success.

Amazingly, Police Officer 16 had actually interviewed James Mitchell just 10 years previously, wherein Mitchell described his farm as one of the main UVF arms dumps for mid-Ulster. On 30<sup>th</sup> June 1980 James Mitchell was convicted of possession of two submachine guns, ammunition and explosives for which he received a suspended sentence.

Dr Maguire comments that he has found no explanation as to why Police Officer 16 did not attend Mitchell’s farm.

*“The failure to go to James Mitchell’s farm permitted the prompt undetected removal of the remaining weapons.” 4.199*

Most disturbing is the finding that despite two Ford Granada’s being stopped at Mahon Road on 8<sup>th</sup> January 1988, wherein the first ever VZ58’s in Ireland were recovered, that within 2 hours of the cars being stopped, James Mitchell was warned that police intended to search his farm, as a result of which the remaining weapons were moved to Markethill. It is from this batch, that the weapon used to murder the 6 men in Loughinisland came from.

*“Despite being linked by intelligence in the importation of these weapons, senior members of the UVF, UDA and Ulster Resistance were not the subject of police investigation. Given the gravity of the conspiracy and the impact of that the importation has had on so many lives, this decision was indefensible” 4.200*

## **SOUTH DOWN SECURITY FORCE LOYALIST SYMPATHIES**

*Within a relatively short period of time the police had reliable intelligence on who committed the murders. (p1)*

*It is a matter of significant concern that Special Branch failed to pass on intelligence into the activities of loyalist paramilitaries thereby protecting these individuals, who continued to commit serious criminal acts, from effective investigation. (p4)*

*Had this unit been subject to sustained and robust investigation for the previous murders they may have been arrested and brought to justice and may not have been involved in the Loughinisland attack, for which they were suspected. (p4)*

*It is of particular concern that Special Branch continued to engage in a relationship with sources they identified in intelligence reporting as likely to have been involved at some level in the Loughinisland atrocity. (p8)*

Dr Maguire states clearly that

**“It is my view that the nature of the relationship between the police and informants undermined the investigative process in a number of ways”.** Page 6

And that...

**There was a ‘hear no evil, see no evil, speak no evil’ approach to the use of informants, which potentially frustrated the police investigation into the attack and restricted investigation opportunities and lines of inquiry. (p7)**

And most remarkably that -

**‘Special Branch continued to engage in a relationship with sources they identified in intelligence reporting as likely to have been involved at some level in the Loughinisland atrocity’.** Page 7

The report develops this concern, at para 5.67 wherein Dr Maguire describes that Special Branch

**... established an intelligence asset that revealed that Persons A, M & K were leading UVF members in the area, with connections to the security forces. In addition, the intelligence identified a relationship between Persons A, M, K and Person I, who was a senior member of the UVF with links to East Belfast, but who reported directly to the UVF leadership on the Shankill Road, West Belfast.**

And further at para 5.80

**My investigation has established that at least three individuals and their families, directly associated with the UVF unit active in South Down, were members of the UDR.**

The report at para 5.85 goes on to tell us that in the year before the Loughinisland atrocity

**Despite possessing intelligence in 1993 that Persons A, M, K and I were responsible for**

- **conspiring to murder Peter McCarthy on 6 November 1992;**
- **the murder of Peter McCormack on 19 November 1992;**

- **the murder of Martin Lavery on 20 December 1992;**
- **and the attempted murder of John Henry Smyth on 7 June 1993, only Person K was arrested in connection with the latter offence.**

After the Inquests on 28<sup>th</sup> January 1995, a local District Councillor received an anonymous letter on 14<sup>th</sup> February 1995 which named three individuals, persons I believe to be Persons A, M, and I, as being responsible for the atrocity.

Indeed, Dr Maguire's report tells us at paragraphs 7.203 that this letter has been lost by police and notwithstanding its content, no persons, certainly none of those named in it, have been charged before the criminal courts

**7.203 Although the original anonymous letter was examined for fingerprints at the time it was surrendered to police, the exhibit cannot now be located.**

**7.204 I am satisfied that police involved in the Loughinisland murder investigation failed to exploit the evidential opportunities presented by this information and as a result may well have lost another significant opportunity to bring those responsible for the attack before the courts.**

Dr Maguire states at para 7.164

**I am satisfied that on the basis of a sound intelligence case, Special Branch identified Persons A, M, K, I & B to the Loughinisland Murder Investigation Team as suspects on Sunday 19 June 1994.**

Yet Dr Maguire's report tells us at paragraph 7.155

**On 24 August 1994 police received information that members of the gang, which police suspected had been responsible for the murders at Loughinisland, were informed on 21 August 1994 that they were liable to be arrested the next morning. Intelligence the following month stated that the source of this warning was a policeman. I have found no evidence that efforts were made by police to investigate this information.**

Paragraph 7.177 confirms that Persons A, B, K and M were arrested on 22<sup>nd</sup> August 1994.

The following fact, reported at para 7.158 is perhaps the most egregious;

**One of the suspects identified by police, who was a legitimate suspect, was not only an informant for the RUC at the time but continued in this role for a number of years after the Loughinisland attack.**

Indeed Dr Maguire concludes at paragraph 9.9

**I have seen sufficient information to be satisfied that corrupt relationships existed between members of the Security Forces in South Down and the UVF Unit, to whom police attributed the murders at Loughinisland. The failure by police to investigate the veracity of intelligence that those responsible had been 'warned' by a police officer of their imminent arrest is inexcusable.**

Intelligence that would have been of value to investigators of related murders and attempted murders, was marked as ‘*Not For Downward and Dissemination*’ (NDD) and / or ‘*Slow Waltz*’, a remarkable phrase and concept for intelligence management. (5.11)

Dr Maguire finds that the failure to disseminate information to investigators was an attempt to protect the sources of that information. (page 3)

The remarkable state of RUC corruption is exemplified by the fact that a Detective Inspector, who might be described as a good apple in a rotten orchard, decided that in investigating a murder, he required to search Clough Orange Hall, but that in doing so, he was conscious that it could be compromised by leaks from within the local security forces in the Newcastle sub division. (5.79)

**5.79 The evidence of Police Officer 3 suggests that security forces in the Newcastle Sub-Division had been compromised, principally from the UDR but also from within the local RUC, through either direct involvement with loyalist paramilitaries, associations or sympathies.**

**5.80 My investigation has established that at least three individuals and their families, directly associated with the UVF unit active in South Down, were members of the UDR. They also had close family members working locally at RUC establishments and within the Police Force itself.**

Despite having the names of the main murder suspects, within hours, their houses weren’t searched for 4 weeks and no arrests were made for 4 weeks. Why?

Despite the strong intelligence profile in respect of Person A, he was never charged, despite

- his name having been given to investigators by Special Branch provided the morning after the murders (7.164)
- he was named in a letter sent anonymously to the local councillor
- the getaway car was found within hours of the murders in a remote field in very close proximity to his family home on the Listooder Road (7.132)
- his maternal DNA was confirmed as being present within the holdall recovered at Carsonstown Road on 4<sup>th</sup> August, beside the VZ58 used in the murders (7.194),
- he was not arrested for 6 weeks, and was one of a group who were tipped off by a police man the day before his arrest. (7.155)
- his fingerprints were on the photo album of republican suspects found in Clough Orange Hall after the murder of Jack Kielty, however as Person A was a member of the UDR he was able to explain the presence of the fingerprints. (5.27)

Dr Maguire comments generally that “*It is my view that the nature of the relationship between the police and informants undermined the investigative process in a number of ways*”. Page 6

## REMARKABLE CONCLUSIONS

9.3 **There were significant failures associated with this intelligence-led operation, which resulted in a significant proportion of the imported weapons falling into the hands of loyalist paramilitaries, notably the UVF.** A military grade automatic assault rifle from the shipment was used to murder the victims at Loughinisland.

9.5 I have also concluded that there was a strategic failure by police to identify and implement robust measures to counter the escalating activities of a small unit of the UVF within South Down. I attribute this to:

- a. Failures in the policing response to Loyalist Paramilitary activities due to a focus on the IRA as a result of which the activities of the UVF unit in South Down escalated;

9.7 Despite having intelligence sources at all levels of the UVF, little intelligence apparently emerged, which could have assisted in preventing the murders at Loughinisland. *This was in my view, at least in part due to the value some Special Branch officers placed on gathering ‘strategic’ intelligence and the protection of the sources of such information rather than the prevention and detection of crime.*

9.9 I have seen sufficient information to be satisfied that corrupt relationships existed between members of the Security Forces in South Down and the UVF Unit, to whom police attributed the murders at Loughinisland. The failure by police to investigate the veracity of intelligence that those responsible had been ‘warned’ by a police officer of their imminent arrest is inexcusable.

9.32 However, a lack of suitable guidance does not excuse the actions of the “intelligence world” if it meant that individuals were protected from investigation into serious crimes as a consequence of their participation as informers.

9.33 When the police turn a ‘blind eye’ to criminality for the “greater good”, it can lead to a corruption of the criminal justice process. It also exposes the police to significant organisational risks – not only of allegations of collusion, but also to their manipulation by informers giving partial information in order to seek protection from their criminality.

9.37 In this matter, I have concerns about the information held by Special Branch in respect of James Mitchell’s Farm and the investigation of James Mitchell in the 1970’s by a senior officer who was subsequently ‘on the ground’ following the recovery of arms at Mahon Road

and the loss of surveillance at a crucial time. **I can find no logical explanation for the failure to identify James Mitchell’s Farm as the possible location for the imported weapons given the information known to the police in general and the Officer in particular.** This failure to act meant that the farm was not searched at the earliest opportunity quickly and the remaining weapons were moved.

**9.39 These failings represent more than ‘intelligence failures’. At best they are indicative of an ‘intelligence mindset’, which placed the collection of information before the prevention and detection of crime. At worst they indicate a disregard by some for the suffering of the families involved at the hands of loyalist paramilitary gangs and a corrupting involvement, tacitly or otherwise, in serious criminal acts.**

9.40 Many of the individual issues, which I have identified in this report, including the protection of informants through both wilful acts and passive ‘turning of a blind eye’, catastrophic failures in police investigations and the destruction of records are in themselves evidence of collusion, as defined by Judge Smithwick. When viewed collectively, **I have no hesitation in unambiguously determining that ‘collusion’ is a significant feature of the Loughinisland murders.**

## **A PERNICIOUS COUNTER NARRATIVE?<sup>2</sup>**

In a key note speech on Dealing with the Past, in February, the Secretary of State Theresa Villiers told an audience that we today faced “*a pernicious counter narrative*”. This allegation in itself was pernicious and deeply hurtful.

The comment parallels the British Government’s position of granting itself a National Security veto, that extends to all of the cases wherein a VZ58 was used to murder. As I stated at the outset, there must be accountability. The Ombudsman can merely issue a report and can only report on the role of the RUC. There is an accountability gap in terms of British Army intelligence and the role of MI5 in the weapons importation. The absence of the Rule of Law and the perfunctory and cosmetic nature of investigations as evidenced in this report, is akin to the state endorsed death squads, which operated in Central and Latin America at the same time.

It was remarkable that the Prime Minister of the time John Major was in Belfast on the day of the release of the report, with Tony Blair.

Villiers in her speech would go on to say that there were some who proposed a “*version of the Troubles that seeks to displace responsibility from the people who perpetrated acts of terrorism*”

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<sup>2</sup> <https://www.gov.uk/government/speeches/villiers-a-way-forward-for-legacy-of-the-past-in-northern-ireland>

*and place the State at the heart of nearly every atrocity and murder that took place” She went on to say that “It wasn’t the RUC or the Army who pulled the trigger at Loughinisland.”*

But it was the Army whose agent was involved in importing the weapons and it was the RUC who failed to follow intelligence on those weapons leaving them in circulation to commit these atrocities including the murder of at least 70 people.

It was RUC paid agents who pulled the triggers and it was the RUC who failed to investigate the atrocity, with houses not searched and no arrests made for a month, despite having names within a day. Alibis weren’t checked out and evidence was persistently destroyed by the police. It was the RUC who destroyed the getaway car after 10 months denying future police investigations the opportunity to test for DNA.

This report is not a pernicious counter narrative. It corrects a carefully constructed official state narrative which is based on a lie. History is rectified by facts and the real truth emerges.

This report is now part of a factual matrix that joins the truth published by Baroness Nuala O’Loan in her Operation Ballast report, and also the limited public findings that have been permitted to be published following the investigations by Lord Stevens and Sir Desmond de Silva.

- Sir Desmond de Silva advises us that in 1985, MI5 assessed that 85% of UDA intelligence used to target nationalists originated from within the security forces.
- During his three investigations Lord Stevens and his team arrested 210 paramilitary suspects. Lord Stevens has stated on the record that 207 of them were agents or informants for the State.
- Baroness Nuala O’Loan in her Operation Ballast touching upon the activities of the Mount Vernon UVF revealed the truth pertaining to Informant 1, since unveiled as Mark Haddock, who received £79,840 from the RUC over a 12 year period during which he committed or was involved in 10 murders and 10 attempted murders. Indeed his monthly retainer was increased from £100 to £160 in 1993, shortly after he was identified as the main suspect in the murder of Sharon McKenna.



## **Where to now? Accountability**

But the facts which have been exposed cannot be a full stop to the matter. There must be official accountability and as yet a proper response to the report findings has not been forthcoming from the UK government. This report cannot be a document that merely gathers dust.

In fact, the first legal analysis of the report will come in the form of a Judicial Review challenge from the Retired Police Officers Association, who have applied to the High Court in Belfast to have the report quashed, with the leave application due to be heard on 10<sup>th</sup> November. Far from being a catalyst for change, the first public action for the report is that it be defended.

If the facts exposed in the report were to be published as facts here in England then I would suspect that the public opprobrium would be much louder than has been the case. There would quite rightly be much more outrage and I suspect an official inquiry into the matter with critical official condemnation, so I have to ask why has this not happened?

Why does the NI Affairs Committee continually ignore the fact of collusion despite the damning catalogue of evidence; is it because it is an inconvenient truth for the membership?

More is required from politicians at Westminster and the challenge is, whilst acknowledging that this evening is a step in the right direction that much more is required of this Parliament in terms of righting these wrong.

Dr Maguire's report evidences catastrophic and indefensible investigative failings which amount to a corruption of the criminal justice system.

It is, as was described so eloquently in the Kingsmill Inquest, by the sole survivor Alan Black, the unvarnished truth.

This Unvarnished Truth, has, after the debacle of 2011, redeemed public confidence in the integrity of our Police Ombudsman's office, and has most importantly redeemed the dignity of the memory of those murdered in this awful atrocity, and to the families of the deceased, whose tenacity and courage in pursuing this truth, the most credit and respect must be paid.