

BLOODY SUNDAY INQUIRY

WEEK 8

5 – 8 JUNE 2000



This week Christopher Clarke QC, concluded the evidence relating to sector three. He also covered evidence on sector four, the anti-tank platoon in Glenfada Park and Abbey Park. At the end of the week the Tribunal decided to postpone the hearing on the venue for soldiers' evidence until the last week in November. A transcript of the week's proceedings is available on the Inquiry's website at <http://www.bloody-sunday-inquiry.org.uk>.

8.21 GENERAL EVIDENCE OF SOLDIERS FIRING IN ROSSVILLE STREET

8.21.1 Martin Callan

Martin Callan said that the soldiers' advanced down Rossville Street. Initially he thought they were firing rubber bullets because they were not lying down but he realised the rounds were live when the soldiers did not reload their weapons. He said if the soldiers had been under fire he would expect them to lie down or hide behind walls.

8.21.2 Frederick Cunningham

Frederick Cunningham ran past the rubble barricade when he became aware of a helicopter flying overhead. He said that when the helicopter turned it made a heavier noise, which sounded like automatic gunfire.

8.21.3 Damien Friel

Damien Friel was watching from a window at the top of Kells Walk. He saw a soldier near the Kells Walk pram ramp who was in a semi-crouched position. The soldier was not taking cover and was firing shots indiscriminately in the direction of the Rossville flats. None of the soldiers say they fired from the point that Mr Friel placed this soldier.

8.22 THE SCENE IN ROSSVILLE STREET IMMEDIATELY AFTER THE ARMoured PERSONNEL CARRIERS (APCs) ARRIVED

Mr Clarke covered a number of civilian accounts. A selection are recounted below.

8.22.1 Brendan Harley

Brendan Harley said that the APCs arrived in a calculated manner but the scene became chaotic when the foot soldiers arrived. Within seconds of the

APCs stopping, one soldier was shooting from the hip down Rossville Street. Mr Harley described the soldier's firing as if he was on a pigeon-shoot.

8.22.2 David Melarkey

David Melarkey recalls soldiers shooting as they jumped out of the first APC. Their rifles were pointed in the air. At least six soldiers were walking behind the APC. One soldier, kneeling at the east of the APC, was shooting in the direction of the barricade. Another was shooting towards the top of block 1 of the Rossville flats.

Mr Clarke said that the photographs of the APCs do not show them as far south as Mr Melarkey places them. He suggested that this evidence may relate to events later in the day when two anti-tank platoon vehicles were driven further south.

8.22.3 Hugh O'Donnell

Hugh O'Donnell was standing at the southern end of block 1 of the Rossville flats when a machine gun opened fire from the Kells Walk area. Mr O'Donnell said the machine gun stitched the ground floor wall of block 1 of the Rossville flats with bullets. Mr Clarke said that no other witness has spoken of this.

8.22.4 Father O'Gara

Father O'Gara saw a soldier at the Kells Walk wall fire towards Glenfada Park. Thirty seconds later he saw a young man lean over a wall at the end of Kells Walk and fire three shots from a pistol. Father O'Gara said that the soldiers did not even recognise the presence of the young man and he disappeared. This was the only non-Army firing that Father O'Gara saw that day. He said that the young man was completely separate from the main crowd and from those at the rubble barricade.

8.22.5 John Shiels

John Shiels saw two APCs stop just off Rossville Street. As soon as they stopped, soldiers jumped out and one immediately began firing his rifle from his hip. He was firing in a sweeping motion towards the Rossville flats and the rubble barricade.

8.23 PHOTOGRAPHS

A series of photographs relating to sector three were shown. They showed an APC appear through the gap in the rubble barricade. Photographs of Michael McDaid, William Nash, John Young and Kevin McElhinney on the march and in the area around the barricade and flats were shown.

8.24 THE SEQUENCE OF EVENTS BETWEEN THE SECTORS

One of the problems caused by presenting evidence sector by sector is that it ignores the fact that events in different sectors would be taking place at the

same time. Events in sectors two and three would have happened at roughly the same time. Mr Clarke presented a sequence of events, which has been worked out from photographs and witness statements.

Sector 3 (anti-tank and composite platoons in Rossville Street)		Sector 2 (mortar platoon in car park of Rossville flats)
Paras enter.		Crowd run into the car park and the alleys between block 1 and 2.
Armoured vehicles 3 to 10 lined up in Rossville Street.		APC 1 just below Kells Walk and APC 2 in the entrance to car park.
Corporal P and Soldier 17 (according to their evidence) disperse crowd at Kells Walk.		Arrest operation begins. Lieutenant N's shots. A crowd runs down Chamberlain Street.
		Photographs showing a boy running across the car park and then being arrested.
Space clears between APCs and the rubble barricade.		
Shots are fired. Ciaran Donnelly hears someone say 'they're only firing blanks'. The crowd around the rubble barricade thins out from approximately 40 – 60 people to 12.		Firing takes place and Jack Duddy is killed.
According to some witnesses there is some stone throwing at the barricade and attempts to persuade others to join in.		In the southeast of the car park a group, including Patrick Doherty, are photographed making their way to the southeast exit.
Whatever activity is taking place at the barricade is taking place. (Military and civilian accounts differ.)		
Firing by Soldier P		
Soldiers are photographed in front of and then behind the southernmost Kells Walk wall.		
On the west side of the barricade, Michael Kelly is shot by Soldier F.	A photograph shows Michael McDaid walking south.	
Crowd rush to Michael Kelly. And some carry him to the gable end of Glenfada Park North.	Hugh Gilmore is photographed running down by Block 1 of the Rossville flats. He is either shot at the barricade or whilst passing Glenfada Park North.	

Sector 3 (anti-tank and composite platoons in Rossville Street) continued		Sector 2 (mortar platoon in car park of Rossville flats) continued
Fr Bradley administers the Last Rites to Michael Kelly at the gable end.		
Shots from the soldiers. John Young, William Nash and Michael McDaid fall at about the same time.		
Alexander Nash walks out from Glenfada Park North to the barricade and is shot in the arm and chest.		
	Hugh Gilmore is pulled around Block 1. Photographs show people at Block 1 pointing at something to the east.	
	Kevin McElhinney is shot. A bullet hits the door of the entrance to Block 1.	
		Sector 4 (anti-tank platoon in Glenfada Park and Abbey Park)
		Michael Kelly's body is carried across Glenfada Park North.
Lieutenant N's APC comes to pick up the three bodies from the rubble barricade.		Soldiers shoot in Glenfada Park. Michael Kelly is picked up by Joseph Donnelly and taken to 8 Abbey Park.
		Shooting in Glenfada Park North. James Wray and William McKinney are killed. Joe Mahon is injured. Photographs show the three bodies on the car park and pavement.
		Soldiers arrive at the gable end of Glenfada Park North and arrest the crowd who had taken cover there. Fr Bradley said that a soldier fired 4 to 8 shots at Joseph Place. The soldier shrugged Fr Bradley off when he asked him to stop shooting.
		Fr Bradley sees the three bodies lying in Glenfada Park and is refused access to them.

Sector 3 (anti-tank and composite platoons in Rossville Street) continued	Sector 4 (anti-tank platoon in Glenfada Park and Abbey Park) continued
	Those arrested at the gable are taken to the Kells Walk car park. Fr Bradley tries to get help for Patrick O'Donnell who has been shot in the shoulder.
Photographs show APC 1 travelling south then north.	
Sector 5 (deaths of Patrick Doherty and Bernard McGuigan)	
By this time Patrick Doherty has been killed.	By this time Bernard McGuigan has been killed.
A series of photographs show Mr Walsh crawling towards Patrick Doherty's body.	A photograph shows that a scarf and blanket have been placed on the body of Bernard McGuigan.
Fr Bradley is at the front of an ambulance when fire comes apparently from Rossville Street. Mr Clarke queried whether this could be return fire from the late arriving IRA men. (See Leslie Bedell's evidence BIRW report week 2 para 4.2.11).	
Photographs show Fr Mulvey advancing northwards waving a handkerchief.	

9 EVENTS IN SECTOR FOUR (GLENFADA PARK AND ABBEY PARK)

Gerard Donaghy, Gerard McKinney, William McKinney and James Wray were killed in this area. Joseph Friel, Danny Gillespie, Joseph Mahon, Patrick O'Donnell and Michael Quinn were wounded. There are also references in the evidence to an unidentified man being wounded in the thigh in Glenfada Park.

Lord Widgery regarded the evidence as too confusing and contradictory to decide whether the men had died in Glenfada Park or Abbey Park. Mr Clarke said that the photographic evidence seems clear and coupled with civilian evidence suggests the following;

- William McKinney, James Wray and Joseph Mahon were shot in Glenfada Park.
- Gerard Donaghy and Gerard McKinney were shot in Abbey Park. (Although there is some evidence suggesting that William McKinney was killed in Abbey Park.)
- Joseph Friel, Daniel Gillespie, Joseph Mahon, Patrick O'Donnell and Michael Quinn were wounded in Glenfada Park. (Michael Quinn was either in the southwest corner or in the alley leading to Abbey Park.)

9.1 Sequence of events in Glenfada Park North

- After the deaths in the area around the rubble barricade, members of the Anti-tank platoon moved into Glenfada Park North through the northeast entrance by going through the alleyway in the Kells Walk building. It is possible the soldiers went in through more than one entrance.

- People sheltering in Glenfada Park North and at the gable end tried to run to the southwest alley of Glenfada Park North.
- Some civilians stayed on the east side of Glenfada Park North, either against the wall of the east block or behind the fences of the houses.
- Soldiers enter Glenfada Park North and fire shots. What the soldiers met with, how much they fired and what they fired at are all controversial.
- Glenfada Park North is cleared leaving three bodies.

9.2 Evidence on the location where the deceased fell

Mr Clarke said that a review of the likely spots that people fell would assist in considering what happened before they were shot.

9.2.1 James Wray

Mr Clarke said that there is a wealth of evidence that James Wray was shot in the southwest corner of Glenfada Park North. He was carried into 8 Abbey Park.

9.2.2 William McKinney

Don Campbell said that he saw William McKinney run into Glenfada Park from block 1 of the Rossville flats. He said that William McKinney had joined a group who were standing over a body. Mr Campbell said that William McKinney leaned over the body and then fell.

Greg Doherty said he saw four bodies lying in a line along the pavement of the south block of Glenfada Park North. Mr Doherty moved towards the bodies and noticed that one had a camera around his neck. (William McKinney was a keen photographer.) Mr Doherty said that he helped carry this man to 7 Abbey Park. He had placed his rosary beads on the man and some time later identified them as his in response to an advert placed by the family of William McKinney.

9.2.3 Gerard McKinney

A series of photographs locate the spot where Gerard McKinney was killed. The photographs show a Knight of Malta trying to resuscitate an injured man on the steps leading to Abbey Park. The autopsy report and photographs taken in the morgue link the sweater worn by the injured man in the photograph to Gerard McKinney. The autopsy report records that Gerard McKinney had a fractured breastbone, probably caused by the attempted resuscitation.

9.2.4 Gerard Donaghy

There are no photographs of Gerard Donaghy but there is significant evidence that he fell in Abbey Park.

Hugh Leo Young carried Gerard Donaghy from Abbey Park to 10 Abbey Park. A soldier in the alleyway between Glenfada Park North and South had fired at Mr Young when he ran to Gerard Donaghy's body.

Raymond Rogan was the owner of 10 Abbey Park. He had seen a group of people gathered around two bodies in front of his house. He helped to carry one of the bodies, Gerard Donaghy, into his house.

9.2.5 Michael Roger's cine film

A cine film taken by Michael Rogers shows the bodies of James Wray and William McKinney being carried through the southwest alley of Glenfada Park North. The film also shows William McKinney being carried into 7 Abbey Park and Gerard McKinney being attended to on the ground in Abbey Park. Joe Mahon can be seen being carried in a sitting position through Glenfada Park into Abbey Park.

9.2.6 Significance of locating where the deceased fell

If the analysis above is correct, it shows that Gerard Donaghy and Gerard McKinney were shot in Abbey Park. This is significant because no soldier admitted to firing in Abbey Park.

9.3 EVIDENCE OF THE WOUNDED

9.3.1 Evidence of Joseph Friel

Joseph Friel had a gunshot wound to his chest. The medical report said that he had been hit by a 'near miss' bullet travelling from left to right. He had been making his way to Free Derry Corner when the firing started. He went into Glenfada Park and as he got near to the southwest corner he heard a shout and turned to see soldiers entering from the northeast. One soldier was moving his gun from left to right at waist height. Mr Friel said the other soldiers were not firing. He heard three shots and felt a blow to his body. He said that he did not feel he had been picked out, the firing was random.

9.3.2 Evidence of Michael Quinn

Michael Quinn was shot in the cheek as he was approaching the southwest alleyway of Glenfada Park North. He did not see any soldiers and does not know where the shot came from.

Mr Quinn said that he saw a young man shot in the leg on the west side of Glenfada Park. The man was facing the northwest entrance.

Donncha Mac Ficheallaigh said that he was next to Michael Quinn when Mr Quinn was shot. He said that they were at the garden wall of 59 Glenfada Park when Mr Quinn took two steps away from the wall in the direction of Abbey Park. At that moment, Mr Quinn was shot in the right cheek.

9.3.3 Evidence of Daniel Gillespie

Daniel Gillespie did not give evidence at the Widgery Inquiry. He was by the trees in the centre of Glenfada Park North when he told some boys off for carrying broken flagstones. He turned around and saw a soldier at the northeast corner. Mr Gillespie tried to run towards Rossville Street but he heard a sharp crack and knew that he had been hit. Two of the boys he had been telling off helped him to his feet. He said that he was halfway to his feet when another shot rang out and hit one of the boys who had been helping him. Mr Gillespie believed that this boy was James Wray, however Mr Clarke said that this does not sit with the substantial amount of evidence placing James Wray in the southeast corner. The boy has not been identified.

The bullet grazed Mr Gillespie's skull. He was helped to Lisfannon Park and did not attend hospital because he feared being arrested.

9.3.4 Evidence of Joseph Mahon

Joseph Mahon did not give evidence to Lord Widgery. He was shot in the right hip. The bullet went straight through the bone and embedded itself in the left hipbone.

Joseph Mahon was standing at the northeast of Glenfada Park North when the soldiers entered. The first soldier fired shots from the hip. Mr Mahon ran towards the alleyway leading to Abbey Park. As he ran along the path he banged on fences to try and take cover in a yard.

Mr Mahon had run twenty or thirty yards when he was shot. He fell to the ground and could see the bodies of James Wray and William McKinney on the ground. Photographs of Glenfada Park North show the position of the three bodies.

Mr Mahon said the first soldier walked towards James Wray. He made no attempt to search Mr Wray for weapons. Joseph Mahon saw James Wray's shoulders move. He said that the soldier pointed the rifle at Mr Wray's back and fired two shots at point blank range.

Mr Mahon was terrified and pretended to be dead. He said the soldier did not search any of the three men for guns. He noted that the soldier had his back turned to Mr Mahon and if there had been any weapons anywhere the soldier could have been shot.

The soldier went into Abbey Park and Mr Mahon heard more shots. After some time the soldier returned, took off his helmet and wiped his forehead with the back of his hand. Joseph Mahon noticed the soldier had blond hair and has since recognised him on video footage of soldiers leading civilians along Kells Walk.

The blond soldier shouted 'I've got another one' and another soldier said 'we're pulling out' (the soldier used a first name which has been replaced with a letter which has in turn been blanked out. The letter cannot

be given at the moment because it risks compromising the anonymity ruling. Legal argument will take place on this issue next week).

The blond soldier walked to the northeast entrance of Glenfada Park North. Joseph Mahon turned his head and saw the soldier aim his rifle at him. Just at that moment he heard a woman shout 'don't shoot – first aid.' He heard a shot and then felt a hand on his shoulder. He was taken to 4 Abbey Park.

Mr Clarke said that on Mr Mahon's account of the shooting of James Wray, he was murdered.

9.3.5 The Sunday Times interview notes of Mr Mahon's evidence

Notes found in the Sunday Times archive purport to be of an interview conducted with Joseph Mahon on 2 March 1972. The notes differ to Mr Mahon's statement in the following ways;

- They refer to a soldier on what appears to be the south end of block 1 of the Rossville flats.
- There is no reference to the first soldier firing from the hip.
- There is no reference to a soldier firing into James Wray's back.
- There is no reference to a soldier entering Abbey Park.

Mr Mahon said that the Sunday Times notes are not an accurate account of what happened on Bloody Sunday. He said that he was interviewed by the Sunday Times team but they did not prepare a written statement with him.

9.3.6 General comments on notes from the Sunday Times archive

Mr Clarke said that the BSI have now seen a number of cases where witnesses have given evidence which is different from the notes recorded in the Sunday Times archive. (For examples see BIRW report week 2, Billy Gillespie at para 4.2.8 and Ivan Cooper at para 4.5.4.)

Mr Clarke said that in trying to decide which account is the most accurate the following should be considered;

- Risk that the journalist has misunderstood what he has been told.
- Risk that the journalist has not recorded accurately.
- The fact that the person interviewed will not have had the chance to check or correct what the journalist has written.
- Risk that the person being interviewed may have made mistakes or forgotten points because of the traumatic nature of the events they were asked to recount.
- Risk that after 27 years, recollection of events on the day may not be as accurate as it might have been nearer the time.

9.4 MEDICAL EVIDENCE ON JAMES WRAY, WILLIAM MCKINNEY AND JOSEPH MAHON

9.4.1 James Wray

James Wray had two bullet wounds. One of the bullets entered the right side of his chest and passed upwards and to the left, exiting at the tip of his left shoulder. The exit wound was shored which is significant because it occurs when the skin is reinforced by a firm surface or tight clothing as the bullet exits the body.

The other bullet wound entered the right side of Mr Wray's chest at a shallower angle. There is no evidence of shoring on this exit wound.

Dr Shepherd and Mr O'Callaghan, experts instructed by the BSI, examined the brown corduroy jacket that James Wray was wearing when he was shot. After examining the distribution of the holes in the jacket they concluded that the two bullets were fired from James Wray's right. Even though the two entry wounds are close together and the bullet tracks are similar they said that it does not necessarily mean that the shots were fired from the same gun or were fired in quick succession.

They concluded that James Wray was in contact with a firm surface and/or his clothing was pulled tight when the bullet exited his left shoulder. They believe the most likely explanation for the shored wound is that Mr Wray was lying on his left shoulder on the ground when he suffered this wound.

The pattern of damage to the jacket created by the other bullet is consistent with Mr Wray's jacket being pulled upwards and folded when he was shot. Dr Shepherd and Mr O'Callaghan said that this could also have occurred when Mr Wray was lying on the ground. They have not excluded the possibility that this damage could have occurred in other circumstances.

9.4.2 William McKinney

William McKinney was shot in the right side of the back by a bullet which crossed the upper abdomen and exited from the left side of the lower chest.

Mr McKinney also had a second wound caused by a bullet passing from the inside of his arm to the back of his arm. This bullet was either unstable or distorted. The expert used during the Widgery Inquiry believed that this second wound was caused by the bullet which had exited Mr McKinney's left chest. However Dr Shepherd and Mr O'Callaghan said that it is not possible to say whether this wound was caused by the same or a separate bullet.

9.4.3 Joseph Mahon

Joseph Mahon was hit by a bullet which entered the right side of his pelvis. The BSI experts examined this bullet and concluded that it had probably struck an intermediate object before hitting Joseph Mahon.

9.4.4 The unifying feature of these three medical reports

All three men were shot by someone to their right. James Wray and William McKinney were shot in the back.

9.5 FURTHER EVIDENCE THAT JAMES WRAY WAS SHOT WHILST LYING ON THE GROUND

9.5.1 Paddy McCauley

Paddy McCauley ran past the alley on the southwest side of Glenfada Park North and saw two figures lying face down on the pavement at the southern end of Glenfada Park North. He did not know whether the figures were taking cover or had been shot. He saw a soldier in the southwest corner of Glenfada Park North with his foot on the body of a man who was lying on his side. The soldier had the muzzle of his rifle pointed towards the man's ribcage. Mr McCauley said that he later found out that the man on the ground was James Wray.

Paddy McCauley reached the steps by Abbey Park and saw Gerard McKinney running towards the direction of James Wray. As he ran he held his arms in the air and shouted either 'do not shoot' or 'do not shoot him'. Mr McCauley said that, in what looked like one movement, the soldier shot James Wray and spun to his right firing a shot in the direction of Gerard McKinney and himself.

Mr McCauley saw the soldier's gun recoil after he shot James Wray. He heard Gerard McKinney cry out and saw him fall back on the steps. He did not see Mr McKinney get shot but believes that it was the same soldier that shot James Wray.

Mr Clarke said that Paddy McCauley's NICRA statement had not mentioned the shooting of Gerard McKinney.

9.5.2 Malachy Coyle

An older man had pulled Malachy Coyle into a backyard of the house next to the southwest alley of Glenfada Park North. Mr Coyle could see three people lying on the ground on the south pavement. He believed the two men furthest from him were dead but the man closest to him was still alive and was looking in the direction of the backyard.

The man (who he later found out was James Wray) lifted his head and said to the older man in the backyard 'I cannot move my legs'. Malachy Coyle told him not to move and to pretend that he was dead. Moments later Mr Coyle heard a shot from the north and saw the pavement next to Mr Wray explode in sparks. He heard James Wray groan and watched his head fall to the pavement. (See further evidence from Malachy Coyle below at para 9.7.1.)

9.5.3 John McCourt

Mr Clarke suggested that John McCourt was the older man who had pulled Malachy Coyle into a backyard. Mr McCourt was in the backyard of a relative's house which was the second or third house from the southwest alley of Glenfada Park North.

He said that he called to the people outside to keep still. Mr McCourt heard two or three shots. He saw a soldier kneeling in the northeast corner of Glenfada Park North and two soldiers at the gable end.

9.5.4 Michael Wilson

Michael Wilson was in the backyard of the most southerly flat in Glenfada Park North. He could see soldiers moving up and down the balconies of the eastern and northern blocks of Glenfada Park North. Mr Clarke said that other witnesses have spoken of soldiers in this location as well although none of the soldiers have mentioned this in their evidence.

Mr Wilson saw a boy who had either fallen or thrown himself on the ground to his right. He called to the boy to come into the yard but the boy said 'I can't move'. Shortly after this the boy was shot in the back. Mr Wilson does not know where the shot came from.

9.6 EVIDENCE THAT JAMES WRAY FELL AFTER HE WAS SHOT

9.6.1 Sean Eugene O'Neill

Mr O'Neill said that he was running to the southwest alley in Glenfada Park North with James Wray when six shots were fired. He said that Mr Wray fell as the shots were fired.

9.6.2 George Hillen

George Hillen said that he was in a group of between 40 and 60 people trying to get through the southwest alley. He said that he noticed James Wray who was at the back of the group to Mr Hillen's right. Mr Hillen looked back and saw a soldier in the northeast of Glenfada Park North. The soldier lifted a rifle and aimed in the direction of the southwest alley. Within a second of turning back towards the alley, Mr Hillen heard James Wray shout 'I am hit'. He said that Mr Wray fell forwards.

9.6.3 John Shiels

John Shiels was watching from a flat on the east side of Glenfada Park North. He could hear continual high velocity firing. Mr Shiels could see two people lying face down in the car park and could see people hiding in the southwest alley. He saw a man, who had nothing in his hands, run from the direction of the gable of the eastern block. A soldier appeared from the north and shot the man. A Knight of Malta approached the man but was kept back by the soldier who gestured with his rifle.

9.6.4 Joseph Martin Gallagher

Joseph Gallagher was running across Rossville Street into Glenfada Park North when he noticed a man lying on the ground at the mouth of Glenfada Park North. He saw James Wray falling and noticed a soldier at the northwest

entrance who was shooting from the waist. Mr Gallagher ran past Mr Wray and then went back to him. The soldier continued walking forward whilst firing. Mr Gallagher bent over to try and drag James Wray away but felt a bullet go through his hair.

9.6.5 Pat Moyne

Pat Moyne said that he ran towards Abbey Park with James Wray. He said that James Wray froze. He heard five or six shots and James Wray fell to the pavement. Mr Moyne could not say whether Mr Wray was shot whilst he had frozen or whilst he was running. He bent down on one knee to James Wray and noticed soldiers running in to Glenfada Park North from the northeast and northwest entrance.

9.6.6 Pearse McCaul

Pearse McCaul was one of the group carrying Michael Kelly when the soldiers came into Glenfada Park North. Mr McCaul said that he ran to the northwest corner and that James Wray was running behind him. When Pearse McCaul reached the northwest alley he saw James Wray fall. (Most other accounts place James Wray at the southwest corner.) Mr McCaul saw a female Knight of Malta approach James Wray within two or three minutes of him falling.

9.7 SHOOTING AT THE SOUTHEAST END OF GLENFADA PARK NORTH

9.7.1 Malachy Coyle

After the pavement next to James Wray exploded in sparks, Malachy Coyle saw four or five soldiers enter from the northeast alley. All except one of the soldiers were wearing helmets. Mr Coyle said the soldier without the helmet behaved differently to the others. Whilst the other soldiers adopted defensive positions along the east fence, this soldier went to the gable wall and threatened to shoot the group of people sheltering there.

Mr Coyle became afraid that one of the soldiers would see him and the older man hiding in the backyard. They stood up and walked out of the yard. As they stepped out of the yard, Mr Coyle saw a young boy to the northwest of the Glenfada Park South pram ramp. The boy had his hands behind his head and was facing the gable. Mr Coyle said that the soldier turned and fired at the boy who fell to the ground. He does not know who the boy was or whether the soldier's bullet had hit him. Mr Clarke said that the shot has not been explained and the victim has not been identified.

9.7.2 Oliver Green

Oliver Green took cover in a backyard of Glenfada Park North. He could see a man kneeling in one of the other yards. The man was shouting instructions to someone to keep down. Mr Green said that he heard shots fired to his right, towards the southeast entrance to Glenfada Park North.

9.8 PATRICK O'DONNELL

Patrick O'Donnell received a bullet wound in the right shoulder and a scalp wound to the left side of his forehead.

Mr O'Donnell was at a corner next to the gable end in Glenfada Park North. He saw two soldiers at the central reservation, heard a crack and felt a burning sensation in his right shoulder. He moved to the gable end where Winifred O'Brien gave him a handkerchief for his shoulder.

The soldiers marched all those at the gable end in single file to the Kells Walk car park. Mr O'Donnell was pushed along by a soldier who was poking him in the back with a rifle. He struggled because of the pain in his shoulder and tried to keep the handkerchief over his wound. The soldiers forced him to walk with his hands above his head. Mr O'Donnell said that the soldiers knew he had been shot because one said 'you have a bullet to carry – and you can have another one'.

When he got to the City Cabs office in William Street, a taxi-driver told him to go inside the office. Shortly afterwards a soldier burst him and ordered Mr O'Donnell to get out. The soldier pushed Mr O'Donnell and as he went out of the door he was hit on the head. This head wound required eight stitches.

Eventually, after Father Bradley had spoken to an officer in charge, Patrick O'Donnell was released. He was not searched at any time.

9.9 A MAN SHOT IN THE LEG

Michael Quinn described seeing a young man shot in the leg at the alleyway leading into Glenfada Park. Mr Clarke said that the young man may be somebody called Michael or Richard Doherty.

9.9.1 Dr McDermott's evidence

Dr McDermott recalled treating a man called Richard Doherty who had a bullet wound to the top of his right leg. The bullet had missed the bone and gone straight through the man's leg. The BSI are still trying to locate Richard Doherty.

9.9.2 Hugh Deeham's evidence

Hugh Deeham of the Knights of Malta confirmed that Dr McDermott treated a man who had an eye injury as well as a gunshot wound.

9.9.3 The Sunday Times archive

The Sunday Times archive records that Hugh Deeham had said he was called to attend Mickey Doherty, 'the wounded Official'. The notes say that Mickey Doherty was the IRA man who fired at soldiers at the Barrack Street barricade. He was shot in the right thigh and the right side of his back. Both wounds were flesh wounds.

Mr Clarke said that it is unclear whether Richard and Mickey Doherty are the same person.

9.10 EVIDENCE FROM CIVILIANS IN ABBEY PARK RELATING TO GERARD MCKINNEY AND GERARD DONAGHY

The people who ran through the southwest alley fled into Abbey Park. At least two people were killed in this area.

9.10.1 William O'Riley

William O'Riley was watching from 7 Abbey Park. He could see the southwest alley which led to Glenfada Park North from this position. Mr O'Riley saw James Wray fall to the ground. He said that Mr Wray raised his head to look around and then his body jerked and his head fell back down.

A soldier came through the alleyway after Mr Wray had fallen. Mr O'Riley said that Gerard Donaghy and Gerard McKinney were sheltering behind the west block of Glenfada Park North. They both ran towards the steps leading to 9 to 11 Abbey Park. Gerard Donaghy ran first and Gerard McKinney followed, running between the soldier and Mr Donaghy. Gerard McKinney held his hands in the air. The soldier fired two shots and both men fell.

Mr Clarke noted that if the same soldier shot both men it would have been Soldier G as a bullet from his rifle was recovered from Gerard Donaghy's body. Soldier G is now dead.

9.10.2 Mrs O'Riley

Mrs O'Riley was watching from the kitchen window of the same house. She could see James Wray's body and a soldier came into view. Mrs O'Riley thinks this soldier shot James Wray again.

The soldier came through the alley, holding his gun to his side. She looked away because she thought he would shoot her. When she looked back she saw two legs on the steps to her right.

She saw a young boy jump over the wall and walk towards the legs, holding his arms in the air. She heard a shot but did not see the boy fall. When she looked again, the soldier was moving back towards Rossville Street.

A number of men came from Fahan Street West, waving white handkerchiefs. William McKinney was carried into Mr and Mrs O'Riley's house.

9.10.3 John O'Kane

John O'Kane was Gerard McKinney's brother-in-law. When the soldiers entered Glenfada Park North, the two men ran to the southwest alley. He said that they took cover with six or seven others in a garden on the western side of the west block of Glenfada Park North. From this position, Mr O'Kane could see into the alley. He could see a man who had fallen on the

courtyard. The man was looking towards the alley and was calling for help. One or two shots rang out and the man's body jumped on the floor. Mr O'Kane could not see the soldier but believes the man (James Wray) was shot in the back by a soldier standing over him.

Mr O'Kane, Gerard McKinney and the rest of the group made their way north along the wall. Some of the group decided to take a chance and move forward. The boy who went first got to the top step and a shot rang out. He fell to the ground, clutching his stomach. (Gerard Donaghy was shot in the left abdomen.) Mr O'Kane said that the boy was shot as he came into line with the alley.

John O'Kane and Gerard McKinney wanted to go to the boy. Gerard McKinney walked across to the steps at a right angle. He was watching the alley as he walked. As he approached the steps, Mr McKinney turned his head to the left, raised his hands and said 'no, no, don't shoot'. A shot rang out and he fell on his back across the steps. The bullet passed through his body, from left to right. This account ties in with the photographs showing the position of Gerard McKinney's body.

Mr O'Kane said that after Bloody Sunday, a woman told his mother that she had seen a soldier at the north gable end of Glenfada Park North aim his rifle at Mr O'Kane's back. The soldier was about to shoot when a superior officer stopped him by pulling his rifle down.

Mr Clarke said that, on his own evidence, Captain 200 had been in this area with another soldier.

9.10.4 Hugh Leo Young

After he had taken Joseph Friel to a house in Lisfannon Park, Hugh Leo Young saw two bodies in the open ground next to the alleyway between Abbey Park and Glenfada Park North. He ran to the two bodies with a female Knight of Malta. A soldier fired at him and the bullet hit the cobblestones behind Mr Young's heels. Mr Young helped carry Gerard Donaghy into 10 Abbey Park.

9.10.5 Maureen Gallagher

Maureen Gallagher saw Evelyn Lafferty treating Gerard Donaghy and two Knights of Malta trying to resuscitate Gerard McKinney. Photographs of the scene on the steps were shown.

9.11 MEDICAL EVIDENCE ON GERARD MCKINNEY AND GERARD DONAGHY

9.11.1 Gerard McKinney

The injuries described in the medical report are consistent with a man who was shot whilst holding both his hands above his head. The bullet entered below Mr McKinney's left armpit and exited at the right side of his back without passing through either arm.

9.11.2 Gerard Donaghy

There was an entry wound to the left side of the front abdomen. A bullet from Soldier G's rifle was lodged in Mr Donaghy's body.

Dr Martin, the expert instructed by the Widgery Inquiry, said that the bullet passed through the left pocket of Gerard Donaghy's denim jacket. An undamaged nailbomb was discovered in this pocket at a later stage. There is nothing in Dr Martin's notes to suggest that this created a possible conflict of evidence.

Dr Hall was another expert instructed by the Widgery Inquiry. He said that he tested whether a bullet could pass through the pocket without damaging a nailbomb and concluded that it could happen if the nailbomb was placed deep inside the pocket. His tests do not appear to have been documented. There are no notes of any discussions between Dr Martin and Dr Hall about these tests. Neither of the experts dealt with this issue in their reports or their testimony to Lord Widgery.

9.12 GENERAL EVIDENCE FROM CIVILIANS IN ABBEY PARK AND GLENFADA PARK NORTH

9.12.1 John Porter

John Porter, a Quartermaster Sergeant in the Irish Army, was watching from 8 Abbey Park. He saw people running through the alleyway leading into Abbey Park. He saw a young man who looked as if the side of his face had been shot off (possibly Michael Quinn). He noticed a youth fall at the corner of Glenfada Park and saw him raise his head. Mr Porter tried to run to the young man but a bullet hit the space between them and he ran back to the house.

Mr Porter noticed an older man, matching the description of Gerard McKinney, lying on his back between the corner of Glenfada Park and Abbey Park. He said that he saw a young man run from Fahan Street, stop and shout 'do not shoot'. Mr Porter heard a bang and the young man fell. (Mr Clarke noted that this could be a description of Gerard Donaghy although most of the other accounts say that he came from Glenfada Park North.)

Mr Porter saw a female Knight of Malta run towards the two bodies. She fell and a group running from the same direction scattered as shots rang out.

He saw two soldiers in Glenfada Park fire three shots towards Joseph Place. (Father Bradley referred to similar firing.) One soldier threatening a group of 12 to 15 people and one kicked a woman matching the description of Mrs O'Brien. Mr Porter also saw a soldier fire four shots from the hip towards Rossville flats, another fired two shots. A third soldier fired one aimed shot towards Joseph Place.

Mr Clarke noted that Mr Porter's evidence describes at least 10 shots from at least five soldiers. With the exception of Soldier F's two shots, none of these tally with the evidence given by the soldiers.

9.12.2 Evelyn Lafferty

Evelyn Lafferty was the female Knight of Malta who ran to the two bodies on the steps. Bullets bounced around her as she ran past the front of the houses in Abbey Park. One bullet hit the side of her trousers and she grabbed her leg and fell to the ground. She dived next to the body of Gerard McKinney.

She could see three other bodies in Glenfada Park North and went through the alleyway into the car park. A soldier in the centre of the car park turned his gun towards her. She heard a shot and someone pulled her back. Miss Lafferty walked out again towards the bodies shouting 'do not shoot – first aid'.

One of the soldiers shouted 'your white coats are a target but your red heart is better,' referring to the heart on her uniform. Evelyn Lafferty threw her medical bag down and continued walking towards the bodies with her arms out. The soldiers started backing out of the courtyard facing the people who started to come out towards the bodies.

9.12.3 Sean McDermott

Sean McDermott was the Knight of Malta who followed Evelyn Lafferty. He saw sparks on the pavement flying up close to her.

He approached James Wray's body and said that there were no weapons on or close to any of the bodies.

9.12.4 Charles Haslett

Charles Haslett was a reporter on the Belfast Daily Telegraph. Mr Clarke suggested that a misinterpretation of his evidence to the Widgery Inquiry led Lord Widgery to conclude that he could not decide where the deaths had taken place.

Mr Haslett said that he had seen Gerard McKinney lying in Glenfada Park North. Mr Clarke suggested that Charles Haslett had mistaken William McKinney for Gerard McKinney.

Mr Haslett also said he had seen a young man with a stomach injury being carried from Glenfada Park North. Mr Clarke suggested that the Widgery Inquiry interpreted this as a reference to Gerard Donaghy when it was more likely to have been Joseph Mahon who had been shot in the thigh.

9.13 EVIDENCE OF FIRING FROM GLENFADA PARK NORTH

- Mr Porter described at least 10 shots from at least 5 soldiers.

- Father Bradley said a soldier fired 6 to 8 shots from the entrance of the car park in a southerly direction.
- Edmund Melaugh saw 4 or 5 soldiers firing across the Glenfada Park North courtyard in the direction of Glenfada Park South. He saw one soldier shoot towards the south gable end of block 1 of the Rossville flats.
- Geraldine McDermott watched a soldier at the southern gable of Glenfada Park North fire north into Glenfada Park North. He took off his helmet, did something to his gun and fired again.
- Simon Winchester said a soldier fired from the southeast of Glenfada Park North.
- Dennis McLaughlin saw soldiers at the gable end fire at a boy who was running along the southern side of Glenfada Park North.
- John Leo Clifford was in Glenfada Park South when a bullet came past his right ear. No soldier says he shot into this area.
- Whilst Dennis Patrick Irwin was running towards the entrance to Glenfada Park South he could hear bullets hitting the wall above him. One of the bullets grazed his hair.
- John Gormley said that he picked a body up in Glenfada Park South when a soldier appeared and ordered him to drop the body. He was hit on the head and passed out. Mr Clarke said that no other witness mentions seeing a body in Glenfada Park South.

9.14 EVIDENCE OF FIRING FROM NEAR THE STARDUST HALL

Julian Daly said that he heard a group of shots fired from behind him when he reached 8 Abbey Park. He said the shots came from Glenfada Park North. He looked around and saw two soldiers to the east of the Stardust Hall in Abbey Street. He recalls one of the soldiers aiming his rifle and shooting. He said that the young man beside him fell as the shot rang out. Mr Clarke said that it is not clear whether this is a reference to a live round or a plastic bullet.

9.15 ACCOUNTS OF THE MOVEMENT OF SOLDIERS IN GLENFADA PARK NORTH

9.15.1 Soldiers evidence to Lord Widgery

The soldiers say that a group came into Glenfada Park North from the northeast entrance and for the most part stayed on the east side of the courtyard. Soldier G went to the west side before being recalled.

Captain 200 said that he and a radio operator reached the northside of Abbey Park when they were looking for a body. He said that someone shouted 'don't shoot' and that he made it clear he would not shoot. He cannot remember any other details about this. Mr Clarke suggested this might be a reference to the account given to John O'Kane's mother (see para 9.10.3 above). He said that preventing someone from shooting by pulling down their rifle could be seen as 'making it clear' that you would not shoot.

9.15.2 Civilian evidence

The evidence from civilians says that soldiers came from the northeast and west alleys. A number of people described a soldier appearing at the southwest alley. Some witnesses refer to soldiers on the walkways around Glenfada Park North and one speaks of a soldier in a back yard on the west side of the courtyard. Some witnesses say they saw soldiers on the outside of Glenfada Park North, at the northwest alley or in the area between Columbcille Court and Abbey Park.

9.16 MOTORCARS IN GLENFADA PARK NORTH

An account given to the Sunday Times by an unidentified witness said that the Official IRA were in a car in Glenfada Park North. In Michael Quinn's account to the Sunday Times, he said there were two IRA cars in Glenfada Park.

Photographs of Glenfada Park North show two cars in the southeast corner (one was on blocks) and a Mini in the northwest corner.

James Deans said that he remembers seeing a green Cortina at the entrance to Glenfada Park North.

The soldiers and Joseph Friel said that there was a car in the northeast corner.

9.17 SOLDIERS EVIDENCE OF ENTRY INTO GLENFADA PARK NORTH

Soldiers E, F, G and H gave evidence that they went into Glenfada Park North to cut somebody off who had been firing at the soldiers.

Lieutenant 119 said that he ordered Soldiers E and F to cut off a man who was firing a pistol from the southeast corner of Glenfada Park North. He cannot now recall whether he ordered the soldiers to go in or whether they went in to secure their flank.

Corporal E said that he moved into Glenfada Park North on his own initiative after seeing a man kneeling at the barricade with a submachine gun and another crawling towards the Rossville flats with a rifle.

Lance Corporal F said that he went with Soldier G through the alleyway after he had shot a man attempting to throw a nailbomb from the barricade.

Private G described a burst of fire of what he took to be a Thompson submachine gun and some single shots. He went into Glenfada Park with Lance Corporal F. He described an encounter with a gunman in the alleyway between Columbcille Court and Glenfada Park North.

Private H said that he pursued youths into Glenfada Park who had thrown a brown object, shaped like a Coca-Cola can at the soldiers.

Lance Corporal J said that Lieutenant 119 ordered him into Glenfada Park.

9.18 ORDER IN WHICH SOLDIERS ENTERED GLENFADA PARK NORTH

On the evidence given to the Widgery Inquiry the soldiers moved in the following order;

- Soldiers F and G worked as a pair and moved in first. Soldier G may have been the first in as Soldier F said that he was covering him.
- Soldier H came in after the first two. He said he was two seconds behind Soldiers F and G.
- Followed by Soldier E.
- Followed by Soldier J.
- Lieutenant 119 arrived behind Soldier J.

9.19 EVIDENCE OF THE SOLDIERS

9.19.1 Private G's evidence

Private G said that as he entered through the northeast alley he saw two men holding weapons in the southeast corner of Glenfada Park North. Private G said that he went down into a kneeling position and fired three shots, without warning, from the right hand side of the car. He said that both men fell to the ground. He hit one and possibly hit the second as well.

Private G said that a crowd ran past these two men into the southwest alley. He said that when the crowd had gone, the weapons that the two men had been carrying had disappeared. He said that he went along the west side of the courtyard and Soldier F went along the east side. He reached the bodies and the southwest alley. The transcript of the Widgery Inquiry records him as saying that he had fired through the alley into Abbey Park. This would have put the number of shots he admitted to firing out. The six shots he said he fired are accounted for without including a shot through the alley. This is of significance because it was a bullet from Private G's gun that was recovered from Gerard Donaghy. Regardless of whether he said he had fired in the alley during the Widgery Inquiry, he was not questioned any further on that shot. The tenor of his evidence was that he had not fired through the alley.

Private G said that he heard a nailbomb when he was in Glenfada Park North. He said that he and Soldier F took the civilians from the gable end and he returned to his vehicle. The vehicle moved further south nearer the Rossville flats. He said that someone fired from one of the windows in block 1. Private G said that he fired one shot back which hit above the window.

9.19.2 Soldiers evidence on Private G's shots

The evidence from other soldiers relates to Private G's shots at block 1 of the Rossville flats. For evidence of his firing in Glenfada Park North see Lance Corporal F's account at para 9.19.4 below.

Corporal E said that he saw Private G fire at the window in block 1. Lance Corporal F said that he fired at three targets in block 1 at the same time as Private G.

Private 18 said that a gunman fired three shots from a ground floor window in block 1 of the flats. Mr Clarke pointed out that this floor does not have windows at ground level. Private 18 later said that he had not seen a gunman in the flats because he was facing the opposite direction at the time of the shots. He said that the Royal Military Police (RMP) told him to include this detail to prove that Soldiers G and F had not hit anyone.

Lance Corporal 36 said he saw a window move on the second floor of block 1. Two shots were fired from the window and both soldiers G and F fired back.

Private 147 describes similar shooting.

9.19.3 Discrepancies in Private G's evidence

Mr Clarke selected a few of the discrepancies and questions that arise from Private G's evidence.

- Whether he saw a third body on the ground in Glenfada Park North.
- Whether he fired into Abbey Park.
- Whether he saw and/or shot a nailbomber in Glenfada Park.
- The position of his fourth target.

9.19.4 Lance Corporal F's evidence

Lance Corporal F said that he had shot a man attempting to throw a nailbomb from the rubble barricade. (See BIRW report week 6 para 8.3.4.) The bullet recovered from Michael Kelly's body was fired from Soldier F's rifle.

He said that he had seen three people, one carrying a rifle and another carrying a nailbomb, move from the barricade into Glenfada Park North. Lance Corporal F went in through the alley to try and cut them off. He fired two shots at the man carrying the nailbomb who was hit in the arm and chest. The nailbomb did not go off.

He said that as he fired these two shots Private G had also been firing at the other two men. Private G had hit the man carrying the rifle but Lance Corporal F made no attempt to recover it. He said that at this time he heard pistol shots from the Rossville flats and went to the southeast end of Glenfada Park North to investigate.

Lance Corporal F said that he saw a man at the south of block 2 who was facing him and holding a pistol. Soldier F fired two shots at the man and he fell. He did not mention this third target until his fifth RMP statement was taken on 19 February 1972. This is the only account given by a soldier of shots fired in the area to the south of block 2 of the flats.

Soldier F said that he then took arrested people through the northeast alley of Glenfada Park North. When other soldiers took over, he returned to his APC with Soldiers G and E. He said that he saw movement at the window of a flat at the south end of block 1 of the Rossville flats and fired three shots. He

moved towards the front of the APC and saw a gunman in a different window on the second floor. He fired another three rounds.

Soldier F saw a person with a rifle fire out of the top floor window of the flats. As the man fired, Soldier F fired two rounds at him.

9.19.5 Soldiers evidence on Lance Corporal F's shots

Soldiers positioned on the city walls witnessed a soldier firing to the south of block 2 of the flats.

Sergeant 040 was in the top floor of a building in Magazine Street Upper. His rifle was fitted with telescopic sight. He saw a soldier kneeling at the southwest corner of Glenfada Park North. Sergeant 040 saw a man, holding his arms above his shoulders, facing the soldier. The soldier fired and the man fell backwards by the trees between Joseph Place and block 2. This is the area where Patrick Doherty was killed.

Gunner 134 was in the same Observation Post (OP). He saw a man cross the road from Glenfada Park towards the Rossville flats. The man was not carrying any weapon or bomb and was not making any movement suggesting that he was carrying a weapon. When the man reached block 2, Gunner 134 saw a soldier, kneeling by a lamppost at the corner of Glenfada Park, fire in the man's direction.

Lieutenant 227 was at Charlie OP. He saw Bernard McGuigan fall after a soldier fired from the southeast of Glenfada Park North. Mr McGuigan had nothing in his hands. Lieutenant 227 also saw a man who had been shot in the lower part of his body, dragging himself along by his arms by the low wall next to Joseph Place. He could see that the man had no firearms. Mr Clarke said that it sounds like a description of Patrick Doherty.

9.19.6 Discrepancies and questions arising from Soldier F's evidence

Mr Clarke selected a few of the discrepancies which can be found in Soldier F's evidence.

- There is a question on the number of shots he fired. The thirteen shots he described in his first RMP statement are not the same as the shots he described in evidence to Lord Widgery.
- In his original statement, he made no reference to shooting a nailbomber at the barricade.
- He did not mention the man with a rifle moving from the barricade to Glenfada Park North until his third RMP statement.
- He did not mention his third target, the man with the pistol at the south of block 2, until 19 February.
- In his third RMP statement he places his fourth target on the second floor of block 1 of the flats. However he places this target on a higher floor in his marked up photographs.
- He has given a number of different versions of the number of shots he fired at his fourth target.
- There are discrepancies on the position of his fifth target.

- Whether his fifth target fired at Soldier F before he fired at him.
- There are discrepancies on the number of shots he fired at his fifth target.

In his statement to the BSI, Soldier F does not recall firing his weapon in Glenfada Park.

9.19.7 Soldier H's evidence

Soldier H said he arrived in Glenfada Park North a couple of seconds after Soldiers F and G as he chased a youth who had thrown a Coca-Cola can type object at him. He took up a firing position on the bonnet of a car in the northeast corner of the courtyard and said that either Soldier F or Soldier G fired from the boot of the car.

Soldier H said that he saw another youth with a Coca-Cola can type object and fired two shots at the youth. The second shot hit the youth who fell to the ground with the object.

He said that a youth with a blue denim jacket ran to the fallen youth and picked up the object. Soldier H fired one shot at him and hit him in the arm or shoulder.

Soldier H said that he heard a shot and saw the muzzle of a rifle sticking out of the top pane of a frosted window of a flat on the south side of Glenfada Park North. Soldier H said that he fired 19 shots at a silhouette he could see behind the window. He said that the silhouette was a gunman who was trying to shoot two other soldiers. He had to change his magazine during the 19 shots and said that the gunman came forward on 19 occasions. The rifle remained on the frame of the window throughout. On the 19th shot the gunman fell away taking the rifle with him. Soldier H said that he then received the order to pull back and he returned to his vehicle.

Mr Clarke said that this account is difficult to believe;

- It seems implausible that a gunman would expose himself to fire in the same location on 19 separate occasions.
- It is not clear how the rifle could have rested on the top panel of the window.
- If 19 shots were fired at the same window then it must have shattered. Soldier H cannot remember whether the window shattered.
- There is no known dead or wounded individual.
- This incident is not referred to by the other soldiers in Glenfada Park North.

Mr Clarke said that if Soldier H's account is not correct then there are 18 shots that have been unaccounted for.

9.19.8 Evidence of Margaret McCartney

Soldier H said that he fired the 19 shots at the window of 57 Glenfada Park, which is the house where Margaret McCartney lived. Mrs McCartney was in

her living room when one bullet was fired into her bedroom. A photograph of the window shows the spot where the bullet entered. Mrs McCartney's house was the only one in the block to have a broken window. The frosted window in her house was intact.

Photographs taken by Trevor McBride of the scene in Glenfada Park North after the three bodies had fallen shows the windows of the flats along the south side. There are no broken windows.

9.19.9 Lieutenant 119's evidence

Lieutenant 119 said he inspected the window a few days after Bloody Sunday and there were no signs of damage. He suggested that Soldier H might have lost a full magazine of ammunition and claimed to have fired it all off rather than admit to losing it.

9.19.10 The 'Remember Bloody Sunday' programme

In the 'Remember Bloody Sunday' programme, Peter Taylor interviewed the Company Sergeant Major of 1 Para. He said that he was concerned about the soldier who had expended two more rounds than he had been issued (Soldier H). When Peter Taylor asked him what he had done about that he said he had spoken 'rather severely' to the soldier. He said that he did not believe the soldier's account that he had been firing at a gunman.

Mr Clarke said that the comment about ammunition issue was puzzling. On Soldier H's account, he fired 22 rounds (19+1+2). This would exceed the quantity in a magazine (20) but not the 50 rounds which it is understood was standard issue for Paras. It may be that Soldier H was given less ammunition than the other soldiers.

Mr Clarke will continue with the discrepancies in Soldier H's evidence next week.

9.20 SUBMISSIONS ON THE VENUE TO HEAR SOLDIERS' EVIDENCE

The hearing to decide the location for soldiers to give evidence was scheduled to take place next week.

During this week, the Tribunal suggested that the hearing could be adjourned until the last week in November. They chose this date by estimating the date that soldiers will give evidence and ensuring that there was sufficient time to find another location (if it is needed) and for any challenges to their decision.

In making a decision on venue, the Tribunal will have to consider threat assessments. The Tribunal reasoned that by delaying the hearing on venue, the threat assessment they use would be as up to date as possible. This reduces the risk of having to reconsider venue every time there is a change in the security situation.

9.20.1 The soldiers' arguments

David Lloyd Jones QC appeared on behalf of the soldiers and argued that the hearing on venue should take place next week. He said that it would be unfair to postpone the hearing because the uncertainty was causing the soldiers anxiety and distress.

9.20.2 The Tribunal's decision

The Tribunal decided to adjourn the hearing on venue until the last week in November. Lord Saville said that this would allow for time for administrative arrangements to be made if necessary and for any legal challenges to the decision. It would keep delay to a minimum.

He said that he did not consider the adjournment to be unfair. If it had been unfair he would have expected the soldiers to join with the families last September when they had asked the Tribunal to rule on venue.

9.20.3 Independent analysis of the threat assessments

Michael Mansfield QC, representing some of the families and the wounded, asked for someone outside the Security Services to examine how the threat assessments are devised.

Lord Saville asked Mr Mansfield to write a letter raising his concerns and said that the Tribunal would forward it to the Security Services.