

# BLOODY SUNDAY INQUIRY

WEEK 39

24 – 27 SEPT 2001



This week, the Tribunal continued to hear evidence from Geraldine McBride (nee Richmond) who was with Hugh Gilmore when he was shot and witnessed the shooting of Barney McGuigan.

Don Mullan, the author of 'Eye-witness Bloody Sunday' gave evidence about the rubble barricade. Gerard Grieve said that he pulled Kevin McElhinney inside the entrance of Block 1 of the Flats. Jim Norris said that Mr McElhinney came crashing through the doors of the Rossville Flats. John Shiels saw a soldier shoot a man who was running towards the southwest exit of Glenfada Park North.

Charles Coyle said that an IRA man had tried to contact members of the Provisional IRA the day before the march to instruct them not to be armed. Monica Barr said that she saw a gunman fire from an eighth floor window of Block 1 of the Rossville Flats.

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

## **1 GERALDINE McBRIDE'S EVIDENCE (nee RICHMOND)**

### **1.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **1.1.1 Sequence of events**

Mrs McBride was asked about the earlier accounts she had given about the shooting of Hugh Gilmore. At the Widgery Inquiry, her evidence suggested that she thought Mr Gilmore was shot before the barricade. Mrs McBride said that her statement to the BSI is correct. She accepted that it is possible that Mr Gilmore was hit twice, once before and once after the barricade.

#### **1.1.2 Hugh Gilmore**

Mrs McBride said that there was not a time when Hugh Gilmore was at the barricade and bending down to pick up a stone.

### **1.1.3 Barney McGuigan**

Mrs McBride said that Barney McGuigan walked away from the group that was gathered at the gable end. She could see the left hand side of his face and she was calling him to come back. She could see bullets going in all directions past her and Mr McGuigan. Mrs McBride heard two distinct shots. She said that the second shot hit Mr McGuigan and blew his head up. When the bullet hit Mr McGuigan, his whole body moved around.

Mrs McBride said that at the time she thought that Mr McGuigan had been shot from the city walls but she now thinks that he was shot from the direction of the APC on Rossville Street.

## **1.2 QUESTIONS ON BEHALF OF THE FAMILIES AND WOUNDED**

### **1.2.1 Barney McGuigan**

Mrs McBride said that after she heard the sound of the army vehicles, she was pulled to a position near the telephone box. She could hear someone crying for help and thought that the sound was coming from the area around the Fahan Street steps.

Mr McGuigan walked out with his back towards the gable end wall. He was holding a handkerchief in his left hand and had the back of his right shoulder towards Mrs McBride's group. He was looking over his right shoulder towards Mrs McBride's group.

Mrs McBride was shown a series of photographs of the scenes at the gable end of Block 1. The bonnet of an APC can be seen in the photograph with a soldier crouched on the far side of the APC. In the next photograph, the APC has progressed further down Rossville Street.

Mrs McBride said that she went hysterical after Barney McGuigan was shot and has not much memory of what happened after that.

## **1.3 QUESTIONS ON BEHALF OF THE SOLDIERS**

### **1.3.1 Hugh Gilmore**

Mrs McBride said that the Army were not near enough for the stone to reach when Hugh Gilmore threw a stone. She said that the boys were throwing stones to make a point.

Mrs McBride agreed that Mr Gilmore would have had difficulty getting over the rubble barricade with an injury.

Mrs McBride went to see Hugh Gilmore's mother because she had asked to know what happened in his final moments. Mrs McBride did not make a conscious decision to only tell Mrs Gilmore certain things. The Gilmore family had not asked her if Hugh had been throwing stones.

### **1.3.2 South of the Rossville Flats**

Mrs McBride said that she had stopped tending to Hugh Gilmore by the time that Barney McGuigan moved out.

Mrs McBride said that she could hear someone calling 'I do not want to die on my own.' Mr Peter Clarke suggested that it was not Patrick Doherty saying this. Mrs McBride said her senses were heightened and she was petrified and in that state it is possible to remember everything that she heard. She could hear it and thinks that it was from an injured person.

## **2 SEAMUS FLEMING'S EVIDENCE**

### **2.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **2.1.1 Barriers 12 and 14**

Mr Fleming threw two stones at barrier 14. He moved to the junction of William Street and Little James Street and looked towards barrier 12. He saw 3 or 4 canisters of gas fired by the soldiers.

#### **2.1.2 Rubble barricade**

Mr Fleming ended up in Glenfada Park. He said that there were about 20 people lying or crouching on the southern side of the rubble barricade. It was at this point that he heard the first live shots. He could see soldiers in the waste ground of Pilot Row and took it that the firing was coming from that direction.

Mr Fleming said that 5 or 6 people had been left on the rubble barricade. He thinks the others had run from the barricade to the area where he was. Of the 5 or 6 who were left, the minute that they got up, two of them were hit by shots. He cannot recall any of them stopping and facing soldiers. None had thrown a missile as they ran.

Mr Fleming said that there was another burst of gunfire and the bullet struck the wall above him. A shot hit the corner of the wall and the debris fell on him. He did not hear the shot, just the debris falling from the wall. He said that the shot must have come from the city walls because of the angle that it hit the wall.

## **2.2 QUESTIONS ON BEHALF OF THE SOLDIERS**

### **2.2.1 Barriers 12 and 14**

Mr Fleming said that he saw the soldiers coming through barrier 14 with batons. His reference to 'hearing the soldiers were moving in' in his 1972 statement is a reference to barrier 12.

### **2.2.2 Rubble barricade**

Mr Fleming could see APCs and soldiers on the waste ground at Pilots Row. He could not say where the shots were coming from.

Mr Fleming has no recollection of seeing the rubble barricade when people were standing fully upright. He did not see any confrontation on Rossville Street. He did not see any civilians with guns. The people who he saw shot must have been shot by soldiers to the north of them. He learned about the soldiers on the walls after Bloody Sunday.

## **3 JAMES BRESLIN'S EVIDENCE**

### **3.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **3.1.1 Rubble barricade**

Mr Breslin was at the south of Block 1 of the Rossville Flats when he saw a boy at the end of the barricade on the pavement side of Glenfada Park. He said the boy was using his hands to pull himself along the barricade towards the Rossville Flats. Suddenly the body of the boy gave a jerking movement and was motionless. He did not see the boy move again. He was told that the boy was 'Stiff' (William) Nash. Mr Breslin had heard shots at the time but did not know where the sound was coming from.

#### **3.1.2 Joseph Place**

Mr Breslin was lying in the same position in a garden at Joseph Place. He saw some dust spurt up a couple of yards from him. He said that a stone may have caused it but it would have been thrown with some force. He ran around to the alleyway at the back of Joseph Place. People were shouting not to come this way as the army were shooting from the walls. He did not look up at the walls or hear shots.

### **3.2 QUESTIONS ON BEHALF OF THE SOLDIERS**

#### **3.2.1 Rubble barricade**

Mr Breslin has no recollection of seeing stones thrown. He has no recollection of what people around the person he believed to be William Nash were doing.

## **4 HUGH FOY'S EVIDENCE**

### **4.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **4.1.1 Magilligan**

Mr Foy said that he had seen unarmed people attacked by the paras at Magilligan. He said that the paras were very aggressive.

#### **4.1.2 William Street**

Mr Foy saw 4 soldiers on the roof of a derelict building on the north side of William Street. He made his way to a point in William Street close to the junction with Rossville Street. He said that stewards were shouting to youths who were rioting at barrier 14. He saw soldiers firing gas from barrier 12. He could not see who fired gas around barrier 14.

#### **4.1.3 Rossville Street**

Mr Foy said that just as Bernadette Devlin was beginning to speak at Free Derry Corner, he heard a shot which he identified as a rifle shot. He thought that it was fired at Bernadette Devlin because it went over his head.

Mr Foy was on the south side of the rubble barricade when he saw soldiers shooting into a crowd of people. He heard the sound of machine gun fire and thought that it was coming from the same direction as the rifle fire, perhaps from the Pilots Row waste ground. The machine gun fire opened up while the rifle fire was still going on. Mr Foy cannot be certain where he was when he heard the automatic fire.

Mr Foy saw a man lying to the south of the rubble barricade. The man was injured in the torso and had a pool of blood around him. Mr Foy immediately took flight to reach safety. He was convinced the shot had been fired from the city walls.

#### **4.1.4 Rossville Flats courtyard**

Mr Foy went to the gap between Block 1 and 2 of the Rossville Flats. There were about 100 people jammed into the gap. He looked into the gap and could see soldiers running about. There were 6 or 7

soldiers in the courtyard who were menacing the crowd with rifles. There were still a small number of people who could not get into the safety of the gap.

Mr Foy saw two injured men in the courtyard. There was an older man who he thought had been shot in the leg and body. Soldiers came and dragged him away into an army vehicle. Two soldiers took hold of the man and grabbed him quite roughly.

#### **4.1.5 Rossville Street**

Mr Foy ran back across Rossville Street in the direction of Glenfada Park. As he ran past the rubble barricade, he saw an older man crouching over a body. He did not see what happened to the man or the body over which he was crouched.

#### **4.1.6 1972 statement**

Mr Foy said that he recalls that the statement taking in 1972 was a very rushed affair. He does not know why he did not mention hearing the machine gun. Nobody ever said to him that he should not mention having heard machine gun fire.

### **5 PATRICK HEANEY'S EVIDENCE**

#### **5.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

##### **5.1.1 Rossville Flats car park**

Mr Heaney ran down Chamberlain Street and reached the car park of the Rossville Flats. He saw an APC and the passenger door opened. He said that a soldier leapt out and fired one shot from the hip. Mr Heaney said that the soldier was not aiming his rifle. The rifle was pointed towards the gap between Blocks 1 and 2.

Mr Heaney ran across the car park. He was not aware of anyone falling. He took cover behind the low wall in front of Block 2.

Mr Heaney saw stones landing on the roof of an APC. He could hear empty bottles smashing. He also saw white powder or liquid landing on top of the APC. The next burst of shooting that Mr Heaney heard was when he got through the gap between Blocks 2 and 3. The shooting was coming from the area of the car park. He ran to a maisonette in Joseph Place.

##### **5.1.2 Rubble barricade**

Mr Heaney said that he could see soldiers in the area of Kells Walk. There was one soldier who was halfway up the pram ramp at Kells Walk. He saw Alexander Nash come out with both his hands in the air. He said that Mr Nash was occasionally pointing at something on the ground.

Mr Nash bent down and cradled a body in his arms and waved towards the Army. Mr Heaney said that Mr Nash seemed to be indicating that they should come and lift the person. He saw a bullet ricochet off one of the stones on the rubble barricade and thinks that it was fired by the soldier he had seen on the pram ramp.

Mr Heaney said that an APC went through the barricade. Soldiers were loading bodies into the APC. Mr Nash was sitting with the body in his arms. A soldier took the body off him and threw it in the APC. Mr Heaney said that the soldiers handled the three bodies very badly.

### **5.1.3 South of the Rossville Flats**

Mr Heaney came out of the maisonette. He saw the bodies of Barney McGuigan, Hugh Gilmore and Paddy Doherty. He met Father Mulvey near the entrance to Glenfada Park North. He looked north and noticed a soldier at the north gable end of Block 1. The soldier lifted his rifle and aimed it at them. Mr Heaney heard a crack and ran to a house in Abbey Park.

Father Mulvey's evidence to the Widgery Inquiry is that he was shot at whilst on the Joseph Place side of Rossville Street. Mr Heaney agreed that it is possible that the shots were fired on this side of the road.

## **5.2 QUESTIONS ON BEHALF OF THE SOLDIERS**

### **5.2.1 Rossville Flats car park**

Mr Heaney said that the soldier who jumped out of the APC was not using a rubber bullet gun. He was holding his rifle straight and was firing from the hip.

Mr Heaney did not look at the balconies of the Rossville Flats. He said that there was a dozen or maybe more stones which landed on the APC and more than one or two bottles.

### **5.2.2 Rubble barricade**

Mr Heaney agreed that it was standard practice for soldiers in Northern Ireland to look through the sights on their rifles. He did not see the soldier at the pram ramp actually fire.

By the time that Mr Heaney saw Alexander Nash, the rubble barricade was completely deserted.

Mr Heaney could not say that the soldier he saw aiming his rifle was the one who actually fired at him and Father Mulvey.

## **6 CHARLES COYLE'S EVIDENCE**

### **6.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **6.1.1 Pop Inn and IRA**

Mr Coyle was the manager of the Pop Inn which was a pub in Bishop Street.

Mr Coyle said that a man who could have been a member or a messenger of the IRA came into the pub on the Friday before Bloody Sunday. The man said he wanted the word spread generally that the IRA would not be on the march and he was also trying to contact some people.

On the Saturday, an IRA man from the Brandywell came to the pub. He had been ordered by IRA leaders in the Lisfannon area to contact all IRA members in his area to instruct them they were not to be armed on Sunday. Mr Coyle said that the man seemed overwrought because he could not get in touch with one or two hot heads who were lying low. He was asking around the pub to see if anyone had seen them. Mr Coyle said the man managed to contact them because he was relaxed on the Saturday evening and said that 'everything was okay.'

Mr Coyle gave the name of the man to the Tribunal.

#### **6.1.2 William Street**

Mr Coyle said that he saw one of the organisers make a token request to the Army to let them through the barricade. When people created a little bit of space, the people who had come with the intention of throwing stones threw them.

Mr Coyle said that a soldier had a smoking CS gas canister and dropped it. He did not see where the soldier had got the CS gas canister.

#### **6.1.3 Rossville Street**

Mr Coyle saw APCs pass and the back doors swung open. He said that a para came out of the moving vehicle rolling head over heels and then two more soldiers dismounted from the same vehicle which then passed out of sight.

Mr Coyle ran into an alleyway that led to Columbcille Court. He paused at the western end of the alleyway and saw a para crouched about 30 yards away who was taking up a position at the far end. He said that the soldier fired a shot towards him as he crossed the alleyway. He looked for a rubber bullet but his brother pushed him onwards saying 'these bullets do not bounce.'

Mr Coyle ran into Glenfada Park North and through to Glenfada Park South. He heard a volley of about 3 shots which seemed to be very close and he dived to the ground. The shots were definitely from behind.

## **6.2 QUESTIONS ON BEHALF OF THE FAMILIES AND WOUNDED**

### **6.2.1 Rossville Street**

Mr Coyle watched the arrival of the APCs from Kells Walk. A soldier jumped out of the APC and rolled head over heels as though he was launching from an aircraft.

Mr Coyle has no doubt that a shot was fired towards him, close over his head in the alleyway.

## **6.3 QUESTIONS ON BEHALF OF THE SOLDIERS**

### **6.3.1 Alleyway**

Mr Coyle said that he was not aware of any civilian gunman in the alleyway that he ran into. He said that the shot was only fired a distance of a few yards and it hit the wall above his head.

### **6.3.2 Rossville Street**

Mr Glasgow suggested that the film footage of the APCs entering Rossville Street did not show a soldier rolling on the ground. Mr Coyle said that it is in his memory.

Mr Glasgow agreed that the photograph of the second APC driving down Rossville Street does not show a soldier rolling out of the back of the first APC.

### **6.3.3 IRA**

Mr Coyle said that the people in the Pop Inn were Provisionals. A pub would not have had a mixed clientele. It would either be an Officials' or Provisionals' pub. They would not use the same pub.

The man who came into the pub on Saturday had been ordered to instruct other members about not taking guns.

Mr Coyle does not know of any exchanges or orders that were given by the Officials.

Mr Coyle said that he does not know what action would have been taken if any member breached a no-fire order. He did not hear about any Provisional gunman who had fired.

## **7 GERARD GRIEVE'S EVIDENCE**

Mr Grieve was 16 years old at the time of Bloody Sunday.

### **7.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **7.1.1 Barrier 14**

Mr Grieve was taking part in the riot at barrier 14. He said that there were about 50 to 60 people throwing stones at the barricade. He did not see anything other than stones thrown. He cannot remember CS gas being used.

#### **7.1.2 Chamberlain Street**

Mr Grieve was running down Chamberlain Street when he heard shots which came from behind him in the area around the junction of William Street and Sackville Street.

#### **7.1.3 Rossville Flats car park**

Mr Grieve saw soldiers scattered on the waste ground of Eden Place/Pilot Row. He headed for the gap between Block 1 and 2. The shooting continued while he was running. He thought that the shooting within the car park was rubber bullets.

Mr Grieve said that he heard live rounds being fired before the APCs stopped.

As he was running through the car park, Mr Grieve saw 3 or 4 people gathered around the body of who he later found out was Jack Duddy.

Mr Grieve was running towards the gap and when he glanced back he saw a civilian man with a handgun who was standing alongside the gable wall of Chamberlain Street. The man was walking along the wall towards Rossville Street.

Mr Grieve reached the gap between Blocks 1 and 2 of the Rossville Flats. There were people in the gap and looking out towards Free Derry Corner. He could not get out of the gap because the crowd of people would not move as they believed that there was shooting coming from the Derry walls.

Mr Grieve also saw a soldier alongside the gable end of Block 1 of the Rossville Flats. He said that the soldier was pointing a rifle in the direction of the crowd standing in the gap. He saw an APC drive forward from the entrance of the car park to the gable end and then reverse back towards Rossville Street.

#### **7.1.4 Rubble barricade**

Mr Grieve said that someone in the crowd that was gathered in the gap kicked the panel of a service door to gain access to Block 1 of the Rossville Flats. He got into Block 1 through the hole in the door. Mr Grieve stayed in Block 1 until he felt that the shooting had stopped. He then went onto Rossville Street and stood close to the entrance of Block 1.

Mr Grieve said that there were 12 or 15 people standing at the barricade and others at the gable end of Glenfada Park North. He was not aware of anybody throwing stones. People were confused. He was there for a couple of minutes when a heavy burst of firing came up from the Rossville Street area. He said that it was a continuous burst of firing and it sounded as if 3 or 4 shots of rifles were being fired simultaneously.

Mr Grieve and approximately 4 or 5 other people dropped to the ground. He lay on the ground with his head facing Block 1 of the flats and his feet towards Glenfada Park. He could not hear anyone shouting that they had been shot. The shooting continued for some time. There was a lull in the shooting and the man lying in front of Mr Grieve said that they should try and get into the entrance of Block 1. Some of the people ran in a crouched position to the entrance. Mr Grieve lifted his head above the rubble barricade and saw 3 soldiers armed with rifles along the wall at Kells Walk. He crawled for the first few feet and then got up and ran.

The third soldier adopted a firing position and was aiming his gun at Mr Grieve. Before the soldier was able to shoot, Mr Grieve ran through the doorway into Block 1. There was a fellow running behind Mr Grieve.

Mr Grieve heard a thud and realised that a young boy had been shot. Hearing the sound of the thud led him to conclude that a bullet had hit the young fellow behind him. Mr Grieve could not see him because the door obscured his view of the barricade. He could hear the boy calling to him and knew the boy had been shot. Mr Grieve was about to go outside to tend to him when someone shouted 'get down.'

Mr Grieve looked around the doorway and saw the boy crawling towards the doorway. He said that it was Kevin McElhinney and he was crawling on his stomach, using his hands. When Mr McElhinney reached the door, Mr Grieve pulled him inside. Mr Grieve was using the door for cover himself. He did not go out past the door.

Mr Grieve said that he was the only person on the ground floor when he pulled Mr McElhinney inside. He set Mr McElhinney up on the side of the wall beside the door just a few feet away from the door.

Mr Grieve stayed with Kevin McElhinney for a few minutes. He could not find a wound. Mr Grieve lifted Mr McElhinney's head and spoke to him. He said that Mr McElhinney grunted in response. This happened a couple of times. Mr Grieve did not know what to do. He did not want to leave Mr McElhinney. He went outside to the street to try and find a Red Cross man.

#### **7.1.5 1972 statement**

Mr Grieve has identified his voice on the Keville tape recordings. The account he gave then ties in with his current statement. He said that Mr McElhinney had no stones in his hands.

### **7.2 QUESTIONS ON BEHALF OF THE FAMILIES AND WOUNDED**

#### **7.2.1 Timing and sequence**

Mr Grieve said that shooting was going on as he ran through the car park. He could not say how many minutes passed from the time he ran through the car park to the time that he got to the rubble barricade.

He saw the body of Barney McGuigan and then went inside Block 1 of the Rossville Flats. He then went out to the rubble barricade.

### **7.3 QUESTIONS ON BEHALF OF THE SOLDIERS**

### **7.3.1 Rossville Street**

Mr Grieve agreed that it is possible that he is mistaken in thinking that the soldier who ran across Rossville Street was wearing a visor. He agreed that the soldier might have been wearing a beret.

Mr Grieve remembers that the soldier in the middle was taking up a position. He was small and could not get his rifle positioned properly because he kept moving it uncomfortably. He did not see a radio strapped to this soldier.

### **7.3.2 Rubble barricade**

Mr Grieve was at the rubble barricade with people who were standing about when the shooting started. He did not see any people being arrested and did not see anyone shooting.

Mr Grieve said that it is possible that Michael Kelly was taken away and Hugh Gilmore shot before he came out of the Rossville Flats.

Mr Grieve was part of the group that took it in turn to crawl and then to run to the entrance to the Rossville Flats. There were five in his group and an older boy had taken control. The boy said that they needed to get into the flats one at a time. Each boy crawled along behind the barricade and then got up and ran in a crouched position, one at a time. Mr Grieve said that when he got inside the entrance to the flats, it was empty. He thought that the others must have gone up the steps.

Mr Grieve said that an account of a Knight of Malta standing in the doorway when an injured person came crashing through the doorway would not be a reference to Kevin McElhinney.

### **7.3.3 Rossville Flats car park**

Mr Grieve said that the civilian gunman had grey hair and a moustache and was walking towards William Street. He agreed that the man was about 20 yards away from him.

Mr Grieve had not mentioned the civilian gunman on his tape-recorded statement in 1972. He said that it was a short statement and the statement takers seemed to be busy. He was 16 years old at the time. He agreed that it was quite possible that he would have known not to mention the civilian gunman.

## **7.4 FURTHER QUESTIONS ON BEHALF OF THE TRIBUNAL**

### **7.4.1 Timing**

Mr Grieve said that the people in the gap between Blocks 1 and 2 would have been obscuring the body of the man he believed to be Mr McGuigan. He could not tell which way the body was laying. He is uncertain about how much time he spent in the gap. He would have spent a few minutes in the stairwell of Block 1.

Mr Grieve is certain that he saw a body whilst he was in the gap. He did not see any blood around the body. He does not think that he is confused or that it is possible that he actually saw the body after Mr McElhinney had been taken away in an ambulance.

#### **7.4.2 Entrance to block 1**

Mr Grieve said that he was not aware of anyone crashing through the doors of the entrance to Block 1 of the flats.

Mr Grieve said that the man behind him who was shot and who he helped inside the door was Kevin McElhinney. He said that Mr McElhinney had not crashed through the door.

Mr Grieve pulled the injured person inside the door of Block 1 of the flats. He does not know what the injured man was wearing. The injured man was about the same age as Mr Grieve (who was 16 years old). He could not find any blood. Mr Grieve propped the man up against the wall and lifted his head which kept falling back. The man was aware because when Mr Grieve spoke to him he answered in a grunt.

### **8 JAMES NORRIS' S EVIDENCE**

James Norris was a volunteer with the Knights of Malta.

#### **8.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

##### **8.1.1 Knights of Malta**

The Lower Road First Aid Post was the same as the Francis Street Post. Mr Norris was not aware of any permanent first aid posts. There were doctors who were associated with the Knights of Malta.

##### **8.1.2 Rossville Flats**

Mr Norris was called with Bernard Feeney to help a man with an injured face. He took the casualty to a flat in Block 1 of the Rossville Flats. He remembers treating the casualty and said that it is possible that he had put on his gas mask.

Mr Norris heard cracks and when he looked outside he saw a soldier who had his shoulder at shoulder height. He saw a soldier changing the magazine on his weapon. The soldier was standing in the open and then fired up Rossville Street, towards Free Derry Corner. He could also hear the noise of other shots.

Mr Norris made a statement in 1972 which he saw for the first time two weeks ago. He confirmed that it was his handwriting and said that there were parts of it that he cannot now recall. His 1972 statement said that the soldier had jumped out in front of another soldier and begun firing right, left and centre.

As Mr Norris came out of the flat doors he was met by a rush of people who wanted in for shelter. Mr Norris brushed past them and ran across the balcony and over the top of people who were seeking shelter. He did not see anyone on the balcony with a camera.

Mr Norris does not remember seeing any missiles being thrown from the Rossville Flats. He thinks that there were civilians behind the low wall in front of Block 2 of the Rossville Flats.

Mr Norris ran down the stairwell and heard a great deal of shooting which he thought was coming from the Rossville Street side. He said that the sound was the cracks of army fire.

He does not now remember being told that a man had been shot and fell around the corner from the flats doorway. His 1972 statement said that when he reached the bottom stair he saw the cameraman Liam Mailey and just at that point a boy aged between 16 to 20 years fell in the doorway. The boy was bleeding profusely.

Mr Norris' current recollection is of a boy crashing through the doors from Rossville Street. Mr Norris caught the boy as he fell. He said that he does not recall the boy being dragged in. Mr Norris said that he is not mistaken in thinking that the boy was wearing a green suit. (Kevin McElhinney was wearing a brown suit with a green pullover.) He searched the boy and did not find anything in his pockets.

Mr Norris said that his recollection is that Kevin McElhinney came crashing through the doors and was followed sometimes afterwards by Mr Mailey.

He thinks that Mr McElhinney's body was in the foyer when he left him. He does not remember anyone carrying Mr McElhinney up the steps.

### **8.1.3 Civilian gunman**

Mr Norris said that he saw a man at the gable end of Chamberlain Street who had something in his hands which looked like a small revolver. The man was wearing a brown trench coat. Mr Norris did not notice any other civilian in the area. The man's right hand was outstretched. There were soldiers two or three feet away. Mr Norris said that it was possible that if the man had fired the revolver it would have been within feet of the soldiers.

Mr Norris said that he had not mentioned seeing the civilian gunman in 1972 because the mood in the city after the shootings did not lend itself to this.

#### **8.1.4 1972 statement**

Mr Norris's 1972 account states that whilst he was treating Kevin McElhinney, a man told him that someone had been injured in the head. He does not know which block he went to in order to treat the man.

Mr Norris does not remember shouting to the paras that he was a First Aid man and one shouting back 'you'd better start fucking running.' Mr Norris cannot recall Father Irwin giving Kevin McElhinney the Last Rites. He remembers that they covered Mr McElhinney with either a blanket or a coat.

Mr Norris treated 4 or 5 people with gunshot wounds. He does not now recollect treating Alex Nash. He does not recollect treating Geraldine Richmond with Noel McCloore in a house at Joseph Place.

Mr Norris cannot recall whether he treated the casualties in Joseph Place before putting Kevin McElhinney in an ambulance. He agreed his 1972 statement could be right.

Mr Norris remembers shots being fired when he was near the ambulance. The shot hit a lamppost. Both he and the cameraman, who helped to carry the body to the ambulance, hit the deck. The firing stopped after Father Mulvey and some others then waved white handkerchiefs.

#### **8.1.5 Lower Road**

Mr Norris went to a First Aid Post in Lower Road to get dressings. He was stopped by soldiers and thinks that they were paras because of the camouflage paint. He said that the soldiers were intimidating and he had to give his name which they passed over the radio. Mr Norris was there for 5 to 10 minutes when Father Bradley and army padre approached. He recalls Father Bradley speaking to the padre and

agreed that it was possible that the padre was Reverend Ian Bailey from the Royal Anglians.

In his 1972 account, Mr Norris said that a Para told him to stand up properly at the railings and called him 'an Irish Fenian bastard,' as well as other things. The para overheard Mr Norris call him 'an English bastard' and told him that he would shoot him. Mr Norris said the soldier told his mate to telephone headquarters. He did not hear what the soldier said but was told later that the Army reported finding the body of a dead Order of Malta medic, James Norris.

Mr Norris thinks that Bernard Feeney may have come with the army padre. Mr Feeney said that he heard the soldier asking 'Jim Norris here, can he be released.' Mr Norris does not know whether this is correct.

## **8.2 QUESTIONS ON BEHALF OF THE SOLDIERS**

### **8.2.1 Sunday Times**

Mr Norris does not remember giving an account to a journalist. He agreed that it was possible that somebody passed on accounts which they believed truthfully reflected what somebody else had told them.

### **8.2.2 Rossville Flats**

Mr Norris only recalls treating one person who had come through the doorway.

### **8.2.3 Rossville Flats car park**

Mr Norris agreed that it is possible that the soldier who he thought was changing a magazine could have been clearing his rifle which had jammed. This soldier fired up Rossville Street.

Mr Norris agreed that what he thought was CS gas gun could have been a rubber bullet gun.

Mr Norris did not see a soldier fire into the air.

## **9 SEAN McCALLION'S EVIDENCE**

### **9.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **9.1.1 Riots**

Mr McCallion was with his friend Donal Deeney on Bloody Sunday. He reached the barrier in William Street and threw bottles and stones.

Mr McCallion was asked about Donal Deeney's evidence. Mr McCallion said that he did not take part in riots every day. It would be periodical. Mr McCallion was never aware of being a 'willing agent of gunmen.' He said that it was rioters against the army. He never remembered seeing rioters making space for the gunmen to shoot. He was not aware of anyone making it clear to rioters that they were not to even think about making trouble until after 5:00pm.

### **9.1.2 Rossville Flats car park**

Mr McCallion ran down Chamberlain Street into the Rossville Flats car park. He said that as he exited Chamberlain Street, he moved towards a few people who were rioting. As he moved towards them he saw the body of a male youth who had been shot on the ground. He thinks that it may have been Jack Duddy.

Mr McCallion went to a low wall in the car park. He saw someone who he thinks was Mickey Bridge. He said that Mr Bridge was shouting and went forward to fight the Army who was about 10 yards away. He did not hear what Mr Bridge was shouting and could not say whether he had anything in his hands.

Mr McCallion said that he did not see any civilians with weapons that day.

Mr McCallion disagreed with Mr Deeney's evidence about what happened when they were behind the low wall. Donal Deeney said that he had shouted at a civilian gunman when he was behind the low wall to get away. Mr McCallion has no recollection of this and said that he actually saw his sister hit by a rubber bullet when he was on Rossville Street.

### **9.1.3 South of the Rossville Flats**

Mr McCallion took cover close to the telephone box. He saw a man shot out in the open who he thought was going out to help someone.

### **9.1.4 Joseph Place**

Mr McCallion went to the alleyway at the back of Joseph Place. People were saying that there were shots from the walls. There were shots every couple of seconds.

### **9.1.5 Donal Deeney's evidence**

Mr McCallion is not sure whether he was with Donal Deeney all the time. He remained with Donal Deeney from Joseph Place until he got back to Mr Deeney's house. Mr McCallion did not hear any automatic fire. He has no recollection of hearing machine gun fire from the Long Tower area. He did not see a man in Meenan Square who said that he would be taking up a position in the Bogside.

## **9.2 QUESTIONS ON BEHALF OF THE SOLDIERS**

### **9.2.1 Donal Deeney's evidence**

Mr McCallion said that Mr Deeney was one of a number of friends. He would have talked with Mr Deeney about Bloody Sunday once or twice. He said that he recalled less than Mr Deeney. Mr Deeney had not told him that he thought 3 or 4 people would be shot as a result of the march.

He did not break into the Bookies on William Street.

Mr McCallion said that he did not see any gunman. Mr Deeney may have mentioned having seen the gunman afterwards. He heard rumours later that the Stickies had been about.

### **9.2.2 Rossville Flats car park**

Mr McCallion agreed that the rioting continued down to the Rossville Flats. Probably about a dozen or 15 people were prepared to fight the soldiers. He agreed there were a lot of people about at this time and this activity would have been plain to see.

## **10 JAMES McCafferty's EVIDENCE**

### **10.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **10.1.1 Kells Walk**

Mr McCafferty saw two APCs come from William Street onto Rossville Street. He ran south towards the alleyway at the north end of Kells Walk. He saw a soldier at the back of the APC swing around to face him and aim his rifle in his direction. At the time he was convinced that the soldier had shot at him. It was definitely a live round. Mr McCafferty was at the gable end of Kells Walk. There was a second shot immediately after the first which came from the same direction.

Mr McCafferty did not see any civilian with a weapon or anyone telling someone to clear the way.

There were 10 to 15 people running in the alleyway as well.

## **10.2 QUESTIONS ON BEHALF OF THE SOLDIERS**

### **10.2.1 Rossville Street**

Mr McCafferty did not agree that the soldiers fired rubber bullets when they got out of the APCs.

Mr McCafferty was asked why he had run from Kells Walk, behind Glenfada Park and then to the rubble barricade if he had been shot at. He said that he saw people at the rubble barricade and assumed that he would be safe.

Mr McCafferty disagreed with Mr Peter Clarke's suggestion that the first high velocity fired was fired by the time Mr McCafferty had reached the rubble barricade.

## **11 BRENDAN GALLAGHER'S EVIDENCE**

### **11.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **11.1.1 Rubble barricade**

Mr Gallagher was at Free Derry Corner when he heard shots. He saw two APCs and soldiers shooting into the crowd. He moved north towards the rubble barricade and said people were panicking and running everywhere. He said that there were young boys throwing stones when the Army opened fire. He saw two boys fall on the Glenfada Park side of the barricade and a third person shot in the stomach. He saw another person who was shot in the leg whilst standing close to the rubble barricade on the Rossville Flats side. Not all of them were throwing stones.

Mr Gallagher was on the Glenfada Park side and said that he saw a person fall on the footpath near him. He fell face down and was carried away.

#### **11.1.2 Rossville Street**

Mr Gallagher went with 10 or 15 other people and broke into an empty flat in Glenfada Park North. He looked out of the window and there was still a few lads throwing stones at the rubble barricade.

Mr Gallagher thinks that he saw Hugh Gilmore walking along the wall of Block 1 towards the main entrance. He remembers seeing him fall. There was nothing in his hands that looked like a weapon.

## **11.2 QUESTIONS ON BEHALF OF THE SOLDIERS**

### **11.2.1 Hugh Gilmore**

Mr Gallagher first put a name to the person he thought was Hugh Gilmore after the shooting was over. He did not see the man he believed to be Hugh Gilmore being carried around the corner of Block 1.

### **11.2.2 Rubble barricade**

Mr Gallagher said that the person who was carried away was carried towards the Rossville Flats. The person had nothing in his hands.

## **12 MONICA BARR'S EVIDENCE**

Monica Barr lived at 36 Chamberlain Street. The landing window of her house looked onto the Rossville Flats.

### **12.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **12.1.1 1972 statement**

In Mrs Barr's 1972 tape-recorded statement, she said that she saw people running to get out of the way of the troops. She describes a soldier firing a rubber bullet gun at an elderly man in the doorway of the Rossville Flats. Mrs Barr said that she does not now recall the soldier firing the gun but remembers the man coming down the stairs and seeing blood on his face.

#### **12.1.2 Gunman in Rossville Flats**

Mrs Barr saw a hand sticking out of a window on the 8<sup>th</sup> floor of Block 1 of the Rossville Flats. She said that the hand was pointing downwards and from what she could see the person was holding a pistol. Mrs Barr said that one shot was fired from the pistol and she heard a pop sound. The person pulled his hand back in. Almost immediately she heard a crack and saw the wood at the top of the frame splinter.

Mrs Barr said that her husband did not see the pistol fired. He was at the same window and they were looking in different directions. It happened in a couple of seconds.

Mrs Barr spoke about the gunman in her 1972 statement. She did not make a statement to anyone else because she did not want to have

to talk about having seen a civilian gunman. She said that the gun was small and she was too far away to be able to describe it.

### **12.1.3 Rossville Flats car park**

Mrs Barr saw a man and youth approach a soldier who was standing at the back of an APC. They were shouting something at the soldier. They did not have any weapons. The man grabbed the soldier and shook him. The soldier did not respond. The soldier just stood there with his rifle and the youth pulled the man away.

## **12.2 QUESTIONS ON BEHALF OF THE FAMILIES AND WOUNDED**

### **12.2.1 1972 statement**

Mrs Barr's 1972 statement is dated 1<sup>st</sup> February 1972. She recalls making a statement but does not remember giving a tape-recorded account to an American civil rights worker.

### **12.2.2 Gunman in Rossville Flats**

Mrs Barr said that she saw the man at the window of the Rossville Flats after 4 different sets of shots had been fired by the army. She does not remember a lapse of time between the first and fourth set of shots.

Mr MacDonald told Mrs Barr that none of the soldiers appear to have seen or heard the shot that she said was fired by the gunman.

Mr MacDonald showed Mrs Barr a number of photographs which show the windows of the Rossville Flats. She agreed that it would have been difficult for the gunman to reach his arm over the top of the window because it would have been very close to the ceiling of the room. She said that the window was not open very far. She recalls that the gunman's hand was over the top of the tilting window.

Mrs Barr was asked what had drawn her attention to Block 1; she said that she had been looking around and just happened to lift her head. Mr MacDonald suggested that her attention was drawn up by a soldier who was taking aim in that direction. He put Soldier T's evidence to Mrs Barr. Soldier T said that he had fired at someone in this position who was throwing a bottle containing acid.

Mr MacDonald suggested that the 'pop' Mrs Barr heard was more likely to be a 'pop' from Father Daly's gunman who would have been virtually under her window rather than from the top of Block 1 of the Rossville Flats. Mrs Barr does not remember hearing any 'pop' at any other time.

Mr MacDonald suggested that it was a camera or a bottle being held out of the window of the Rossville Flats and her 'pop' had come from under her window. Mrs Barr said that she saw the gun and heard the 'pop' at the same time.

This all happened some time after she had heard the first shots that day.

## **12.3 QUESTIONS ON BEHALF OF THE SOLDIERS**

### **12.3.1 Civilian gunman**

Mrs Barr said that she had not seen her 1972 statement when she gave the BSI statement. She had given her BSI evidence from memory.

Mrs Barr did not speak much to her husband during the incidents. She was amazed at what was going on. She did mention having seen the gunman to her husband that day.

### **12.3.2 Photographs**

Mrs Barr said that her husband had taken photographs of the march. He ran out of film and went back home. Mrs Barr said that over the years, the photographs had been lent to people and she had never got them back. She was not aware of what happened to the negatives.

## **13 MICHAEL McCUSKER'S EVIDENCE**

### **13.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **13.1.1 Rubble barricade**

Mr McCusker said that there were people standing around talking at the rubble barricade. He had no awareness of people getting ready to confront the Army. He spoke to John Young at the barricade. Mr Young told him that two people had been shot and one was Mr McCusker's friend Mickey Bradley. He told him that Mr Bradley was still alive and had been taken to a house in Joseph Place. Mr Young had come from the direction of Free Derry Corner.

Mr McCusker left John Young standing on the south side of the rubble barricade to find out about Mr Bradley. He said that Mr Young did not have anything in his hands.

#### **13.1.2 Rossville Street**

Mr McCusker left the rubble barricade and heard renewed shooting. He thought that it was coming from the machine gun on the Army ferret car. He started running south towards the southern end of Block 1 and saw a youth of about 17 years of age who was dressed in a black bomber jacket and jeans. The youth put his right hand to his back and staggered and then fell forward. The youth got to the doorway and was grabbed by 4 or 5 men who pulled him around the southern corner of Block 1.

Mr McCusker's 1972 accounts suggest that he was already at the southern side of Block 1 when Hugh Gilmore arrived. He said that his recollection now is of a young man falling and being lifted and carried to the side of the flats.

### **13.1.3 South of Block 1 of the Rossville Flats**

Mr McCusker said that his neighbour, Geraldine Richmond was hysterical. The minute that he had turned to go and see Mickey Bradley, the army had started shooting. He took shelter by the telephone box.

Mr McCusker glanced quickly at Glenfada Park North and saw five soldiers running about. He said that he saw the soldiers shoot but did not see the recoil of the rifle. He did not see any civilians at the gable wall.

Mr McCusker could hear a man calling out. He said that he was told later that it was Paddy Doherty.

Mr McCusker saw Barney McGuigan take two steps from the wall with his hands in the air. Mr McGuigan fell forward with his head towards Free Derry Corner. He did not hear or see who fired the shot that killed Mr McGuigan. His 1972 account suggests that Mr McGuigan ran out from the wall. Mr McCusker said that he took a couple of steps and looked as if he was about to start running.

## **13.2 QUESTIONS ON BEHALF OF THE SOLDIERS**

### **13.2.1 South of the Rossville Flats**

Mr McCusker said that he did not know on the day that the man he heard calling out was Paddy Doherty. He had been told later. He agreed that it could have been the voice of anyone but said that the person was in distress.

Mr McCusker said that when he saw the soldiers in Glenfada Park North he was standing by the body of Hugh Gilmore which was near the corner of Block 1.

### **13.2.2 1972 tape-recorded interview**

Mr McCusker cannot recall whether it was suggested to him that he had seen soldiers firing from the hip.

### **13.2.3 Rubble barricade**

Mr McCusker heard machine gun fire. He saw the machine gun on the ferrat car and did not see it firing.

## **14 DON MULLAN'S EVIDENCE**

Don Mullan was 15 years old at the time of Bloody Sunday. He is the author of the book 'Eye-witness Bloody Sunday.'

### **14.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **14.1.1 Rubble barricade**

Mr Mullan was about 15 yards south of the rubble barricade when he heard the engines of army vehicles. There were probably several hundred people in the area at this time. He turned around and saw army vehicles driving down Rossville Street. Mr Mullan moved back to the rubble barricade. He said that about a dozen or two dozen people moved back to the rubble barricade. He was going to pick up stones to throw at the army.

He saw two APCs pull into the waste ground by Eden Place/Pilot Row. He saw a para standing in the middle of Rossville Street who fired a rubber bullet which bounced off the rubble barricade.

Mr Mullan saw another soldier who was kneeling at the northwest corner of Block 1 and was armed with an SLR.

Mr Mullan said that he saw three soldiers in the waste ground who were attacking a young man by hitting him extremely hard with rifle butts. The man was lying on the ground curled up for protection and there were three soldiers standing around him, each hitting him with three or four blows.

Mr Clarke said that William Dillon does not say that he was on the ground (Mr Dillon was arrested on the waste ground and was photographed being pulled by soldiers). Mr Mullan said that he had a

very clear memory of the soldiers raising their rifles above their heads. He said that the boy that he saw might not be the same one shown in the photograph. He has no recollection of the group at the barricade going out to rescue the boy.

A few seconds after this incident, Mr Mullan heard one high velocity shot. A young man, he now knows as Michael Kelly, cried out and grabbed his abdomen. Mr Mullan had been standing only a couple of feet from Mr Kelly and ducked down.

Mr Mullan said that people were very shocked. There was perhaps 20 to 30 seconds before any other incoming shots. He recalls hearing people cry out to his right. He remembers seeing the rubble barricade spit with dirt and dust which he assumed were live rounds. He was conscious that there was something happening to his right. An older man and a teenager pushed him aside to run out from Glenfada Park go and help someone at the barricade. He only saw Michael Kelly fall.

Mr Mullan was not conscious of any firing or explosions coming from the rubble barricade. He does not recall leaning over the body of Michael Kelly.

Mr Mullan heard another burst of fire and the bricks and mortar in the wall above his head seemed to explode like a fire cracker. The bullet/projectile hit the southern gable end of Glenfada Park North. He thinks that three bricks were damaged.

### **14.1.3 Glenfada Park South**

Mr Mullan started to run and remembers one young man taking shelter behind the low wall of Glenfada Park South. The young boy was saying 'get down, get down, they are firing live ammunition.'

## **14.2 QUESTIONS ON BEHALF OF THE FAMILIES AND WOUNDED**

### **14.2.1 Civil Rights marches**

Mr Mullan had researched civil rights marches for his book 'Eye witness Bloody Sunday.' He said that he is not aware of any incidents between 1969 and 1972 where a civil rights march or demonstration was used by IRA gunmen as a front for seducing the Army into a vulnerable position.

## **14.3 QUESTIONS ON BEHALF OF THE SOLDIERS**

### **14.3.1 IRA**

Mr Mullan said that he would have been aware that the march had been banned. His understanding was that a deal had been brokered whereby the IRA had agreed to withdraw all units to the Creggan. When he wrote of this reducing 'the danger of any serious incidents,' he was referring to the fact that whenever there are armed people, it increases the danger for those who are unarmed.

Mr Mullan said that he had no knowledge of a gathering of the civil rights movement were the IRA had used the crowd as cover to fire.

#### **14.3.2 Barrier 14**

When Mr Mullan said that he had been pleased to hear the announcement to go to Free Derry Corner because he 'could disengage without losing face,' he meant from throwing stones.

#### **14.3.3 Rubble barricade**

Mr Mullan said that the shooting began after he crossed the rubble barricade. Soldier 017 is the soldier who fired the rubber bullet gun towards the rubble barricade.

Mr Mullan did not see a soldier fire live rounds over the heads of people. At the time he sensed that the bullet which ended up as a firecracker on the wall might have come from the top of the Embassy building.

Mr Mullan did not see anything or anybody in between the soldiers and Michael Kelly who the soldiers fired at.

#### **14.3.4 'Eye Witness Bloody Sunday'**

Mr Mullan said that he had not edited any of the statements in his book because each statement is the testimony of the individual. He said that statements which included civilian gunmen are in the book. He was not aware of evidence of weapons in Glenfada Park.

Mr Elias suggested that an interview conducted between Peter Taylor and Company Sergeant Major Lewis had been patched together to read as if it was a continuous quotation. Mr Mullan said that the preface to the book was written by Jane Winter.

### **15 MICHAEL LYNCH'S EVIDENCE**

Mr Lynch lived on the 8<sup>th</sup> floor of Block 1 of the Rossville Flats. His living room window looked onto Rossville Street across to the area of the GPO. His bedroom window looked onto the Rossville Flats car park.

## **15.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

### **15.1.1 William Street**

He was watching 6 young men on William Street who were throwing sticks or bottles at soldiers on the Presbyterian Church or Post Office. He said that this was before the marchers came down William Street.

Mr Lynch said that it seemed like a live round was fired. He saw one of the young men grab his left leg. The young man was carried west along William Street and into Abbey Street by other young men.

### **15.1.2 Rossville Street**

Mr Lynch looked onto Rossville Street and saw APCs arrive. Soldiers jumped out of the APCs and fired. The shooting appeared to be random.

Two soldiers were taking cover behind an army vehicle. There were people throwing pots and pans at the first APC. There was a bombardment of missiles and it lasted a number of seconds. The soldiers pointed their rifles up, so he moved away from the window.

### **15.1.3 Civilian gunman**

Mr Lynch saw a man with a handgun who fired two shots towards the soldiers on Rossville Street. The pistol was in the man's right hand. He was wearing a parka jacket and the hood was covering his head. He did not think that the gunman had time to aim. He said that he had the impression that the man was young because of the way that he moved.

As soon as the man fired, he ran away in the same direction. He did not know what the man was firing at. It happened some time after the Army had entered.

### **15.1.4 Rubble barricade**

Mr Lynch said that he did not know how long after seeing the gunman that he saw three bodies on the rubble barricade.

Mr Lynch saw one youngish man somewhere near the flats and an older one in the middle. The third one he thought might still be alive was towards the Glenfada Park side. The bodies were all on the southern side of the barricade. The third man was using his arm to crawl in closer to the barricade. The man in the middle was trying to

get him and waved what appeared to be a hanky. As this happened the dirt lifted as if it had been hit by a succession of bullets.

## **15.2 QUESTIONS ON BEHALF OF THE FAMILIES AND WOUNDED**

### **15.2.1 William Street**

Mr Lynch did not make a statement at the time. Mr Treacy said that there had been no evidence of a person being shot at 12 noon. Mr Lynch agreed that he could be wrong about the location that the boy was shot, the nature of the injuries and about the route that he was carried away.

### **15.2.2 Civilian gunman**

Mr Treacy suggested that Mr Lynch was confused in the location that he placed the civilian gunman. He suggested that Mr Lynch had mixed up the two windows so that in fact he had been looking onto the Rossville Flats car park rather than Rossville Street when he saw the gunman. Mr Lynch said that the gunman fired two shots and has no recollection of the soldiers reacting to them.

Mr Lynch was shown Father Daly's evidence about seeing a gunman at the wall of Chamberlain Street. Mr Treacy suggested that this account was very similar to Mr Lynch's. Mr Lynch agreed that he could be confused about the position he saw the gunman. The side that he saw the gunman was the same side that objects were being thrown down from the flats.

Lord Gifford put the evidence of Father O'Gara to Mr Lynch and suggested that they might have seen the same gunman. Father O'Gara gave evidence at the Widgery Inquiry that he had seen a gunman at the cathedral end of Kells Walk. Mr Lynch agreed that it could possibly be the same man.

## **15.3 QUESTIONS ON BEHALF OF THE SOLDIERS**

### **15.3.1 Civilian gunman**

Mr Glasgow said that Soldier G said that he saw a gunman disappear up an alley by the northwest Glenfada Park pram ramp and that the soldier fired along it to give cover to another soldier. Mr Lynch did not see anything like that after the gunmen had gone away.

The gunman was wearing a parka jacket with the hood up. He seemed to be very agile and Mr Lynch assumed that he was young because of the way he ran.

### **15.3.2 Rubble barricade**

Mr Lynch did not see anything that had happened at the rubble barricade before the three men were shot.

## **16 JAMES GREENE'S EVIDENCE**

### **16.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **16.1.1 Rubble barricade**

Mr Greene saw the APCs coming down Rossville Street. The stoning started minutes after the APCs arrived. It is only then that he heard shooting.

The soldiers were about 100 yards away from the barricade and not within the range of the stones. Mr Greene thought that the soldiers were firing live rounds in the air. He did not actually see the soldiers firing. He did not think that it was rubber bullets that were being fired.

Mr Greene said that there was a local freelance photographer who was there and who said 'as long as you can hear the bullets – they will not do you any harm.' Mr Greene bent down to pick up a stone and as he stood up Hugh Gilmore said 'Jesus, I have been hit.'

Mr Greene said that Hugh Gilmore had been throwing a few stones but when he was shot he had no stones.

Mr Greene did not believe that Hugh Gilmore had hit because he had not been knocked to the ground. He was clasping the front of his stomach at the sides of his tummy. Mr Greene said that he ran ahead of Hugh Gilmore and got into the doorway and turned around to see him.

#### **16.1.2 South of the Rossville Flats**

Mr Greene said that he helped to carry Hugh Gilmore around the gable end of Block 1. He saw that he was seriously wounded in the stomach. As he was tending to Mr Gilmore he heard more shots which seemed to be coming from the northern end of Rossville Street towards the rubble barricade. He was aware of bullets hitting the ground as he ran.

### **16.2 QUESTIONS ON BEHALF OF THE SOLDIERS**

#### **16.2.1 'Aggro Corner'**

Mr Greene agreed that the junction of William Street and Rossville Street was known as 'Aggro Corner.' He said that the name was probably originally an army term and then used by the press and then used by the people. It was not a name that the people had placed on the area.

### **16.3 FURTHER QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **16.3.1 Snatch squads**

Mr Greene said that the army would sometimes come down as far as the southern end of the Rossville Flats. He had seen snatch squads in Westland Street on occasions before Bloody Sunday.

### **17 BRIAN DOHERTY'S EVIDENCE**

#### **17.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

##### **17.1.1 Rossville Flats car park**

Mr Doherty ran towards the low wall that runs parallel to block 2 of the Rossville Flats. He said that there were about 20 to 30 people in the courtyard. He had the impression that people were fleeing from the soldiers. He was not aware that any shots had been fired at this point.

Mr Doherty saw a soldier at the west side of an APC. Mr Doherty was standing close to the low wall when a young man appeared in his field of vision from his right. All at once the young man fell and rolled over more than once. Mr Doherty said that he is fairly confident that the soldier whose rifle appeared to recoil was the soldier standing at the gable end of Block 1. He was shown the photograph of the group around the body of Jack Duddy but this did not help him remember.

Mr Doherty moved behind the low wall. He looked back in the direction of the young man when a second man came into his field of vision. This was 1 to 2 minutes after he had seen the first man fall. Ten to fifteen rounds had been fired. The man spun around and went down on the ground in front of the low wall. Mr Doherty thinks that it may have been Michael Bradley. The man was pulled over the low wall and carried through the gap between Blocks 2 and 3. He has no recollection of firing. Mr Doherty helped carry the man's body into what he thinks was Barr's shop. He was in the shop for 4 to 5 minutes.

##### **17.1.2 South of the Rossville Flats**

Mr Doherty was running towards Free Derry Corner when a volley of shots was fired from the west, perhaps Glenfada Park. He dropped to the ground and crawled on his stomach back to Block 2. There was another volley of shots. There was about a dozen people lying against the block. Mr Doherty could hear another volley of shots. When there was a lull in the firing he decided it was his chance to get up and he ran towards Free Derry Corner.

Mr Doherty was not conscious of any bodies lying south of Block 2.

## **18 PADDY NASH'S EVIDENCE**

Paddy Nash is the brother of William Nash who was killed at the rubble barricade.

### **18.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **18.1.1 Document from the Sunday Times archive**

Mr Nash made a statement to the BSI in response to a document found in the Sunday Times archive which casts a slur on the Nash family. He wanted to give evidence in order to set the record straight. Mr Roxburgh told Mr Nash that the BSI does not know who wrote the document.

Mr Nash said that there was no truth in the description of his family as 'violently pro-Provo.' At the time he was serving with the Royal Corps of Transport having previously served six years with the Royal Enniskillen Fusiliers.

## **19 HUGH DUFFY'S EVIDENCE**

### **19.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **19.1.1 Rubble barricade**

Mr Duffy ran down Rossville Street and managed to get over the rubble barricade. He heard the crack of high velocity fire and he believed it came from the soldier he saw at Kells Walk. Mr Duffy threw himself to the ground. He looked to his right and saw a young man lying on his back on the south side of the rubble barricade. About 10 yards further across the barricade to the east a second young man was lying in a similar position. He had long black hair and appeared to be shot in the stomach.

Three or four young lads ran out from Glenfada Park North and tried to lift the second young man. He did not see whether they managed to move him across into Glenfada Park North.

There was another body on the Rossville Flats side of the barricade.

### **19.1.3 Lisfannon Park**

Mr Duffy went to Vinny Coyle's house in Lisfannon Park. There were a lot of people milling about outside the house. Mr Duffy did not go inside the house. He did not see any injured go inside the house.

## **19.2 QUESTIONS ON BEHALF OF THE SOLDIERS**

### **19.2.1 Shipquay Gate**

Mr Duffy said that he had been stopped by what he thought were two paras at Shipquay Gate on the morning of Bloody Sunday. He thought they were paras because they were wearing red berets.

### **19.2.2 Rubble barricade**

Mr Duffy said that the soldiers who aimed at him had a rifle strap not a line of bullets. He does not recall the soldier having a telescopic lens.

## **20 JOHN SHIELS' EVIDENCE**

### **20.1 QUESTIONS ON BEHALF OF THE TRIBUNAL**

#### **20.1.1 Rossville Street**

Mr Shiels was standing on the waste ground when he saw APCs driving through barrier 12. He agreed that the APCs were met with a hail of stones. As the APCs came closer he ran with everyone else. Whoever had stones were throwing them.

Mr Shiels saw 2 APCs cut into the waste ground. Some soldiers got out of the APCs and he heard the first shots. The first soldier out of the APC fired at least three rounds up Rossville Street. His sense was that when the soldiers jumped out of the APC, the APC carried on. He does not recall hearing rubber bullets being fired.

#### **20.1.3 Glenfada Park North**

Mr Shiels ended up in a flat in Glenfada Park North. He looked out of a window onto the car park of Glenfada Park North. He said that he could hear continual high velocity firing.

Mr Shiels saw two bodies close together face down in the car park in Glenfada Park North. There was a group of people hiding in the south west exit that leads into Abbey Park. He said that there was no one else in the car park.

Mr Shiels saw a man run from the gable end of Glenfada Park North. The man was running with his hands behind his sides towards the south west alley. Mr Shiels saw a soldier who was standing still and who lifted his rifle to his shoulder, took aim and shot the man. The bullet either hit the man on his back or his side. Mr Shiels did not hear a warning shouted to the running man.

A Knight of Malta came forward from the group at the south west exit of the alley. The Knight of Malta was remonstrating with the soldier because the soldier did not want him to treat the man. Mr Shiels could not hear what the Knight of Malta was saying. The soldier had jogged over to the bodies.

Mr Shiels heard English voices and presumed that they were soldiers. Someone shouted at the soldier who was near the bodies. The soldier whirled around and joined the other soldiers. Mr Shiels then saw a couple of Knights of Malta run out from the south west exit to tend to the man who had just been shot.

Mr Shiels did not see any civilians arrested and taken through the northern exit of Glenfada Park North.

Mr Shiels' 1972 account accords with his current recollection.

## **20.2 QUESTIONS ON BEHALF OF THE FAMILIES AND WOUNDED**

### **20.2.1 Glenfada Park North**

Mr Shiels agreed that he would have had a good view of the car park of Glenfada Park North. He did not see or hear any nail bombs being fired or thrown. This could not have happened without him hearing it.

Mr Treacy put the statements of Soldiers E and H to Mr Shiels. Mr Shiels said that he did not see a riot in Glenfada Park North or a youth picking up an object and being shot by a soldier in the shoulder.

Mr Shiels agreed that he could have gone into two different flats in Glenfada Park North. He would have had quick glances into the car park because people inside the flat were telling him to keep away from the window. Mr Shiels agreed that there may have been things that happened in the courtyard that he did not see. It is possible that

he heard shots fired inside the square of Glenfada Park but was not able to see how they were fired.

Mr Shiels did not see a soldier go through the alleyway to Abbey Park. He did not see the body in the corner move.

Mr Shiels does not remember a Knight of Malta accompanied by a man with a medical bag going to one of the bodies.

Lord Gifford said that a number of witnesses had spoken of three people running and falling at the same time.

Mr Shiels could not say whether the man he saw shot was wearing a woolly hat.

### **20.3 QUESTIONS ON BEHALF OF THE SOLDIERS**

#### **20.3.1 Riots**

Mr Shiels said that it was not unusual for rioting to be happened in that part of William Street. Not all civil rights marches were accompanied with riots or stone throwing at barriers.

#### **20.3.2 Glenfada Park North**

Mr Shiels remembers a single running civilian and a single shooting soldier. There was no one else in the body of the car park when he was looking out except the people in the alleyway to Abbey Park.

From the time that he saw the soldier fire the shot and then jog away there was no further shooting. He said that he had gone into shock and was not conscious of shooting.

#### **20.3.3 Mitchell McLaughlin**

Mr Shiels was a friend and later brother in law of Mitchell McLaughlin. He would have talked to Mr McLaughlin at the time about what he had seen. He has no great memory of Mr McLaughlin going into detail about Bloody Sunday. He said that it was not a topic that people would have talked much about.

#### **Timetable of proceedings**

|              |               |
|--------------|---------------|
| Monday 24    | para 1 to 6   |
| Tuesday 25   | para 7 to 11  |
| Wednesday 26 | para 12 to 15 |
| Thursday 27  | para 16 to 20 |