

# BLOODY SUNDAY INQUIRY

WEEK 109

**17 TO 20 NOVEMBER 2003**  
**DAYS 396 TO 399**



## EVIDENCE HEARD

**This week the Inquiry heard from the following witnesses:**

**OIRA 1** (Official IRA Command Staff, Derry 1972); **Theresa Maxwell**; **Neil Davies** (TV Researcher, ex-Parachute Regiment); **OIRA 7** (Volunteer, Official IRA, Derry 1972) and **Edward Dobbins** (Volunteer, Provisional IRA, Derry 1972).

## Summary of Evidence

Monday	17 November 2003	OIRA 1, Theresa Maxwell
Tuesday	18 November 2003	Neil Davies
Wednesday	19 November 2003	OIRA 7
Thursday	20 November 2003	OIRA 7, Edward Dobbins

A full transcript of the proceedings is available at <http://www.bloody-sunday-inquiry.org.uk>.

Numbers in square brackets refer to the code given to a particular document by the Inquiry.

## INTRODUCTION

OIRA 1 completed his evidence on Monday 17 November 2003 but it is dealt with in full in last week's report. Neil Davies left the Parachute Regiment in 1969. In 1989 he commenced research on a television documentary about Bloody Sunday during which he interviewed a number of ex-Paras. OIRA 7 was an Official IRA volunteer on Bloody Sunday and he says he witnessed James Wray being shot. Eddie Dobbins was a Provisional IRA volunteer on Bloody Sunday and was patrolling the Creggan.

## Theresa Maxwell

**Made statements in 1972 [AM0030.0005] and to the Inquiry on 16 March 1999 [AM0030]**

Ms. Maxwell was only 14 years old on Bloody Sunday. She lived in the Creggan and did not know the Bogside very well. She went on the march with her friend Margaret Edgar. They were on the march in William Street and

when it turned down Rossville Street. They stopped on the pavement between Eden Place and Pilot Row.

### **Gunfire**

There was a large crowd in Rossville Street. At about this time she heard gunfire. At first she thought what she heard was the sound of rubber bullets being fired but people started running and screaming that the army was shooting. She did not recall seeing any army vehicles in Rossville Street. She and her friend ran to the entrance to Block 1 of the Rossville Flats at the north gable end. They went up the stairs and along a balcony into a flat. They just went in the first open door. She thought the flat they went into was on the eighth floor and the second flat along. There were a lot of people in the flat, maybe as many as 30.

### **Rubble Barricade**

Ms. Maxwell looked out of the window down onto Rossville Street. She saw two young men run out from the flats opposite (Glenfada Park) and head towards Block 1. They were behind the rubble barricade. There was no one else on the barricade at the time. She saw one of them fall. At first she thought he had tripped or been hit by a rubber bullet because he seemed to stumble but he then crumpled and her friend said he had been shot. She thought the one she saw fall was wearing a denim jacket and had long dark hair. Later she had heard talk that he may have been William Nash, but she did not know this for herself.

She then saw two soldiers run out of the north side of Glenfada Park North onto Rossville Street. They had rifles. She did not know whether or not they had fired at all let alone whether they were the one's who shot the young lad but they appeared at about the same time as he fell. The next thing that happened was the soldiers pointed their rifles towards the window where she was so they all ducked and moved away. She and her friend were so scared that they went into the bathroom and did not look out any more. Her impression was that the shooting, which had continued the whole time gradually became less intense.

In a very brief statement she made in 1972 Ms. Maxwell described a soldier coming from behind a wall opposite the Rossville Flats and taking aim at the 2 men running across the rubble barricade. There she says she ducked away but looked back to see the two of them were lying on the ground. However she is now convinced she actually saw one of the men fall. She thinks the statement may have been taken from her by a foreign journalist while she was in the bathroom.

### **Body**

Ms. Maxwell's memory from here on is very unclear but she believes she and her friend left the flat once the shooting had completely stopped. They went along the balcony and down the stairs at the south end of Block 1 exiting at the entrance opposite Glenfada Park just south of the rubble barricade. At some point she saw a body which she believes was covered in a blanket. She cannot be sure where this was. She thinks she crossed Rossville Street and entered Glenfada Park but the body may have been that of Bernard

McGuigan (i.e. just behind the south gable end of Block 1). There was a group of people around the body including a couple of first aid people with crosses on their arms. Some of them said it was Bernard McGuigan. There were some low flats behind where the body was. On the plan attached to her statement she marked the position of the body as towards the west side of Glenfada Park North because she believed that is where she had gone and because there were low flats. (Joseph Place are also low flats and these were behind where Bernard McGuigan lay.)

### **Arrestees**

In her 1972 statement Ms. Maxwell refers to seeing people being searched by soldiers as they were held spread eagled at a brick wall. She cannot remember when or where this was but she may have seen it whilst she was still in the flat.

At no time did she see any civilians with guns or petrol bombs.

### **Neil Davies**

#### **Television Researcher**

**Made Statement to his own solicitors [M0019.0001] and to the Inquiry on 1 October 2002 [M0019.0014.1]**

Neil Davies is a former paratrooper now working as a television researcher. He has his own production company *Dai For Films Limited*. He joined the Parachute Regiment in 1965 and left in 1969. He served with the 1<sup>st</sup> Battalion Parachute Regiment in Aden, Bahrain and Cyprus. Between 1966 and 1969 he was a Private in Support Company's motor platoon. Sergeant O was his NCO and he knew others who went on to serve in Northern Ireland some of whom were present on Bloody Sunday. He bought himself out of the army in 1969 but remained a member of the army reserve until his 45<sup>th</sup> birthday in 1993.

### **Praxis**

In 1988 he met John Goddard who ran Praxis Films Limited. Neil Davies suggested a programme on British withdrawal from Aden in the 1960s. They discussed the idea and Mr. Davies began preliminary research in 1989. This involved speaking to soldiers with whom he had served in Aden in the course of which he learnt a number had also been in Derry on Bloody Sunday.

Mr. Davies said he had previously thought about a programme on Bloody Sunday and he also discussed this with John Goddard. Mr. Goddard was interested in trying to obtain a commission from Channel Four for Praxis to make the programme. By May 1989 Mr. Davies said he was researching both projects. Through various contacts he spoke to people in Derry about the Bloody Sunday programme. Eamonn McCann in Derry, Gerry Fitzpatrick in London and Martin McGovern in Dublin all helped with providing contacts. He visited Derry for about two weeks and spoke to about 30 people including Martin McGuinness. Mr. Davies said he spoke to Mr. McGuinness as a precaution to let him know what he was doing, he did not specifically ask him about his experiences on Bloody Sunday.

During the Autumn of 1989 he interviewed various soldiers and ex-soldiers, some of whom he had served with, some of whom he had not. At the time he was gathering background information and further contacts of soldiers who might be willing to speak to him. He visited Aldershot (where 1 Para are based) on a number of occasions and socialised with soldiers. He did not specifically ask about Bloody Sunday but just developed relationships.

### **BBC Drama**

In addition to the Bloody Sunday and Aden documentaries Mr. Davies also worked with two BBC employees on a fictional drama. They were Nick Broomfield (film maker) and Danny Boyle (writer). Mr. Davies said they initially intended to do a film about Aden but changed to look at Northern Ireland because of production costs. The central character was to be a soldier traumatised by an event like Bloody Sunday. In this connection he was retained by the BBC on a short-term research contract.

### **Documents**

Mr. Davies said his original contacts with soldiers were noted in notebooks he no longer has however he has disclosed a copy of the diary he used. He also kept notes of what they said and taped recorded some interviews. All his interviews with soldiers were conducted on the basis that their identities would never be disclosed. He spoke to some soldiers in social situations without ever discovering their names. This was in contrast to the relatives and others in Derry who were content to speak on camera. Mr. Davies said a number of the soldiers he spoke to did not want to talk about Bloody Sunday. Others did discuss it and for some of them it appeared to hang over them. A number were drinking heavily and had strong emotions about what had happened.

On 17 January 1990 Mr. Davies went with the BBC team to Aldershot to stay with the Parachute Regiment for several days. At the time they concentrated on the training activities of P Company. Whilst at Aldershot he spoke to several senior officers about Aden and Northern Ireland but they never discussed Bloody Sunday. The script was written for the drama but the BBC shelved the project.

He also spoke to some members of the Argyll and Sutherland Highlanders who had served in Aden.

### **Channel Four**

In 1990 Channel Four gave Praxis a development commission to do more in depth research into the Bloody Sunday programme. Mr. Davies continued his research but John Goddard also employed another researcher, Tony Cook. In order to protect his sources Mr. Davies only gave John Goddard notes or transcripts of interviews he intended to use in the programme and then he did not include any names. He never knew the identities of Tony Cook's sources.

In August 1990 Mr. Davies left the project to do a media studies course in Bournemouth. John Goddard and Tony Cook continued working on the programme and interviewed a number of soldiers including some Mr. Davies

had already spoken to. He did not give them the soldiers names or contact details but either arranged a meeting or asked them to ring John or Tony.

In December 1990 Mr. Davies received a further 'treatment' for the programme from John Goddard. This was prepared to try to secure a full commission from Channel Four. In it John Goddard referred to having interviewed 60 people in Derry and a dozen soldiers, including members of motor platoon. Mr. Davies said he had only interviewed about 30 people in Derry but assumed others had been spoken to. He thought the soldiers referred to included some who had just passed on contact information but they may have included some he was not aware of.

Praxis got the commission in early 1991. Mr. Davies left his course and rejoined the project as an assistant producer. From May to November 1991 he arranged for a number of the soldiers he had already spoken to to be interviewed by John Goddard and others in the production team, including the director Tony Stark. Confidentiality was stressed again and many of the soldiers expressed fears of repercussions if their identities were to be made public. In his statement Mr. Davies described these fears as concerning official and social consequences for there relationships with the Parachute Regiment; possible breach of the Official Secrets Act; and the reactions of other soldiers.

Mr. Davies said he was not present at most of the final interviews because it was felt his presence might influence what the soldiers would say. They might brag more in his presence. Consequently Mr. Davies tended to be present only at the beginning and end of the interviews to make introductions, etc.

### **Threats**

After the programme was broadcast Mr. Davies received a number of threatening telephone calls. The callers did not identify themselves but they referred to the programme and made threats of violence towards him. He assumed they were either soldiers he had interviewed or other soldiers unhappy about what had been said. The programme was critical of the Paras but he had no involvement in the editorial process. He said he understood some soldiers might have felt misled because he had stressed to them that he wanted to get across their point of view. One of the issues the programme had originally intended to address was a feeling by soldiers and civilians that the first gunfire had come from the city walls causing the Paras to mistakenly believe they were under fire from IRA snipers. However Tony Stark took the view that there was insufficient evidence to support this. Mr. Davies was angered by the anonymous threats because he did not decide the content of the programme.

### **Transcript/Notes of Interviews**

Many of the soldiers Neil Davies interviewed have since agreed that their identities may be disclosed confidentially to the Inquiry. On the basis of having been released from his undertakings Mr. Davies agreed to comment on a number of the Praxis records of interviews the Inquiry has.

### **Transcript/Notes [O0018.0001] - Interviewee Unknown**

Neil Davies said he could not identify the interviewee whose comments appear in one of the typed notes/transcripts of the Praxis material available to the Inquiry. The document [O0018.0001] is dated 28 May 1991 and purports to be the words of a member of motor platoon who was present on Bloody Sunday. Although it purports to be the comments of INQ 1413 Mr. Davies said so far as he was aware INQ 1413 was not a member of motor platoon and was not in Derry on Bloody Sunday. Furthermore when they met they spoke at INQ 1413's home, not in a pub as recorded in the notes. The document would therefore appear to have been misattributed to INQ 1413. Mr. Davies said he knew INQ 1413 very well. They served together in Aden and grown up in the same town in south Wales.

Mr. Davies said he had no idea who the interviewee was. In the notes the person interviewed refers to Major Loden as probably the worst officer commanding Colonel Wilford ever had. He says Loden wanted the soldiers to look good but did not brief anyone. The interviewee also says Lieutenant N was intimidated by the "so called hard men" in the platoon and that the NCOs ran the army. He goes on to say of those in Derry on Bloody Sunday "lots of guys could get done for murder."

#### **Transcript/Notes [O0019.0001] - INQ 1413**

Neil Davies said this document probably was the record of an interview with INQ 1413 but it was the longer formal interview conducted by John Goddard in his absence. However he accepted he may have been at the beginning and end of the interview. This document is dated 25 May 1991, i.e. before the other one alleged to be a record of Neil Davies' interview with INQ 1413. This was another reason for doubting the first was anything to do with INQ 1413 because Mr. Davies said he would have done the earlier interview and John Goddard the later.

John Goddard has alleged in evidence to the Inquiry that INQ 1413 completely changed his account from the initial interview with Mr. Davies, where he is alleged to have made startling admissions about Bloody Sunday, to this later account when he says he was not even there. Mr. Davies said some of the soldiers he interviewed did change their accounts but that was not his recollection of INQ 1413. So far as he was concerned he always understood that INQ 1413 had not been in Derry on Bloody Sunday. He said INQ 1413 was very upset about Bloody Sunday and was very sympathetic to the Civil Rights movement. His recollection was that INQ 1413 believed that only a few soldiers had fired on Bloody Sunday tarnishing others and that the whole thing had been covered up. He had said there were fierce arguments within the regiment about what had happened, there was a lot of tension. INQ 1413 also believed the 1970-72 Northern Ireland tour had been too long and they were very tired. They were the wrong regiment to have deployed for the civil rights march. He was critical of senior officers. However he had actually left the army before Bloody Sunday and only rejoined afterwards.

#### **Transcript/Notes [O0020.0001] - INQ 1216**

INQ 1216 was a lance corporal in A Company of 1 Para on Bloody Sunday. He has identified himself as the interviewee reported in O0020. Mr. Davies

agreed he had met INQ 1216 but said he could not recall doing an interview with him.

**Transcript/Notes [O0021.0001] - Sergeant O**

Mr. Davies identified this document [O0020] as a record of his interview with Sergeant O in Holland or Belgium. He knew Sergeant O from his time in 1 Para. Sergeant O was his NCO. Mr. Davies said their first meeting was very long and they discussed Aden a lot. He was one of the first soldiers he spoke to.

**Transcript/Notes [O0022.0001] Sergeant O**

Sergeant O was then flown to England and interviewed at a hotel at Heathrow by John Goddard and Tony Stark. Mr. Davies was present to introduce his colleagues but did not sit in on the interview. Mr. Davies said he had primarily discussed Aden with Sergeant O and before coming to England Sergeant O spoke to John Goddard on the telephone. He said he did not therefore know precisely what Sergeant O had been told of their interest in Bloody Sunday. John Goddard has said he is certain he told Sergeant O why they wanted to know about Bloody Sunday.

However Sergeant O claims he was lied to and drawn into discussing Bloody Sunday under the pretext of a discussion about the motor platoon and Aden. The interview does record some comments about Bloody Sunday but when asked about the gunmen he claims to have seen Sergeant O said, "Now we're getting into an area where I'm not talking." [O0022.0059] He went on to say he did not want to spend the next 20 years looking over his shoulder and said he did not want to be high on an IRA hit list. Mr. Davies said that so far as he was aware the interview ended amicably and Sergeant O did not make any complaint.

**Transcript/Notes [O0023.0001] – Corporal 162**

Neil Davies knew Soldier 162 well; they were in motor platoon together in 1966. They were both 17 and the youngest in the platoon. There are two records of interviews with Soldier 162, this [O0023] and O0024.0001 but Mr. Davies said he could only remember one meeting. Soldier 162 has said in his own statement [B1962.0006] that there were two interviews.

**Transcript/Notes [O0027.0001, O0028.0001 and O0029.0001] – Private 019**

There are a number of documents containing admissions of serious criminality (assault, planting weapons as evidence and murder) all of which contain some very similar phrases. Mr. Davies agreed the similarities would appear to suggest that they all originate from the same interviewee if not the same interview. He said he did not know how the documents came into existence but he was not involved in any of the transcription. He said it was possible all the documents were created in the production of the documentary by different people listening to the same tape of one interview however this was just guess work. A number of comments refer directly to Bloody Sunday and there are repeated references to witnessing Lieutenant N firing shots. This, the fact that the interviewee says he was in Lieutenant N's pig and was carrying a baton gun have led some to assumed the interviewee was Soldier 019. Indeed Soldier 019 has conceded one of the documents does come from an

interview he gave to Praxis [O0027.0001]. However he denies the comments attributed to him in the other documents.

Mr. Davies said he spent some time with Soldier 019 and they discussed Aden. They had been together in motor platoon in 1967/8. However when he mentioned Bloody Sunday he clammed up and refused to speak about it at all. Furthermore he became very upset with Mr. Davies and said he never wanted to speak to him again. For this reason Mr. Davies said he did not think the comments in the documents were Soldier 019s. However he could provide no explanation as to how there came to exist documents, which appear to relate to the actions of Soldier 019 on Bloody Sunday, if they had not come from him.

Mr. Davies said the language recorded in O0028 was not that of Soldier 019. It was too macho, Soldier 019 was always introverted and not at all macho. He was not a bragger. He said he did not know who the interviewee was. He said there were a lot of soldiers who made exaggerated claims. They bragged about their careers in the army, particularly if their lives now were not as they would wish. He said this was not the case with all, only some. Consequently he said he could not identify the interviewees who made the allegations but he did not believe it was Soldier 019. He denied he was protecting Soldier 019.

#### **Transcript/Notes [O0032.0001] – INQ 1433**

These are notes of an interview of a soldier not present on Bloody Sunday. He was interviewed whilst Mr. Davies was in Bournemouth doing his media course.

#### **Transcript/Notes [O0035.0001]- INQ 1243**

Mr. Davies said he recalled INQ 1243's name but could not remember the interview. In it [O0035.0058] there is reference to an incident in which two Catholics said to have been arrested in possession of arms were dumped outside the Horseshoe Bar in the Shankill Road and subsequently killed. The interviewee claims to have gone into the bar to tell those inside he had left two IRA men outside. Mr. Davies said he did not recall it.

INQ 1243 claims in his statement to the Inquiry [C1243.0003] that he was plied with drinks and the director kept putting fictitious stories to him. He says the account in the interview was "brewed up." He said the incident in the Shankill was fabricated by the director. Mr. Davies said if the interview were conducted in a pub, as many were, drinks would be brought but only one or two and the interviewee was certainly not plied with alcohol.

### **OIRA 7**

#### **Volunteer, Official IRA (1972)**

#### **Made statement to the Inquiry on 3 November 2003 [AOIRA0007.0001]**

OIRA 7 was 19 on Bloody Sunday. He joined the IRA in late 1969 or early 1970 when he was about 17½. He remained a member of the Official IRA after the split with the Provisionals. He said the Official IRA was not sectarian. They

sought to create a socialist state of both communities rather than a Republican state as sought by the Provisional IRA. He had been involved in politics and civil rights protests since 1968. He was at the Battle of the Bogside and this opened his eyes. He came to the conclusion that this was insufficient to effect change. Shootings in Belfast drove him to join the IRA.

OIRA 7 said there were very few guns on the streets of Derry before July/August 1971. However Internment and the shooting of Seamus Cusack and Desmond Beatty changed things. There was an increase in army activity which in turn led to an increase in IRA activity. They were committed to the defence of the 'no go' areas.

OIRA 7 estimated that there were 30-35 members of the Official IRA in Derry in 1972. His home had been raided during August but because of rumours that Internment was coming he was not there. He knew thereafter that he was wanted and that the army had photographs of him. They had the photographs when they raided his house. He identified himself in one of the military intelligence photographs handed to the Inquiry by Soldier 021. This showed him in Official IRA uniform on an Easter parade.

OIRA 7 said in 1971 Civil Rights were still his main agenda. The military struggle was a defensive one geared to protecting the community. However Bloody Sunday "blew it all out of the water." To him it was the death of the Civil Rights Movement. However at the time they assumed the march would be like any other. He expected the usual "recreational riot" when they would throw a few stones and try and collect rubber bullets.

### **Defensive Action**

OIRA 7 described most Official IRA activity in 1972 as defensive. By this he meant that they operated from behind the barriers inside the 'no go' areas, they did not go out looking for the army or police to attack them. He confirmed that they would shoot at anyone in the security forces if they came into the 'no go' area. They would also retaliate for actions by the security forces but did not attempt to create or develop situations in order to attack them. They did plant small bombs in the city centre. OIRA 7 said his understanding of this strategy was that they thought by forcing the army to defend the city centre they would have less resources to use in the Bogside.

### **Weapons**

OIRA 7 listed in his statement the weapons he recalled being in the possession of the Official IRA in Derry in 1972:

2 M1 carbines, 2 Thompson sub machine guns (one of which did not work), a sten gun, a Garand rifle, 2 old Mauser rifles, a Winchester .303, a hunting .303, some hand guns and possibly an SLR (although he was not sure if they had this on Bloody Sunday). This was the best he could do to remember the armoury as it was in 1972. He said they were so short of guns he remembered holes being drilled into a metal pipe so that it looked like a gun when it was wrapped in a blanket.

The weapons were generally kept in the cars used for patrolling. Since they patrolled every night there was not much need to move the weapons to

dumps. The main dump was an abandoned dentist shop in the Creggan. There were others in safe houses.

Ammunition was in very short supply by Bloody Sunday. The .303 was the easiest ammunition to get hold of. Ammunition was generally kept with the weapons. The quartermaster, Reg Tester, had overall responsibility for weapons but everybody was expected to keep weapons safe so as not to endanger themselves or the community.

Weapons and ammunition were in such short supply that sometimes patrols went out without ammunition or with weapons that did not work. The purpose was to present a front of being heavily armed. OIRA 7 said at the time there was a lot of popular support for what they did.

### **Explosives**

OIRA 7 said he had seen nail bombs being prepared. They were generally made with gelignite sticks usually stolen from quarries. Nails were tapped to the gelignite sticks and put in lemonade cans or even glass jars. The gelignite was unstable and would weep. They could not be prepared very long in advance. So far as he was aware there were no nail bombs prepared for Bloody Sunday. He said he remembered on occasions the gelignite had to be burned (to get rid of it) because it was so volatile.

### **Fianna**

OIRA 7 said he was not aware of a Fianna in Derry. There were youngsters who liked to associate themselves with the Official IRA but so far as he was concerned there was no formal youth movement. They just wanted to be involved but had no formal structure. He did not know Paddy Ward in 1972.

There were also other volunteers who were not members of the IRA. These were often members of the Catholic Ex-Servicemen's Association. They helped build barricades and sat on committees. They were not armed.

### **Northern Ireland Civil Rights Association**

OIRA 7 denied that NICRA was controlled by the Official IRA or that the march was a cover for Official IRA activity. The Civil Rights Association included a lot of different people, some socialists, some Republicans and many who were neither. He knew nothing of any assurances that were or were not given to NICRA about no IRA activity on the day. It was a march, the IRA did not use marches as cover to attack the army. Riots were used sometimes to provide opportunities for sniping but never marches. Riots happened every week. Marches did not.

### **30 January 1972**

OIRA 7 said he had no specific recollection of any orders for Bloody Sunday. He was out on patrol the night before and went to bed in the morning. He would have left any weapons in the car when the patrol was over. If there were orders as to the disposition of weapons on the day they did not apply to him because he did not have any. He cannot remember any such orders but may simply not have needed to know. He expected that there would be no weapons on the march because it was customary not to carry weapons on

such a march. OIRA 7 also said he had no recollection of any orders for people to be on patrol in the Creggan because of a fear of possible army incursion.

### **Road to Bloody Sunday**

In 1998 OIRA 7 gave a television interview to a US TV programme called *The Road to Bloody Sunday*. In it he is quoted as saying there was an agreement made in the week preceding Bloody Sunday that everyone would be told there were to be no weapons in the area of the march [see transcript at X1.0028.0029]. OIRA 7 said he had said this on the basis of what he had learnt since Bloody Sunday rather than anything he knew personally at the time. He was not on the command staff and therefore not privy to such discussions.

### **The March**

OIRA 7 said he was at the start of the march. There was a hope that a very large march, as was expected, could force the government to look again at internment. He was not with anyone in particular and may not have followed the route of the march the whole way. He said he did not know that the plan had changed and that the march would not be going to the Guildhall. At some point he was at the junction of Rossville Street and William Street and he thought he saw a soldier on top of the electricity sub-station at the corner of William Street and Little James Street. However he accepted it was unlikely a soldier would have been in that position because he would have been completely isolated.

### **Barrier 14**

When the march turned down Rossville Street OIRA 7 decided to go to the barrier in William Street because that was where the action would be. The stewards were trying to persuade people to go down Rossville Street but they had no chance of stopping those who wanted to carry on to the barrier. He ran up William Street wondering if they could get past the army to the Guildhall. He was a bit cautious because he knew if he got arrested he would be interned however his enthusiasm got the better of him and he did throw some stones at the soldiers at the barrier.

### **Video 3**

When he provided his statement to Eversheds OIRA 7 identified himself on Video 3 throwing a missile. He based the identification on a clip he had on a BBC CD-rom which he believed showed him. He was shown the same clip by Eversheds. However when shown it again during his evidence he concluded it was not him. The hair was not right and after viewing the clip several times he was sure it was not him. On reflection he also thought he was only at the barrier at the beginning of the stoning when there were a lot more people there. He did not see the water cannon used.

Rioting was something of a game at that time in Derry. It was a regular Saturday afternoon activity. This time the army were not just standing behind shields but they had knife rest barriers with barbed wire in front of them. Usually the soldiers would take the stoning for 10-15 minutes and then charge the crowd to try and make arrests. OIRA 7 said he expected the usual snatch squads to be in operation. It would go back and forth for an hour or so. It

would often stop to let shoppers through. However on Bloody Sunday there were more soldiers than usual. No one threw any petrol bombs or nail bombs when he was at barrier 14.

### **Damien Donaghy and John Johnston**

After leaving the barrier he went to Rossville Street and the north end of Kells Walk. There were still marchers heading down Rossville Street towards Free Derry Corner. He heard baton rounds being fired back in William Street. It was at around this time that someone said people had been shot. At first he assumed they were referring to rubber bullets but then someone told him 'Bubbles' (Damien Donaghy) had been shot. He knew Bubbles and wanted to find out if he was OK. Someone mentioned the Shield's house in Colombcille Court. There were lots of people milling around in Colombcille Court and OIRA 7 stood talking to some of them. There was talk of another guy having been shot (John Johnston) but he did not know who this was at the time. The march was still in progress but after the shootings it became less organised and people cut through Colombcille Court.

### **Gunfire**

OIRA 7 said he could not time how long it was after hearing about Damien Donaghy being shot but at some point he heard a high velocity shot. It could have been minutes or seconds. He went to his knees when he heard the shot. He had no idea where the shot had come from but it sounded too close to have been from the army on the other side of William Street. It was obviously a live round from a rifle of some sort. He felt he needed to take cover, he did not know what was happening.

### **Confrontation in Stairwell**

OIRA 7 says he then heard people shouting "stickie bastard" and "good on you." At first he thought the abuse was directed at him but then realised the voices were coming from the stairwell at the north east corner of Colombcille Court flats. There were people in the stairwell itself and others outside on the tarmac looking up. He went over to see what was going on. When he got to the stairwell he saw OIRA 1, who he recognised, with a rifle. There was another volunteer (OIRA 2) but they were out numbered. There was some pushing and shoving as others appeared to be trying to get the rifle.

### **Sporting Rifle**

OIRA 7 said he recognised the rifle as an Official IRA weapon. It was a sporting/hunting rifle. There were 6-8 people on the stairs and the two volunteers with the rifle were above them on the first landing about 5 feet off the ground. OIRA 7 could not get to them past the others on the stairs so he climbed in via an access or bin chamber to the left. He climbed up over a safety bar and got onto the landing. There was shouting and threats and some punches thrown. He got involved in the fracas but it was just a lot of pushing and shoving. They managed to make their way down the stairs and out into Colombcille Court. At the time he was not aware that any of the people were from the Provisional IRA. He did not know Sean Keenan (junior) at the time. There was some support as well as the hostility. Some felt the shot that had been fired exposed others to greater danger whereas others were content for more to be fired.

OIRA 7 said he realised when he saw OIRA 1 with the rifle that it was probably him who had fired the shot he had heard. He rationalised that it was fired in retaliation for the shots fired at Damien Donaghy and John Johnston and that it might have prevented the army firing other shots. He was sure the shot was fired after he had heard Damien Donaghy had been shot.

OIRA 7 said he was familiar with the rifle OIRA 1 had. It was a weapon he had seen before but he could not say exactly when. He did not inspect it at the time and did not know whether or not the sight was defective. He understood it to be a Bogside weapon. He did not know why OIRA 1 had it and he was quite surprised to see it.

OIRA 7 said he did not know which of them carried the rifle to Glenfada Park but he believed one of them must have taken off their jacket to conceal it. He was not wearing a long coat. If he had carried the rifle he would have wrapped it in his jacket and carried it at his side. He said the rifle was not dismantled. The butt and barrel could be separated by removing a locking nut but this was not done at the time.

All three of them made their way directly to Glenfada Park North. They were not followed and no one tried to take the weapon off them once they left the stairwell. OIRA 7 said he could still hear baton rounds being fired back in William Street at this time.

### **Car in Glenfada Park**

They wanted to get rid of the rifle and one of them said to put it in a car in Glenfada Park. OIRA 7 had not driven the car and did not know where the weapon had come from. However he was present when it was put in the boot of a car parked on the east side of the Glenfada Park North car park. He says he saw into the boot and insists there were no other weapons in the car. He did not know whether the car was an Avenger or Cortina, the two preferred types of car they used. He did not know who had the keys to the car but he may have taken them after the rifle was put in the boot.

The three of them then separated. There were no other volunteers around. OIRA 7 left Glenfada Park by the north east entrance, where they had entered.

Neither OIRA 1 nor OIRA 2 recalled OIRA 7 being involved in the incident at Colombcille Court but OIRA 7 said he definitely was there. He said no one had spoken about the incident for 25 years or more and it was almost like an incident that never happened. It was never discussed. He said in the aftermath of Bloody Sunday no one wanted to believe there was a weapon there. He was not sure if Father Denis Bradley was there.

### **Paras Coming In**

Having left Glenfada Park OIRA 7 went back out onto Rossville Street and was somewhere between the Pram Ramp at the south end of Kells Walk and the ramp at the north east corner of Glenfada Park when the army vehicles came down Rossville Street. He was talking to people in the crowd and

heard the revving of engines. At the time he was not concerned by the noise of the engines. He assumed the riot was still in progress and had no idea the army was about to drive into the Bogside. There was gas and people running about and he did not notice the army vehicles at first.

He then saw the vehicles coming down Rossville Street and immediately realised something different was happening because the army never drove that far down Rossville Street. He saw them at the top of Rossville Street and people began running. He saw one armoured car stop close to Kells Walk and a number of soldiers jumped out. He suddenly realised he did not want to be there anymore, he did not want to be arrested. However the soldiers were not charging at people but taking up positions. OIRA 7 says he saw a number of soldiers take up firing positions at the low walls at the south end of Kells Walk. The crowd split into three groups. One ran into the Rossville Flats car park, another straight down Rossville Street and a third into Glenfada Park.

Edmund Lawson QC, representing many of the military witnesses, put to OIRA 7 several accounts of witnesses who claim to have seen a civilian gunman in or around the area of the Glenfada Park North pram ramp where he says he was. Michael Lynch [AL0038.0002] said he saw a man with a hand gun come out onto Rossville Street from the alleyway between Glenfada Park and Colombcille Court. Father O'Gara [H0019.0005] referred to seeing a man fire 3 shots from a pistol from close to Kells Walk. OIRA 7 said he did not have a gun and did not see anyone else with a gun.

### **Glenfada Park North**

It was about this time that he heard gunfire. He thought the gunfire came from the direction of the soldiers at Kells Walk but he did not actually see anyone firing. A lot of people pushed past him to get into Glenfada Park and he then followed them. The firing seemed to be down Rossville Street, not towards him. Once through the gap into Glenfada Park North there was a sense of safety. There wasn't a rush to get to the other side of the car park. There seemed to be collective relief for a moment.

There were about 100-150 people crossing Glenfada Park North heading towards the south west exit. The area was enclosed and felt safe. He had no thought of trying to get the rifle and made his way towards the centre of the square. He thought he went towards the centre but remained on the east side of the central island. He went towards the south.

### **Michael Kelly**

OIRA 7 said he had a memory of people stumbling and needing to help them up. At this stage there was no fear of being shot but he knew anyone left behind would be beaten by the soldiers. Most were heading towards the south west exit but some went to the south east towards the Rossville Flats. At some point he became aware that someone else had been shot and he saw Michael Kelly's body being carried across the square. At the time he assumed anyone who went down had tripped. No one wanted to believe anyone had been shot.

OIRA 7 says he saw Jim Wray with the group carrying Michael Kelly. He knew Jim Wray but they were not close. At some point whilst he was in the middle of the courtyard he suddenly felt exposed. There were still no soldiers actually in Glenfada Park at that stage. Then the square erupted with gunfire. It came from the north east. Everyone started running towards the south west exit. No one wanted to be the last into Abbey Park. No one went towards the soldiers. No one was armed as far as he saw.

### **Kevin McElhinney**

OIRA 7 looked back to see one soldier firing from the north east corner and then 3 or 4 more making their way down the east side of the square. One aimed a shot in his direction. OIRA 7 said he was not sure of the sequence after this. At some point he looked east towards the Rossville Flats and saw someone lying near the door of the Rossville Flats. He just glanced across, looking for cover. He thinks the person he saw may have been Kevin McElhinney. He knew him but did not recognise him at the time. He did not think he was lying on the ground at the moment he saw him. He assumed whoever it was had fallen rather than actually been shot. He was also aware of others sheltering at the south east gable end but did not see those people arrested. He did not see Father Bradley.

### **Photograph P0428**

OIRA 7 said he saw soldiers run past the north west entrance to Glenfada Park and realised he could be trapped with them having already cut off his exit into Abbey Park. He said he was shocked to see photograph [P0428] because he believed it may show him crossing the square with Joe Mahon to his left. He was shocked because he thinks he has a memory of seeing Joe Mahon as he was shot and the photograph shows a man doubled over in the position where Joe Mahon fell. He therefore concluded this was actually a picture of the moment he was shot. However this may not in fact be the case since Joe Mahon may have been hit by the bullet which killed William McKinney who died right next to him.

In evidence OIRA 7 said that he was no longer sure the tall figure in the middle of the photograph was him because he based his identification on the earlier belief that he was the man shown in Video 3 throwing stones at barrier 14. Since he now no longer believes that is him he also doubts it is him in P0428. The photograph is slightly blurred and the figure has his back to the camera but is certainly quite tall, as is OIRA 7. Whoever it is would appear to be carrying something under his left arm. OIRA 7 denied this could be a picture of him carrying a rifle. He said after the rifle was put in the car, and this was much earlier, he did not have a weapon at all that day. If it was not him in the photograph then he was further to the north out of shot.

### **South West Corner**

He said he did not see OIRA 1 again after they left the car but did not deny he could have been in the area of the south west corner because there were a lot of people trying to get out there. When asked by Mr. Lawson he said the bearded man on the left of photograph P0420 did not look like OIRA 1. He said he did not know who it was. OIRA 7 made his way towards the south west exit but because he had seen soldiers at the north west exit he did not

go through into Abbey Park. Instead he sheltered behind a wall at the south west corner of Glenfada Park North before the walkway which runs over into Glenfada Park South. There was shooting the whole time. There was panic in the crowd. OIRA 7 marked his position on a photograph [AOIRA0007.0028]. A few more people came past him into Abbey Park and there were a few with him at the wall. At some point he moved from this wall to another wall just under the walkway further towards Abbey Park. On reflection he now knows he could have left the area via Glenfada Park South but this did not occur to him at the time. From the wall he says he turned and saw Jim Wray on the ground behind him.

### **James Wray**

He did not see Jim Wray fall but he assumed he had just tripped and would get up. He was lying face down at the south west edge of the car park part on the pavement. OIRA 7 says that he saw a soldier approach Jim Wray where he lay and when he got to within 10-15 feet he fired a bullet into his back. He said he was sure he had seen this. He could not describe the soldier at all, he was just watching his rifle. The soldier did not have the rifle at his shoulder, he did not need to aim, he could not miss. He feared the soldier would just keep coming and there was nothing anyone could do about it. OIRA 7 denied the first time he had ever mentioned seeing Jim Wray being shot was when he made his statement to the Inquiry. He said he had spoken about it to a number of people. He thought he mentioned it in the US television interview in 1998. He said he had also spoken to various other journalists including someone from the Derry Journal.

Mr. Lawson put it to OIRA 7 that he and Joe Mahon both referred to seeing Jim Wray shot from close range, although Joe Mahon says the soldier was right over Jim Wray's body, and that this must have been discussed between them. He said his evidence was contradicted by two witnesses, Malachy Coyle [AC0097.0012] and Michael Kevlin [AK0045.0003], who both witnessed Jim Wray being shot while on the ground by a soldier at the north east corner of Glenfada Park North. They were both in the backyard of the house closest to where Jim Wray lay and, Mr. Lawson suggested, could not have failed to have seen a soldier fire from close range if that was what had happened. OIRA 7 repeated he had seen a soldier fire from about 10-15 feet.

### **Soldier in South West Exit**

When questioned about this incident OIRA 7 was asked if he saw a soldier come through the gap and go into Abbey Park but he said he did not. Joe Mahon refers to seeing Jim Wray shot and the soldier who shot him walking on into Abbey Park. He then heard more gunfire before the soldier returned and said "I've got another one" to a colleague [AM0018.0004]. OIRA 7 said he did not see this.

### **Gable End**

After seeing Jim Wray shot OIRA 7 said he moved across the alleyway to the gable end at the south of the west block of Glenfada Park North. The soldier who had shot Jim Wray could not see him there. From here he could see the Rossville Flats and the crowd at the opposite side of Glenfada Park North. It may have been at this stage that he saw the person he believes may have

been Kevin McElhinney. He says that whilst he was stuck at this wall he felt whatever was going to happen would happen, he could not go back into Glenfada Park and felt he could not go into Abbey Park either. There were about 12 people around him. There was still shooting in Glenfada Park. He could see Joe Mahon lying in Glenfada Park he had already seen him go down and knew he had been shot.

### **Helping Wounded**

OIRA 7 said he definitely helped carry Joe Mahon to Abbey Park at some point but he believed before he did this he also helped another wounded person. He was shown a photograph [P0688] of people carrying Jim Wray and William McKinney through the alleyway where he was but he said he did not recognise the scene. He said he would have remembered had he helped carry Jim Wray's body out of the area. He believed the other person he helped was carried to a house in Abbey Park but not the one Joe Mahon was taken to. All he could remember was that there was a woman in the house. He was aware of people lying on the ground in Abbey Park but at the time he thought they were just taking cover, it was only subsequently that he came to know two of them were also killed. He did not hear or see any shooting in Abbey Park.

At some point he saw Evelyn Lafferty go past him into Glenfada Park to tend to Joe Mahon. There was some debate as to whether it was wise to try and move Joe Mahon to Abbey Park and OIRA 7 said he was not sure what to do. He admitted that one thought was that if he was helping to carry Joe Mahon it might get him out of the area alive. In any event since he knew Joe Mahon he went with others to join Evelyn Lafferty.

### **Joe Mahon**

Joe Mahon was alive and they carried him out of the square. There was still firing in Glenfada Park at this time but OIRA 7 said he did not look to see where the soldiers were. He did not want to see. All he knew was that if he was still hearing gunfire he was alive. Joe Mahon was taken into a house (number 4) in Abbey Park. He did not know why he was taken to that particular house and presumed it was because someone opened the door. He did not know the occupants. He told the people in the house Joe Mahon's name. Someone took off his coat in an attempt to see where he was hit. There was a lot of blood. OIRA 7 said he took the coat and ended up putting it on rather than carrying it. He said the coat ended up at his mother's house for a long time but he did not know what happened to it after that.

OIRA 7 denied that he had ever spoken to Joe Mahon about the shooting of Jim Wray. Joe Mahon had witnessed Jim Wray being shot on the ground from where he was lying further east in Glenfada Park. OIRA 7 said a few years ago they did talk about what had happened to his coat but he did not talk to the wounded or the families of those who died about what had happened. He was too embarrassed at having escaped injury himself.

OIRA 7 said he had no recollection of William McKinney who lay dead right next to Joe Mahon. He did not know William McKinney. His memories are primarily of things which threatened him.

OIRA 7 said he remembered helping to carry a stretcher out of a house in Abbey Park but he did not know who was on the stretcher. He did not even know if the person was dead or injured. The stretcher was taken to an ambulance in Rossville Street. He felt uncomfortable at being exposed to the city walls. He then went up the Old Bog Road (Fahan Street West).

### **Returning to Glenfada Park**

After taking the stretcher to Rossville Street OIRA 7 said he returned to the south west entrance to Glenfada Park North via Abbey Park. There were still one or two shots in Rossville Street but the firing was nowhere near as intense as earlier. He was feeling anger and disbelief at what had happened. He was still in shock. He remembered the rifle in the car and decided to try and get it.

### **Arguing Over the Rifle**

OIRA 7 said he could not now recall whether or not he had the keys to the car but said that he presumed he did because he could not even have contemplated trying to get the rifle if he had not got the keys. OIRA 1 and OIRA 2 were more senior to him so one of them may have given him the keys and told him to bring the car up to the Creggan later.

OIRA 7 said there were some people around and everyone was angry and in shock. He must have told them about the rifle because there was a heated discussion. People said it was madness and that he would be killed. He said he did not know if he was restrained or persuaded but he did not attempt to go back for the rifle. By this time the army were pulling out.

OIRA 7 said he had no memory of Tony Martin, who he knew, being one of those trying to persuade him not to go back to get the rifle. Tony Martin said in his statement to the Inquiry [AM0024.0012] that a man he knew in the Official IRA had asked him to help get two rifles from a car in Glenfada Park. OIRA 7 confirmed that Tony Martin must have been referring to a conversation with him that he had now forgotten however Mr. Martin was mistaken when he says there was reference to two rifles. There was only one weapon in the car.

OIRA 7 said he was very angry. He had seen people killed for no reason, he had seen nothing to justify the army opening fire. OIRA 1 was the only civilian he saw with a weapon that day. He did not see any other weapons, and did not see or hear any nail bombs.

OIRA 7 said he was not the civilian gunman referred to by John Lee Clifford [AC0066.0004]. Mr. Clifford said he saw a man with a .303 rifle run from the south west corner of Glenfada Park South to the north east corner but return without firing. He described the man as aged between 26-28. His nephew said the man was a 'stickie'. OIRA 7 said he saw no such gunman.

### **Michael Quinn**

OIRA 7 said he knew nothing of the kids with nail bombs referred to by Michael Quinn, who was shot in the cheek in Glenfada Park North. OIRA 7 said he was not the IRA man Mr. Quinn refers to ushering the kids away [AQ0011.0022]. He did not know Michael Quinn and did not see him shot. Nor did he see Mr. Quinn come past him whilst he was at the south west exit to Glenfada Park North.

After the army withdrew OIRA 7 said he went to the rubble barricade in Rossville Street. There were no weapons at the barricade. He could not really remember the rest of the day but thought he like many people just wandered around in a daze trying to find out who had been shot. There were shoes lying on the street and at the barricade. People laid crosses and flowers were the dead had fallen.

OIRA 7 said he was certain there was no Thompson sub machine gun fired in Glenfada Park that day. He said he would have recognised the sound and it did not happen. He was unaware at the time of the shots fired by OIRA 4 in the Rossville Flats car park. He was not on the command staff and therefore not at the command staff meeting that night. He never heard of anyone else firing that day.

### **Contacting the Inquiry**

OIRA 7 said he first contacted the Inquiry in April 2001. He made an anonymous telephone call to the Inquiry indicating his willingness to give evidence but apparently the number he gave was incorrectly recorded and there was no further contact until this year. At the time he was anxious to receive advice about the Attorney General's undertaking against self-incrimination. (The Attorney General has given an undertaking that no witness will be prosecuted on the basis of any evidence he or she gives to the Inquiry provided the Tribunal considers the evidence to be of relevance to their investigation of the events of Bloody Sunday.)

### **Edward Dobbins**

#### **Volunteer, Provisional IRA (1972)**

#### **Made Statement to the Inquiry on 16 October 2003 [AD0195.0001]**

On 30 January 1972 Eddie Dobbins was a Provisional IRA (PIRA) volunteer. He was 20 years old. He was approached by the Inquiry in 1999 and made a statement to his solicitors, Madden & Finucane. He also recently provided a statement to the Inquiry's solicitors, Eversheds, and they advised him he could not be represented by Madden & Finucane because they were representing many of the families. His statement to Eversheds followed the Inquiry's disclosure of intelligence documents about the IRA in 1972.

Mr. Dobbins said received a letter from the Inquiry in October 1999. He instructed Madden & Finucane who wrote to the Inquiry asking why they thought Mr. Dobbins could assist and what intelligence material they had on him. Madden & Finucane said they did not take a statement from Mr. Dobbins in 1999. When asked by Edwin Glasgow QC, representing many of the

military witnesses, why it took 4 years for him to make a statement Mr. Dobbins said until the Inquiry released the Special Branch material it had he was concerned that they had information about him which he had never been shown. He said it was a big step for a Republican like himself to give evidence but he had decided to come forward. He was also concerned about the scope of the Attorney General's undertaking especially given he did not know the allegations that might be put to him from the Special Branch intelligence. He did not receive copies of the intelligence material until August this year and only then could he be reassured as to any immunity from prosecution.

Mr. Glasgow also asked as to why it was his statement to Eversheds was disclosed with those of other Provisional IRA witnesses on the Friday evening before Paddy Ward gave evidence the next week. Mr. Dobbins said he did not know. He signed and returned the statement as soon as it was sent him but he was aware that Eversheds had been interviewing a number of people at the same time and he presumed they were anxious to distribute those statements before Paddy Ward gave evidence.

He was in the Creggan active service unit which was comprised of 4 sections. It was referred to as the second battalion of the Derry PIRA Brigade. The Bogside unit was the first battalion. There were about 12 volunteers in the Creggan with about another 6 not yet on active service.

### **IRA Operations**

Mr. Dobbins said he knew for two to three days before the march that there were to be no military operations on 30 January 1972. He said he received orders to that effect from the officer commanding the Creggan battalion. However he conceded he may not have got the orders until the Saturday after he was told Martin McGuinness said the decision was not taken until then. The embargo was just for the duration of the march. He knew nothing of any plan to move weapons to the Creggan.

Mr. Dobbins said he had intended to go on the march but at about 09:30 he was told by either the Creggan OC or his own section leader that he was needed on active service. He was told to go to the Creggan shops at 13:00 and await orders.

At 13:00 the Creggan OC told him he and the rest of his section were to patrol the Creggan in a car in case the army attempted to enter the Creggan. The area was deserted because everyone was on the march. The OC had arrived with a car, weapons and ammunition. They were told to patrol the Creggan Heights, Southway, Westway and Circular Road. He could not remember exactly what weapons they had but there were four rifles at least one of which was an M1 carbine. So far as he was aware at the time the four of them were the only Provisional IRA volunteers on active service on Bloody Sunday. However he subsequently learnt there was another patrol in a car in the Brandywell. They were from the Bogside battalion.

Cathryn McGahey, counsel to the Inquiry, asked Mr. Dobbins if any of the others on duty that day were still alive. Mr. Dobbins said he still knew two of

them and although he refused to name them or any other IRA volunteer he did agree to speak to them on behalf of the Inquiry and to ask them to come forward and give evidence.

### **Unaware of Shooting**

Mr. Dobbins said nothing at all happened in the Creggan and until people started coming up New Road to tell them what had happened they were blissfully unaware. Mr. Dobbins said that they did not hear any shooting at all. Even so he said they would have known had there been any explosives or nail bombs thrown because the sound of bombs, unlike gunfire, was carried along the river. They were sitting in the car chatting and the last thing they were thinking about was shooting in the Bogside.

### **Going to the Bogside**

Once people had told them the Paras were killing people in the Bogside they decided to go down and see what was happening. He admitted they wanted to take on the army. They were not ordered to go and technically they were breaching their orders in leaving the Creggan but that is what they did. They drove down Southway over the Brandywell and stopped in the Lecky Road. They did not drive straight down Westland Street because the army observation posts on the city walls had a clear view of Westland Street and their car might have been known to the army as IRA.

The car was parked just south of the junction of McKeown's Lane and Lecky Road across from O'Brien's pub. They were out of sight of the city walls. Still they heard no shooting and after talking to a few people who came by the car the section leader got out. He put an M1 under his coat and walked north and spoke to people. He crossed McKeown's Lane but did not go out of sight. He chatted to some people. No one else got out of the car and the section leader did not go into any buildings or safe house. They did go to the safe house later but not at this time. Mr. Dobbins also agreed to speak to the section leader with a view to encouraging him to come forward. He could not recall who the other two in the car were.

When the section leader came back he said it was pandemonium in the Bogside but there were no soldiers to be seen. He had only been out of the car for less than 5 minutes. He said people were shocked and dazed. There was talk of anything between 5 and 30 people having been murdered. However at no time did they actually see or hear any gunfire.

The section leader decided they should return to the Creggan and await further orders which they did.

They went back to the Head Quarters at the Creggan shops. The battalion OC was there and he wanted further orders from Brigade staff in the Bogside. He therefore went to find the Brigade commander. He came back after about half an hour to an hour. In the meantime some people came to them and wanted them to get the guns out. They were angry and looking for blood. When the commander came back he said all operations were off until after the funerals. They were ordered to give up the car and weapons there and then. It was dark by then, probably after 18:00. The OC drove the car

away with the weapons in it. Mr. Dobbins then went to see people in the Creggan to ask about those who had been shot.

Later 21:00-23:00 he walked down to the Bogside to try and find out what had happened. At some point he saw Martin McGuinness speaking to people.

### **Civilian Gunmen**

Mr. Dobbins said he did not see a civilian gunman, other than those in his section, at any stage during the day. Nor did any of his section fire a single shot. He said the weapon carried by the section leader when he got out of the car in the Bogside was completely concealed and could not have been seen by anyone. They had parked in such a position that they could not have been seen from the city walls. He conceded it was possible that someone who saw the car may have recognised one or more of them and deduced that there were weapons in the car but they were out of sight so no one did actually see them.

Mr. Dobbins said he knew nothing about an alleged incident described by Leslie Bedell [AB0028.00004] involving two cars carrying two dozen armed men driving down Westland Street from the Creggan and taking up firing positions in the Rossville Flats. Mr. Dobbins said he would never have driven down Westland Street for fear of the car being recognised as IRA by the army on the city walls.

He said he did not know what the volunteers in the Brandywell did. They were from the Bogside battalion. He knew nothing about any shots being fired by a Provisional IRA volunteer at the city walls from the Bogside Inn.

### **Fianna**

Mr. Dobbins denied the Fianna had any access to weapons or explosives, they were used for scouting and intelligence. The only training they received was in Irish history. He said on occasions Fianna members provided houses to store weapons or explosives and in these circumstances they would be involved in retrieving items from the dumps but only to bring them to an older volunteer. He was never in the Fianna. He did not know Gerard Donaghy. He said he knew the person who was OC of the Creggan Fianna in 1972 and agreed to approach him with a view to coming forward to the Inquiry. He said he knew Paddy Ward but did not think he was involved in the movement in 1972. He said Paddy Ward's reference to shooting at an army helicopter on Bloody Sunday from the garden to the rear of his girlfriend's house was nonsense. His house and garden backed onto the McGilloway house. If it had happened he would have learnt about it from one of the neighbours because all the gardens were open without fences or walls. Mr. Dobbins claimed he had never seen a nail bomb made in a tin can.

Mr. Dobbins said it was rubbish to suggest anyone could have been buried secretly after Bloody Sunday. He said families would know and besides IRA volunteers were given military funerals. It just did not happen. He did know of occasions when injured volunteers were taken across the border for treatment. He knew of an occasion when someone was taken to Bundorran because this was the closest safe doctor.