



HEARING LISTED TO DETERMINE STATE LIABILITY FOR 1988 LOYALIST WEAPONS IMPORTATION

Today the Belfast High Court fixed a hearing date for two collusion actions against the state in relation to the killing of four people: Brian Frizzell, Katrina Rennie and Eileen Duffy at a Craigavon mobile shop on 28 March 1991, and Alan Lundy in West Belfast on 1 May 1993. KRW Law acts for the families of the victims.

The latest listing arises from a Closed Material Procedure (“CMP”) in the lead cases of Frizzell and Lundy with respect to a shipment of weapons brought into Northern Ireland from Beirut by loyalist paramilitaries in the late 1980s. It is alleged that the state assisted and facilitated loyalist paramilitaries in procuring and importing this shipment. The FRU agent, Brian Nelson is alleged to have been involved.

Many of these issues have been addressed in the Police Ombudsman’s 2016 Report into the murders at the Heights Bar, Loughinisland. However, the issue of state liability has never been addressed. In October 2023, the Court provided a judgment and gist with respect to this shipment of weapons. A further gist is expected within 14 days and the hearing, which will be conducted in both an OPEN and CLOSED court, is listed on 25 November 2024 and will run for 5 days. An OPEN and CLOSED judgment will be delivered thereafter.

Speaking after the Court confirmed the listing in November 2024, Setanta Marley, partner in KRW LAW said:

“We very much welcome this development. The CMP in the Frizzell and Lundy cases has been ongoing for some time, and we are very pleased to see the process near completion. We must commend the Court for the very constructive approach it has taken in navigating these very complex and long running legal issues and today’s listing is an endorsement of its approach.

For many years, there has been much commentary about this importation of weapons. The most comprehensive has come from the Police Ombudsman’s Report into the murders at the Heights Bar, Loughinisland. However, the issue of state liability has never been determined by a Court. This is what the Court is to do in November, and we relish the opportunity to argue this very important issue.

In the Loughinisland Report, the Police Ombudsman said that the (VZ58) rifles from this shipment were used in at least 70 murders and numerous other attempted murders after Loughinisland. This listing and subsequent judgment will therefore impact scores, if not hundreds of cases – spanning the late 1980s, 1990s and 2000s – where the weapons from this shipment were used.

The approach taken by the court here sets down a marker for a similar engagement in many other conflict related cases, this is particularly important given the almost complete absence of any criminal prosecutions against the main suspects implicated in dozens of killings right across the jurisdiction.

Today’s listing is an important milestone in the ever-evolving area of legacy litigation in this jurisdiction”. ENDS

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