

BLOODY SUNDAY INQUIRY

WEEK 49

28 JANUARY – 1 FEBRUARY 2002



SUMMARY OF EVIDENCE

This week the Tribunal heard evidence from **Raymond Rogan** who attempted to drive a wounded Gerard Donaghy to hospital. Mr Rogan told the Tribunal that Gerard's pockets had been searched and that they contained no nail bombs.

Majella Cassidy was a Knight of Malta and attended to Peggy Deery. **Tony Morrison** saw a number of people killed or wounded on the day, including Jackie Duddy and Mickey Bridge. He told the Inquiry that he heard Lt Col Wilford shout 'do not fire until you have identified a target' to two soldiers in the Rossville Flats car park.

Noel Breslin met Martin McGuinness and two of the dead, Paddy Doherty and Barney McGuigan before the shooting started. He was one of those arrested and taken to Fort George.

Colm Villa told the Inquiry that later on that day, after the shooting had stopped, he saw four or five men with rifles in a car near the Bogside Inn. A crowd was shouting at the men, who were identified to him as Official IRA men, telling them that they had let them down by not being there to defend them.

John Hutton and **Thomas McDaid** told how they saw Barney McGuigan shot dead as he advanced with his hands in the air, waving a white handkerchief. Mr Hutton saw the soldier who shot him drop to one knee and take deliberate aim from Glenfada Park North.

OTHER ISSUES

Due to the 30th anniversary of Bloody Sunday on Wednesday 30th of this week, the Inquiry only sat on Monday and Tuesday.

Lord Saville clarified some ambiguous comments made in the Independent on Sunday and on Radio 4's Front Row, stating that he neither approved nor disproved the version of events depicted in the recent films 'Sunday' and 'Bloody Sunday'. Whether or not the conclusions of the Tribunal coincide with the films' interpretation of

events would depend on the evidence put to the Inquiry and not on the films themselves.

As per the Tribunal's request, Counsel for the soldiers will be providing a cd-rom map of the army units' positions on Bloody Sunday to all parties by week 49.

Mr Elias, Counsel for the soldiers, raised concern about three issues:

- Delay in receiving the requested intelligence materials relating to witnesses and other issues such as the use of field hospitals, previously identified sniper positions and the use of crowds as cover for IRA gunmen.
- Number of civilian witnesses yet to give evidence and the possibility that the delay might cause them to be disregarded
- Lack of direct evidence from the IRA and unfairness of this when all of the paras have been summoned to give evidence individually. He requested detailed numbered information relating to the number of potential IRA witnesses identified by the Tribunal.

Christopher Clarke QC responded that the intelligence materials would not be ready for a number of months due to the onerous task involved in piecing it together. He will give a more detailed response on the subsequent questions at a later date, but foresaw difficulties relating to Public Interest Immunity in disclosing the figures requested to Counsel.

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

1 RAYMOND ROGAN'S EVIDENCE

Mr Rogan was Chairman of the Tenants' Association at the time of Bloody Sunday, representing people living in Glenfada Park, Kells Walk, Colombcille Court and Abbey Street at the time of Bloody Sunday.

1.1 QUESTIONS ON BEHALF OF THE INQUIRY

1.1.1 History of paramilitary attacks on British Army

Mr Rogan confirmed evidence he had given to the Widgery Tribunal concerning his knowledge of attacks on soldiers in Derry prior to Bloody Sunday. He told the Inquiry that he recalled one incident when a soldier was killed in the Bogside prior to 1972 and that he was aware of one incident of shooting from the Glenfada Park Flats prior to that date. He had never heard shooting from the Rossville Flats.

1.1.2 Barrier 14

Mr Rogan recalled young people throwing stones and bottles at the army at Barrier 14. He thought there might be trouble so he returned home and had been home for approximately 20 minutes when he heard shouting and saw people running towards Abbey Park and Frederick Street. People were shouting that the army was shooting.

1.1.3 Gerard Donaghy

Mr Rogan saw two bodies on the road in front of his house. On his invitation, three or four people carried one of them, a young man with a serious wound to the abdomen, into his house. He later found out that the young man was Gerard Donaghy.

Mrs Rogan and one of the people who came into the house, Dr Swords, searched all of Mr Donaghy's pockets to try and find some form of identification so that they could inform his family that he was hurt. Mrs Rogan and Dr Swords put their hands in Mr Donaghy's pockets but they were empty, although Mr Rogan had a vague recollection of them having found a religious medal of some description. Mr Rogan himself merely patted the young man's front and back trouser pockets to confirm to himself that there was no form of identification there.

Dr Swords felt that Mr Donaghy had a chance of surviving if he was taken to a hospital, so he was put in Mr Rogan's car which was a white Ford Cortina. Mr Rogan then set off with Leo Young in the back of the car with Gerard. During their drive to the junction of Fahan Street and Rossville Street, Mr Rogan was aware of gunfire coming from the direction of Rossville Street towards Free Derry Corner but did not recall hearing any bullets coming from the opposite direction.

1.1.4 Army checkpoint on Barrack Street

Mr Rogan was stopped at an army checkpoint manned by the Royal Anglians. The car in front of him at the checkpoint was also a Cortina, and Mr Rogan subsequently discovered that it contained the wounded Joe Friel. Whilst at the checkpoint, he heard the sound of a rubber bullet being shot.

Mr Rogan was forcibly removed from his car at gunpoint. He and Leo Young were both taken to a wall and told to put their hands on the wall above their heads. They were told to shut up and not to move or they would be shot. He recalled one soldier saying something to the effect of 'one stiff is not enough'. He was at the wall for approximately

20 minutes to an hour, during which time his car was taken away with Gerard Donaghy still in the back.

1.1.5 Craigavon Bridge Army Compound

He was taken to the army compound where he was told that nail bombs had been found on Gerard Doherty. He heard an explosion which he found out was his car as when he reclaimed his car the boot had been blown. He was told at the compound to ensure he claimed for damages.

At the compound he learnt that Superintendent Lagan had advised the army to let the march go ahead but that he had been overruled.

1.2 QUESTIONS ON BEHALF OF THE FAMILIES AND WOUNDED

1.2.1 Army checkpoint on Barrack Street

Mr Rogan was told by Counsel that the Inquiry was soon to hear the evidence of an RUC officer, Constable Carson, who says that he heard a number of shots and saw two light-coloured Ford Cortinas ramming the Army barrier. Mr Rogan said that his car did not ram the barrier and that he did not see anything like that happening.

1.2.2 NICRA statement and statement made to RUC

In February 1972, Mr Rogan made a written statement for NICRA in which he described his experiences on Bloody Sunday and his arrest. In it he stated that Detective Sergeant McTaggart had taken a statement from him on the day and had told him that a single nail bomb had been found on Gerard Donaghy.

The Inquiry is in possession of a statement purported to have been made by Mr Rogan at the time of his arrest to Detective Sergeant McTaggart, although his signature does not appear on the document and he has no recollection of having made it. The statement does not make reference to any nail bombs.

1.3 QUESTIONS ON BEHALF OF THE SOLDIERS

1.3.1 Gerard Donaghy

It was pointed out to Mr Rogan that the various statements he made to Detective Sergeant McTaggart, to the Sunday Times and to Widgery were inconsistent in terms of who actually searched Mr Donaghy. Mr Rogan said he was certain that Mr Donaghy's clothes were searched

and it was his clear recollection that his wife and Dr Swords looked in his pockets, whereas he himself merely patted them down.

1.3.2 Army checkpoint on Barrack Street

Mr Rogan remembered his car and the car in front arriving at the checkpoint at approximately the same time. Although he was in a hurry and not paying much attention to what was going on around him, he recalled there being some people, possibly including women and children, at the checkpoint. He could not now remember anyone getting out of the car in front, although in his statement to the Widgery Tribunal he mentioned seeing a person get out of the car and shout something.

He described the attitude of the soldiers as being aggressive and forceful. He did not hear an exchange of fire nor did he see anyone running away.

2 MAJELLA CASSIDY'S EVIDENCE

Ms Cassidy (née Doherty) was 17 on Bloody Sunday and was a member of the Order of the Knights of Malta.

2.1 QUESTIONS ON BEHALF OF THE TRIBUNAL

2.1.1 Chamberlain Street

Ms Cassidy remembered two or three live bullets hitting a wall on Chamberlain Street. The shots appeared to have been fired from a crouching position. She believed she heard the sound of bottles and stones being thrown prior to the shots being fired. She had a clear memory of shots flying past her as she then ran down Chamberlain Street. There were approximately 30 to 50 people in the near vicinity but she did not know whether they were watching or whether they had been dispersed by the army.

As she was running along Chamberlain Street, she was pulled into a house where Peggy Deery was lying on a sofa. She had been shot in the leg and the entire back of her thigh had been blown away. She said that Ms Deery was the only casualty in the house and that she had to share equipment with another Knight of Malta who was also in the house in order to treat her because she did not have her own kit. In her contemporaneous statement she explained that a soldier in Chamberlain Street had emptied the contents of her medical bag onto the ground. However, Ms Cassidy could no longer recall this incident.

2.1.2 Kathleen Keville taped statement

Ms Cassidy could not remember making a statement to Ms Keville. The statement described a Saracen coming from the corner of Eden Place into Chamberlain Street. Ms Cassidy could not now recall the incident although she related the same story to her mother on the day. In the statement, Ms Cassidy had also recalled seeing three men, one of whom was John Young, being shot as they came out from behind a wall with their hands over their heads. She now had no such recollection.

2.2 QUESTIONS ON BEHALF OF THE SOLDIERS

2.2.1 Knights of Malta first aid posts

Ms Cassidy told the Inquiry that there were five permanent first aid posts in the city equipped with basic first aid equipment: one at the bottom of East Way Road, at the junction of West End Terrace, one in Union Square and one at the top of William Street. She could not recall the location of the other two. She was not aware of any homes used as first aid posts.

The Knights of Malta did not make a record of the names of the people they treated. This was not a result of specific instructions given to them: it was just not felt to be necessary at the time.

3 TONY MORRISON'S EVIDENCE

3.1 QUESTIONS ON BEHALF OF THE TRIBUNAL

3.1.1 Barrier 14

Mr Morrison only found out that the march had been rerouted to Free Derry Corner when he got to Barrier 14. By that stage there was a disturbance and he took shelter beside some corrugated iron that had been taken from a nearby shop. He stayed to watch but did not take part in any rioting. There were between 30 and 50 people still rioting, and another 15 watching.

He saw soldiers cutting the wire at Barrier 14 and heard the revving of the army vehicle engines. Everybody made a run for it: there were about 30 people running in front and behind him down Chamberlain Street.

3.1.2 Eden Place

When he reached the corner of Eden Place with his friend Colin Flynn, he saw an older portly man who was rubbing his eyes due to the gas in the air. He saw an arm which he recognised as being that of a soldier come round the corner and grab the man, who has since been identified as Duncan Clarke. He tried to pull the man back from the grip of the soldier.

Mr Morrison described another soldier aiming and firing a live shot above his head. He felt that the soldier could have shot him if he had wanted to as he was firing from only 15 feet away. The shots hit the wall of a house at the corner of Harvey Street and Chamberlain Street.

Mr Morrison and Mr Flynn made their way down Chamberlain Street towards the Rossville Flats car park. He helped a woman who had been injured into a house on Chamberlain Street.

3.1.3 Rossville Flats car park

Mr Morrison joined a group of people sheltering in the Rossville Flats car park. He recognised one of those people to be Mickey Bridge. Whilst in the car park, he heard a lot of sharp, single rifle shots coming from the direction of the waste ground. There appeared to be more than one rifle being used at the same time. During his time in the Rossville Flats car park, he at no time saw a civilian with a gun.

3.1.3.1 Jackie Duddy

He saw Jackie Duddy lying on the ground a small way away and watched as a young first aid boy crawled out towards him amid the flying bullets. He now had no clear recollection of seeing Fr Daly with the first aid boy.

3.1.3.2 Two soldiers

At some stage, Mr Morrison looked around the corner of the wall in the direction of the live fire and saw two soldiers, one black and one white. They were firing continuously in the direction of a brown Cortina parked in the car park. He remembered one bullet hitting the car and others hitting the wall behind it. Mr Morrison was informed that it had been one of the soldiers' testimony at the Widgery Tribunal that there had been a gunman behind a car of a similar description in the car park. However, Mr Morrison did not see anybody in the vicinity of the parked car.

3.1.3.3 Mickey Bridge

Mr Morrison saw Mickey Bridge step out into the soldiers' line of fire. Approximately 15 seconds later, he was shot in the leg. Mr Bridge managed to crawl towards him, and he and Mr Pius McCarron carried him to a house before returning to the flats.

3.1.3.4 Lt Col Wilford

Mr Morrison joined a group of people sheltering in the car park, including a French or Italian couple. He watched as a young boy left the group, crawled towards the gap between Blocks 2 and 3 of the flats and stuck his fingers up at the soldiers before returning back to the group of people. The group then started to make their way along the low wall within the car park that ran along Block 3 of the flats. As they moved along, Mr Morrison then heard somebody who he believes to have been Lt Col Wilford shout at the two soldiers whom he had seen previously: 'do not fire until you have identified a clear target'.

3.1.3.5 Bodies

Mr Morrison saw somebody whom he believed to be Paddy Doherty crawling towards the gap between Blocks 2 and 3. He appeared to be wounded but Mr Morrison did not see him shot. He walked along past the front of Block 2 and when he returned, the man he believed was Mr Doherty was dead. Mr Morrison did not know Mr Doherty on Bloody Sunday and had a clear picture of the man wearing a white shirt. He also saw the body of Barney McGuigan shortly afterwards.

3.2 QUESTIONS ON BEHALF OF THE FAMILIES AND WOUNDED

3.2.1 Paddy Doherty

Mr Morrison agreed, having seen pictures of the clothing worn by Mr Doherty when he was killed, that he might have erroneously believed the man he saw to have been Mr Doherty.

3.3 QUESTIONS ON BEHALF OF THE SOLDIERS

3.3.1 Eden Place

Mr Morrison said he was sure that the man he had tried to pull back from the soldier's grip had blood running down his head.

When the shot was fired over his head, Mr Morrison had not seen anybody in the area holding any missiles of any kind.

3.3.2 Two soldiers

Despite some ambiguity in his statement, Mr Morrison confirmed that he only recalled one bullet actually hitting the car in the car park. He could not think of any reason why the soldiers were firing at the car, aside the fact that he believed the soldiers were shooting randomly. In response to Counsel's question, he could give no reason why people would chose not to tell the Tribunal that they had seen soldiers shooting at the car.

4 NOEL BRESLIN'S EVIDENCE

4.1 QUESTIONS ON BEHALF OF THE TRIBUNAL

4.1.1 Chamberlain Street

Mr Breslin stopped to talk with Martin McGuinness as the march turned from Chamberlain Street into High Street. Mr Breslin was with Peter and William McShane and Charlie McCafferty at the time. He did not recall anybody with Martin McGuinness. Counsel told Mr Breslin that a number of people had admitted to the Tribunal that they were breaking down the back door to Duffy's Bookmakers on High Street and asked whether Mr McGuinness was standing at this location. Mr Breslin told the Inquiry that they stood a good 12 feet from the back entrance to Duffy's and that the door to the bookmakers had looked intact when he saw it. He did not see anybody with a weapon of any description.

Mr Breslin made his way down Chamberlain Street where he stopped briefly to speak with Paddy Doherty and Barney McGuigan outside the 7.20 Bar. He recalled that Mr McGuigan was holding a scarf or handkerchief up to his face to protect himself from the gas.

Suddenly, shooting began and there was panic. The shots were coming very fast and sounded like high velocity fire. He ran down Chamberlain Street and was dragged into a house which was full of people. A short while later, Peggy Deery was brought into the house. She had been shot in the leg and was in a lot of pain. He and Charlie McCarron assisted the local chemist, Otto Schlindwein, by turning her over to ascertain whether the bullet was still lodged in her leg.

There was banging on the door and three young men carried Michael Bridge into the house and Mr Breslin and Mr McCarron carried him out into the back yard as there was no room in the house. He appeared to have been wounded in the same place as Peggy Deery.

4.1.2 Arrest

Mr Breslin was still in the yard when soldiers burst into the house. The people in the house were all made to run in single file with their hands above their heads to the waste ground at the top of Chamberlain Street. He did not recall any physical violence but heard a soldier say: 'we have shot 12 of you today'. He was loaded into a lorry with the other people and taken to Fort George. He did not recall anybody being manhandled in the lorry.

4.1.3 Fort George

At Fort George they were put into a compound and were called out one by one to give their name and address. Mr Breslin was charged with riotous behaviour and was photographed with a soldier. He did not know whether it was the same soldier who had arrested him.

Mr Breslin's arrest record states that he was throwing stones at the security forces, an allegation he strongly denied.

4.1.4 Kathleen Keville taped statement

Prior to giving his evidence to the Inquiry, Mr Breslin was played a tape of a statement given to Kathleen Keville shortly after Bloody Sunday. Mr Breslin believed that it was his voice on the tape but had no recollection of making the statement. The taped statement describes a lot of violence on the part of the soldiers towards Mr Breslin's fellow arrestees. He had no clear knowledge of the detail of the statement although did recall people being made to run the gauntlet between two rows of soldiers at Fort George and people being hit if they let go of the barbed wire they were made to hold.

4.2 QUESTIONS ON BEHALF OF THE SOLDIERS

4.2.1 Kathleen Keville taped statement

Mr Breslin agreed that he had perhaps said some things on the tape that he would not have signed his name to in a written statement. He said that he would prefer his Eversheds statement to stand as his recollection of events.

5 COLM VILLA'S EVIDENCE

Mr Villa was 16 years old on Bloody Sunday.

5.1 QUESTIONS ON BEHALF OF THE TRIBUNAL

5.1.1 High Street

Mr Villa had gone to William Street with the intention of taking some photographs of people rioting at Barrier 14. However, he was unable to get to Barrier 14 and his camera film was not loaded properly, so he went into High Street by the 7.20 Bar to rethread it. It was here that he heard the revving of army vehicle engines from the direction of William Street and single SLR (self-loading rifle) gunshots. The riot turned immediately into a rout as people started running towards Rossville Street. As he ran towards Rossville Street, he glimpsed two army vehicles racing at approximately 50 miles per hour in the same direction. He assumed that the army was trying to corner people off at Chamberlain Street and was surprised when he arrived at this location that he did not see any army vehicles.

5.1.2 Rossville Flats car park

When he reached the Rossville Flats car park the level of firing intensified. It appeared to be coming from the direction of the waste ground and sounded like there were a number of guns being fired at the same time. There were no shots coming from the direction of the flats. He jumped down a three-foot wall in the Rossville Flats car park and almost landed on a young man lying in a foetal position on the ground. He was not convinced that his previous recollection of there having been blood coming out of the man's mouth was accurate.

Mr Villa remembered the sound of gunfire getting worse as he made his way along Block 2 of the flats and was sure that the sound was of single rifle shots as opposed to machine gun fire. He was warned by people he saw that there was shooting from the Walls.

5.1.3 Lisfannon Park

In Lisfannon Park he saw a group of four men carrying the limp unconscious body of a longhaired male youth wearing a light tweed jacket. He did not see any blood or any visible injury of any kind. He recalled the youth being taken into a gable-end house in Joseph Place.

5.1.4 Official IRA car

When Mr Villa got to Bluchers Street he saw a crowd of people gathered around a yellow car, shouting. He approached the car and saw four or five men of approximately 25 to 35 years old in it, along with some rifles. The crowd were shouting at the men, asking them where

they had been earlier. There was the general feeling that the gunmen, whom he was told were 'Stickies' (Official IRA), had let them down by not being there to protect them.

5.2 QUESTIONS ON BEHALF OF THE SOLDIERS

5.2.1 High Street

Mr Villa confirmed that it was the army shots that caused the flight of people from Barrier 14. He recalled the shots as having the 'cracking' sound of high velocity fire but could not identify whether it was SLR fire.

5.2.2 Official IRA car

Mr Villa did not know from what direction the yellow car had come.

6 JOHN HUTTON'S EVIDENCE

6.1 QUESTIONS ON BEHALF OF THE TRIBUNAL

6.1.1 Barrier 12 / 14

Mr Hutton attended the march with his friend, Sam Kelly and arrived near an army barrier where youths were throwing stones at the army. It was not clear whether this was Barrier 12 on Little James Street or Barrier 14 on William Street. The army retaliated with gas canisters, one of which hit a young boy in the face, causing him to bleed from the nose. Mr Hutton remembered seeing the canister on the ground beside the boy. The boy was taken to the waste ground to be treated by a male Knights of Malta volunteer.

6.1.2 Joseph Place

Mr Hutton ran with Sam Kelly down Rossville Street and across the waste ground. He recalled seeing Saracens driving into the courtyard of the Rossville flats and heard two shots ring out as he was on the grass verge in front of Joseph Place. People were shouting that the firing was coming from the Walls. However, although Mr Hutton had seen soldiers looking down at them from Nailor's Row (on the city Walls), he did not see them shoot. It was Mr Hutton's belief that the shots were coming from Rossville Street.

6.1.2.1 Michael Bradley

Mr Hutton heard further shots and a man crying out: 'I'm dying, I'm dying'. The man was asking for a priest. Mr Hutton helped carry the

man, whom he later found out to be Michael Bradley, into a house on Joseph Place.

6.1.2.2 Arrests

Mr Hutton looked out of the window of the house in Joseph Place where he was sheltering and saw approximately 30 civilians taking cover at the gable wall at the entrance to the Glenfada Park car park. Three soldiers came around the corner from the car park and motioned to the crowd to put their hands on their heads. The people were then taken away.

6.1.2.3 Fair-haired young man

When further shooting started, Mr Hutton looked out of the window of the house in Joseph Place where he was sheltering and saw two soldiers looking around the corner of the corner of the east block of Glenfada Park North.

One of the soldiers, a short man of approximately 5'6'' or 5'7'', came out from the corner, dropped to one knee and fired one shot towards the gap between Block 2 of the Rossville flats and the north end of Joseph Place. The soldier appeared to be aiming at a young fair-haired man, dressed in a denim jacket, who fell to the ground. Mr Hutton was not sure whether he was hit or whether he was diving for cover.

6.1.2.4 Barney McGuigan

A minute or two later, Mr McGuigan moved out from cover by the telephone box at the southern gable end of the Rossville flats. He was hunched over, waving a white hanky in his right hand. Mr McGuigan had only gone two or three steps when Mr Hutton saw the same soldier step out again from the corner of the eastern block of Glenfada Park north, drop to his knee and shoot his rifle.

It appeared to Mr Hutton that Mr McGuigan was facing towards the soldier when he was shot and that he had been hit on the right side of his head. The force of the bullet spun him around before he fell. Mr Hutton and Sam Kelly later went down to the body of Mr McGuigan which had been covered with a blanket.

6.1.3 1972 Statement

The Tribunal is in possession of a statement made by Mr Hutton to Mr Doherty, a trainee solicitor with BW McCloskey, which was the firm

representing the wounded at the Widgery Inquiry. Mr Hutton confirmed that the had made his statement voluntarily.

6.2 QUESTIONS ON BEHALF OF THE FAMILIES AND INJURED

6.2.1 Barney McGuigan

Mr Hutton agreed that he may have been mistaken as to the direction in which Mr McGuigan was looking when he came out from cover. This could have led to his belief that Mr McGuigan was shot on the right hand side of his head as opposed to the left hand side.

6.3 QUESTIONS ON BEHALF OF THE SOLDERS

6.3.1 Statement made to Eversheds

Mr Hutton was asked whether he had been asked specific questions when making his statement for the Inquiry or whether he had told the story of how he remembered the events. Mr Hutton said it was the latter.

7 THOMAS MCDAID'S EVIDENCE

Mr McDaid stayed at his home at 11 Joseph Place during the march on Bloody Sunday with his friend George Devlin. He is a cousin of Barney McGuigan whom he saw on the morning of the march.

7.1 QUESTIONS ON BEHALF OF THE TRIBUNAL

7.1.1 Barney McGuigan

Mr McDaid heard shouting and the noise of cracking so he and Mr Devlin went to a window of his house from where they could see Block 2 of the Rossville Flats and the gable end of Block 1. He saw approximately 10 people at the end of Block 2, some of whom appeared to be lying on the ground.

He noticed Mr McGuigan standing near the crowd: his right hand was raised and he appeared to be holding something white in it, trying to get attention. Mr McGuigan took approximately 15 steps forward in the direction of Rossville Street when Mr McDaid heard the same cracking noise and saw Mr McGuigan fall to the ground.

7.1.2 Soldiers in Rossville Street

Shortly after Mr McGuigan fell, Mr McDaid saw three paratroopers running in a 'V' formation down Rossville Street. The paratrooper in the lead seemed to head down Rossville Street in the direction of Free Derry Corner, another ran towards Glenfada Park South and the third towards Joseph Place. The third paratrooper was carrying his rifle across his chest and was looking around. He saw Mr McDaid and Mr Devlin looking out of the window and raised his gun to his shoulder and took aim. They both dropped out of sight.

8 MARGARET MAJELLA PATTERSON'S EVIDENCE

8.1 QUESTIONS ON BEHALF OF THE TRIBUNAL

8.1.1 Magilligan Beach

Ms Patterson had attended the march on Magilligan Beach the weekend before Bloody Sunday. She told the Inquiry of the level of violence used against the marchers by the army and recalled in particular one incident of a young girl being beaten in the sea.

8.1.2 'Protectors'

Ms Patterson recalls seeing three or four young men she described as 'protectors' sitting on the walls on Westland Street. Ms Patterson said these were not members of the IRA. Since Free Derry had been established, the women in the area would bang bin lids when they saw the army in the area. Those whom she called 'protectors' were the young men who would come out in response and man the barricades, throwing stones at the army to drive them out of the area. She told the Inquiry that they were local young men that lived on the Creggan Estate. They were not known as 'protectors': that was merely the convenient term she had used to describe them when giving her statement to Eversheds. They were not an organised group of any description.

8.1.3 Glenfada Park North

Ms Patterson had made her way to the gable end of Glenfada Park North, near the rubble barricade, when she heard somebody shout that the army was coming in. She described there being approximately 30 or 40 people at the gable end, talking and smoking. Within a matter of minutes, there were a lot of shots fired, making a 'crack' sound. It did not occur to Ms Patterson that they were live rounds.

8.1.4 Hugh Gilmore

Ms Patterson ran across Rossville Street past the rubble barricade towards Block 1 of the Rossville Flats. She believed that there were about 10 young men still at the barricade but did not remember seeing anyone injured. As she approached the door of the block, she noticed a young man running alongside her and her husband. He had just passed the door of the block when she saw him spin round and begin to fall. She was not sure whether he was shot just before he fell or whether he had been shot previously and collapsed at this moment. He was wounded in the upper chest area and the wound was seeping so extensively that it looked as if he was losing his insides through the wound.

Ms Patterson was aware of soldiers in Rossville Street but did not see any at that time as she had her back to the direction from which the bullets were being fired.

8.1.5 Rossville Flats

Ms Patterson found her way to the telephone box at the south end of Block 1 of the flats where she heard shooting coming towards them from a southeasterly direction as well as from Rossville Street.

8.1.6 Kathleen Doherty's statement to the RUC

Ms Patterson's mother, Kathleen Doherty, took Patrick Campbell to hospital on Bloody Sunday. As Kathleen Doherty is now deceased, Ms Patterson was asked about her mother's statement made to the RUC on Bloody Sunday.

Mrs Doherty wrote that she had been asked to get into the car with Paddy Doherty and the driver, Barney McMonagle, as she knew Mr Doherty. The car was stopped at an army checkpoint in Ferguson's Lane and they were brought to the army compound at Foyle Road.

Ms Patterson confirmed that this is what her mother had told her of the day.

8.2 QUESTIONS ON BEHALF OF THE FAMILIES AND WOUNDED

8.2.1 Experience of civil rights marches

Ms Patterson had been on hundreds of marches before Magilligan, the majority of which were in Derry. She explained that marches were being called practically every day at that time. She told the Inquiry

that none of the marches she had ever been on had been used as cover for IRA gunmen shooting at soldiers.

8.2.2 Magilligan Beach

Ms Patterson described getting off the bus in Magilligan and being told by John Hume and Ivan Cooper that the march was to proceed along the beach to the camp, as opposed to the road. She described the marchers being attacked with batons by paratroopers.

8.2.3 Paddy Doherty

Ms Patterson recalled speaking with Paddy Doherty at the march at Magilligan. He told her that one of the reasons he was there was to talk to his brother who was in the army, perhaps to talk him out of remaining in it. Ms Patterson thought Mr Doherty's brother might even have been in the Parachute Regiment.

8.2.4 Block 2 of the Rossville Flats

Ms Patterson had run to the shops at Block 2 of the flats to try to find cover. She remembers a lot of people lying along the wall near Molly Barr's shop trying to get cover. It became apparent that the location was not safe as there were a lot of bullets being fired in that direction so Ms Patterson made a dash across to the alleyway behind Joseph Place. There were men in the alleyway, signalling people to come over when they thought it was safe to cross.

8.3 QUESTIONS ON BEHALF OF THE SOLDIERS

8.3.1 Confrontations with the army

Ms Patterson said that she had never seen any form of violence more serious than rioting on marches or in confrontations with the army in the Creggan. She had only ever seen the young men she described as 'protectors' throwing bottles and stones. Under cross-examination, she said that she thought the 'protectors' were doing a good job of protecting the area and would not have given evidence against them or identified them to the authorities.

8.3.2 Rubble barricade

Ms Patterson said that she had seen youths both in front and behind the barricades throwing stones. Mr Glasgow suggested to her that had she seen any more sinister activity she would not have said anything, no more than she would have spoken about the 'protectors'. Ms

Patterson responded that she had just taken an oath; she had and would tell the truth.

8.3.3 Stone throwers

Ms Patterson reiterated that she had seen only three or four 'protectors' on the wall of Westland Street. She said it was common knowledge on Bloody Sunday that they were not coming on the march but were supposed to stay behind to protect Free Derry by throwing stones at the police and army. In response to a suggestion that the fact that she said they had no weapons meant that they might have had weapons on other occasions, Ms Patterson said that she had been asked a direct question by Eversheds as to whether they were armed and had answered no. The statement meant no more than that.

9 TONY QUIGLEY'S EVIDENCE

9.1 QUESTIONS ON BEHALF OF THE TRIBUNAL

9.1.1 John Johnson and Damien Donaghy

Mr Quigley walked at the rear of the march. As he reached the junction of William Street and Abbey Street, he heard two shots which appeared to come from the direction of derelict buildings, next to where Richardson's factory had once stood. He recalled seeing two young men who had been shot on the waste ground, but agreed that he could have been mistaken as to the age of one of the men. He told the Inquiry that a good portion of the march was still moving down William Street. He was not aware of any rioting at the time the shots rang out.

9.1.2 Rossville Flats

Mr Quigley ran down William Street, across the waste ground and south towards the flats. He bumped into Father Daly before making his way through the gap between Blocks 1 and 2 of the flats and sheltering behind a low wall. There were a number of people behind the wall, including Mr Quigley's brother Brendan and a friend, Phil McGuinness. Shooting continued during this time and he heard someone say that the shooting was coming from the city walls.

9.1.3 Rubble barricade

From behind the wall, Mr Quigley looked towards the rubber barricade and saw a young boy lying across the barricade.

9.1.4 Barney McGuigan

Mr Quigley saw a group of people sheltering by the gable end of Block 1 of the flats. There was a body lying on the ground surrounded by a group of people. He recognised Barney McGuigan who was moving out from the gable towards the rubble barricade with his arms in the air. Mr McGuigan had taken about three steps when he heard a shot and saw him fall.

9.1.5 Bogside Inn

After seeing Mr McGuigan shot, Mr Quigley made his way on his hands and knees to the Bogside Inn. There were about 300 people there, fearful that the army was going to go further into the Bogside.

He saw a man walking down Westland Street towards the Inn carrying a rifle and saying he was going to take on the British Army. He was aged between 25 to 30 years, was tall with fair hair and was dressed in ordinary clothes. People were telling the man that he would only make matters worse and that this was exactly what the Army wanted him to do. The man then melted into the crowd. Mr Quigley did not know the man's name and had not learned it since.

Mr Quigley did not see a car carrying men with rifles. The man referred to above was the only armed civilian he saw on Bloody Sunday.

9.1.6 Previous convictions

Mr Quigley was convicted of possessing explosives five years after Bloody Sunday. He denied that he had ever been a member of the Provisional IRA and said he was not involved in the republican movement at the time of Bloody Sunday.

9.2 QUESTIONS ON BEHALF OF THE SOLDIERS

9.2.1 Michael Joseph Quigley

Mr Quigley said that he did not know and had never known a man called Michael Joseph Quigley.

10 MARTIN MCGILLOWAY'S EVIDENCE

Mr McGilloway was 17 on Bloody Sunday. He joined the march in Bishop's Field.

10.1 QUESTIONS ON BEHALF OF THE TRIBUNAL

10.1.1 Rossville Street

Mr McGilloway saw the rioting as he walked down William Street towards Barrier 14. It was his intention to join in the riot but he could not get to the barrier. He and his friends saw people running down Rossville Street towards Free Derry Corner, followed by Army Saracens.

10.1.2 Rossville Flats car park

As Mr McGilloway ran towards the car park of the flats, he was overtaken by a Saracen which entered the car park. It was here that he heard live shots for the first time: they appeared to be single shots as opposed to machine gun fire, coming from further north up Rossville Street. He also heard the sound of rubber bullets.

10.1.3 Rubble barricade

Mr McGilloway made his way to the corner of Block 1 of the flats and looked towards the rubble barricade. There were a number of people around the barricade of a mixture of ages. He spotted Michael McDaid who had one knee on the barricade and was talking to the people around him. The young people appeared to be gathering stones and preparing to riot if the army approached the barricade. Nobody was holding any weapons or wooden sticks.

Mr McGilloway said he would have gone over to riot only the shooting started up again and there was panic with everyone dispersing to look for cover. The shooting was coming from the north of Rossville Street.

10.1.4 Rossville Flats

Mr McGilloway ran into the alleyway between Blocks 2 and 3 from where people were streaming out towards Joseph Place. He did not see anybody in the alleyway with a weapon of any description. He ran up the first flight of steps where he took shelter with other people. He could hear running and shooting which seemed to come in bursts although the shooting did not appear to be coming from as close as the car park.

Mr McGilloway came out of his sheltered position when the shooting had stopped and when he heard the sound of ambulance sirens. He did not see anybody shot and did not see any bodies.

10.1.5 Republicans on the march

He said that he saw no civilian with a gun of any kind and heard no rumour that the IRA was in the Bogside. He did see people on the march whom he knew to be republicans but did not know whether they were actually members of Sinn Fein or the IRA.

10.2 QUESTIONS ON BEHALF OF THE SOLDIERS

10.2.1 Gun fire

Mr McGilloway said that the shooting appeared to be single shots as opposed to machine gun fire, but that he could not confirm this for definite as the shooting was so intense.

Timetable of proceedings

Monday 28th: paragraphs 1 - 5

Tuesday 29th: paragraphs 6 - 10

Due to the 30th anniversary of Bloody Sunday, the Inquiry rose for the rest of the week.