

# BLOODY SUNDAY INQUIRY

WEEK 89

14 - 16 APRIL 2003



## EVIDENCE HEARD

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

**Lieutenant N** (Motor Platoon, Support Company, 1<sup>st</sup> Battalion Parachute Regiment); **INQ 768** (Lance Corporal, Motor Platoon, Support Company, 1<sup>st</sup> Battalion Parachute Regiment); **Soldier 162** (Corporal, Motor Platoon, Support Company, 1<sup>st</sup> Battalion Parachute Regiment); **INQ 301** (Provost Sergeant, 1<sup>st</sup> Battalion Parachute Regiment); **Soldier 33** (Lance Corporal, Signals Platoon, Support Company, 1<sup>st</sup> Battalion Parachute Regiment); **INQ 245** (Private, 9 Platoon, C Company, 1<sup>st</sup> Battalion Parachute Regiment); and **INQ 587** (Lance Corporal, 1<sup>st</sup> Battalion Coldstream Guards).

## Summary of Evidence

Monday	14.04.03	Soldier N
Tuesday	15.04.03	Soldier N, INQ 768, Soldier 162
Wednesday	16.04.03	INQ 301, Soldier 33, INQ 245, INQ 587

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

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

## INTRODUCTION

The Inquiry heard from Lieutenant N on Monday and Tuesday. In admitting to firing warning shots as soon as the paras deployed into the Bogside some consider Lieutenant N responsible for causing other soldiers to believe they were under fire and thereby setting off the whole incident. The Inquiry broke for Easter on 16 April and will not sit again until 6 May 2003.

## Soldier N

Lieutenant, Motor Platoon, Support Company, 1<sup>st</sup> Battalion Parachute Regiment

Made three Statements to the Royal Military Police: two on 31 January 1972 [B0374], [B0385] and another on 14 February 1972 [B0391]; one to

**the Widgery Tribunal [B0399] and two to this Inquiry signed on 11 January 2001 [B0438.0001] and 15 February 2001 [B0438-0057].**

Soldier N (also known as Lieutenant N) was a second lieutenant in A Company of 1<sup>st</sup> Battalion Parachute Regiment when they were posted to Northern Ireland in 1969. Later he transferred to Support Company when 1 Para returned to Northern Ireland in 1970. He became commander of the Motor Platoon in about May 1971.

Soldier N remembered that 1 Para were very busy during the introduction of internment in August 1971 but said he did not remember 5 civilians, including a priest, being shot dead in Ballymurphy on 9 August 1971 by 2 Para. He did recall an incident in Belfast where he fired at a wall above the heads of people who refused to disperse. He was not criticised for taking this action even though firing shots over people's heads was not "accepted conduct." He said this was outside the scope of the Yellow Card rather than contrary to it.

Soldier N could not recall the briefing for Bloody Sunday but had recorded his memory of it in his earlier statement to the Widgery Tribunal (Widgery Statement) [B0399]. There he said they were warned of possible gunmen and that the Rossville Flats was "a particularly dangerous spot."

### **Presbyterian Church**

After arriving in Derry they parked up in a street north of the Presbyterian Church. Soldier N recalled doing some reconnaissance once they reached the church and then going up onto a flat roof for observation. However he could not recall seeing William Street or the march. He did not think they had a view of the streets. He also thought he was above the level of the church guttering which was subsequently struck by a bullet. However the flat roof to the east of the church is considerably lower than the church and he was clearly mistaken. It also had a view of William Street and Rossville Street.

Soldier N thought INQ 441 was with him on the flat roof but when given INQ 441's name this was not the person he was thinking of. His memory was of the sergeant with the cipher INQ 1851 however he was not present at all on Bloody Sunday.

There was a shot hit the drainpipe, as opposed to the guttering as Soldier N remembered it, of the church. Soldier N's recollection was that he was on the flat roof when this happened however Soldier 112 says he was on the roof with another junior officer. Soldier 112, who gave evidence last week, says that immediately after the shot Soldier N climbed the ladder to the roof waved an SLR and said "have you fired one of these?" They replied they had not and that they had been shot at. Soldier N denied this happened at all. Soldier N says he got down off the roof after the shot. He has no recollection of hearing the five SLR shots fired by Soldiers A and B of machine gun platoon.

### **Going In**

After waiting in the vicinity of the church Major Loden ordered them back to their vehicles. Motor platoon consisted of 18 men and they were in two pigs.

The only person Soldier N could remember being in his pig was the driver Soldier S. Sergeant O was in command of the other pig.

They drove to Little James Street and waited behind barrier 12 for orders to go in. Soldier N described a crowd about 25 yards in front of the barrier taunting the soldiers. They were too far away to be caught on foot so they deployed in vehicles. Soldier N was not aware of any plan to cut off the crowd by a pincer movement or any suggestion that they were to encircle them. He believed the operation was a direct frontal assault in which they were to get amongst the crowd and make as many arrests as possible by snatch squads. There was no co-ordinated attempt to trap the crowd. He said that would have been a different type of operation and was not the plan as he understood it.

### **Going In**

Just before they deployed CS gas drifted over and Soldier N put on his gas mask. This restricted his vision which was already limited by the narrow window at the front of the pig. He was sitting next to the driver. Soldier N's pig was the first vehicle through barrier 12. Soldier S has said he was surprised when Soldier N ordered him to follow the crowd down Rossville Street because he thought they were supposed to stop at Rossville Street [B0724-0018]. Soldier N said it was standard operating procedure to follow the crowd in these circumstances. He was unaware of any restriction as to where they were permitted to go save they were to chase the crowd but not get isolated or strung out. He was not told of the order for "no running battles down Rossville Street." They drove after the crowd not knowing where they were going. Soldier N agreed that it was a case of the blind leading the blind since he was in front and he did not know where they were going. They went straight down Little James Street and into Rossville Street. Soldier N directed the driver to turn left onto the waste ground and stop near Eden Place and the back of Chamberlain Street. Sergeant O's vehicle was directly behind but Soldier N could not recollect where it went.

Soldier N was now under the mistaken impression his vehicle stopped facing the Rossville Flats whereas in fact it stopped at an angle facing north east. Consequently when they debussed they were exposed to the Rossville Flats however Soldier N said at this time they were concerned with making arrests and not worried about shooting from the Rossville Flats. As soon as he got out of the pig Soldier N says a man attacked him with a piece of concrete. He raised his rifle across his body to block the man's arm and at the same time raised his foot to kick him in the crotch. His kick missed and the man's arm struck his rifle. Soldier N's helmet strap broke and the helmet fell over his eyes. When he pushed the helmet back the man had run off.

### **Warning Shots**

Soldier N says he then saw a crowd of people at the junction of Chamberlain Street and Harvey Street. When giving evidence in 1972 to Lord Widgery he estimated the size of the crowd to be between 75 and 100. He said he believed the crowd were "surging forward" towards the waste ground and he feared they might get in behind his men who were advancing south towards the Rossville Flats. He says there was a wall of people throwing

missiles and that it was a "very dangerous situation." He stepped into the middle of the alleyway to discourage the crowd from coming towards him. He shouted a warning threatening to shoot but claims the crowd kept coming. He therefore decided to fire a warning shot over their heads.

Soldier N said to the Inquiry that he only remembered firing one shot but accepted he had in fact fired three as recorded in his contemporaneous accounts. These also say he was kneeling when he fired. Soldier N says he aimed all three shots at the wall of 13 Chamberlain Street. However his original evidence gives various accounts of the shots being directed at 13 Chamberlain Street and 14 Chamberlain Street on the opposite side of the road. Indeed the 1972 photographs and plans marked with the shots' trajectories show two shots striking the north east corner of 14 Chamberlain Street. This accords with his first statement to the RMP at 00:45 on 31 January 1972 [B0374]. His second RMP statement [B0391] makes the same distinction between 13 and 14 Chamberlain Street but has the order of the shots reversed.

Soldier N admitted that to have fired at the corner of 14 Chamberlain Street would have been extremely dangerous because the bullets striking the wall at an angle very close to the crowd would have ricocheted and could have killed or injured someone. He was unable to explain why all the contemporary evidence (i.e. 3 RMP statements, oral evidence to Widgery [B0420], the trajectory photograph [P0020] and a marked plan [B0438-0020]) clearly indicated he had fired shots hitting the wall of 14 Chamberlain Street at an angle. He now claims all three shots were fired at a position about 8 feet up the wall of 13 Chamberlain Street. He said he did not recall there being four windows in the wall but denied there was any danger he might have hit one of the windows. He also said it did not occur to him that anyone lived in the house. He denied he was reckless.

Soldier N's rifle became jammed and he had to reload it ejecting a live round but he did not retrieve the round. His statements to the Royal Military Police variously record this as happening after the first or second shots.

Photograph P0273 [better copy at EP0002.0004] shows Soldier N at the north corner of Eden Place as it joins the waste ground. He is shown with his rifle at his hip and pointing down Eden Place. P0273 was taken by Mr. Morris of the Daily Mail. In addition to showing Soldier N at the alleyway it also shows his signaller, INQ 1918, arresting Duncan Clarke. In the background it is also just possible to see another soldier (Soldier 019) on the opposite, i.e. south, corner of Eden Place in precisely the position of the smoke which appears in P0274 (see below). Morris' evidence was that he took this photograph after being grabbed by two paras one of whom kned him in the thigh. One of these, presumably INQ 1918 the signaller, then left him and arrested Clarke, as pictured in P0273. Having taken P0273 Morris was then thrown to the ground by the remaining para and he landed at the feet of Soldier N. Whilst on the ground Morris witnessed Soldier N firing shots up Eden Place.

Soldier N denied that he panicked or that he fired from the hip. He had said to Lord Widgery and Eversheds, when giving his statement to this Inquiry, that

P0273 may capture the moment when he fired however he now denies this. He claims the shots he fired were aimed and fired from a kneeling position.

Soldier N's claim that he had no other option but to fire live rounds to deter the crowd does not accord with the fact, accepted by him in 1972, that Soldier 019 was standing next to him with a rubber bullet gun. Soldier N says he does not know if Soldier 019 fired any rubber bullets at the crowd but photograph P0274 suggests he did because there is a puff of smoke and a youth ducking. This photo was taken by Mr. Peress. His evidence to the Inquiry was that there was no crowd in Chamberlain Street or Eden Place, only a few individuals. Immediately after taking P0274 he ran across Eden Place, i.e. south down Chamberlain Street, shouting "Press" and waving his camera. As he did this he says a soldier fired a live round in his direction. His perception was that this may not have been intended to hit him but certainly was intended to frighten him.

Soldier N and INQ 1918 can be seen escorting Duncan Clarke to the pig in photographs P0275, P0488 and P0489.

### **Setting Off the Gunfire**

Soldier N accepted his shooting was the first he heard on Bloody Sunday apart from the shot which hit the church drainpipe much earlier. He denied there was any likelihood his men, and other paras, could have mistaken his 'warning' shots for incoming gunfire causing them to start firing. He said they would identify incoming fire by the crack of it going past them or by the noise of the strike. He said his shots would have embedded themselves in the wall and not made much noise on impact. He said he did not know his were the first shots that day; they were just the first he heard. However a minute of the meeting of the Northern Ireland inquiry team on 4 February 1972 clearly indicates General Ford was of the view that Soldier N's shots were the first of the "gun battle." [G0114B-0743-0005]

### **"Nail Bomber"**

Soldier N claims to have shot a nail bomber as he was about to throw a nail bomb. However he now accepts he may have been mistaken and there may not have been any nail bomb at all. His original account in 1972 was of being on the waste ground approximately 10 yards from the back of 24 Chamberlain Street when he saw a man come around the corner of the rear of 36 Chamberlain Street in the Rossville Flats car park. He described seeing a "smoking object" in the man's right hand. The man's arm was behind him as if he were about to bowl. Soldier N claimed he believed the man was about to throw a nail bomb at Sergeant O's pig. He aimed at the man's torso and fired hitting him in the thigh. The man then grabbed his leg and staggered off.

Soldier N said he did not know what happened to the alleged nail bomb or the man. He did not go after him or send anyone else to apprehend the man even though his evidence was that "it took only a matter of seconds after I fired ... to determine that there were no other visible threats."

The plan attached to his first RMP statement [B0376] marks his position as tight against the rear of 24 Chamberlain Street as opposed to 10 yards onto the waste ground as in the trajectory photograph [B0438]. Soldier N believed he was closer to the position marked in the photograph.

Soldier N says he has had doubts about whether or not there was in fact a nail bomb but this was only because of the publicity suggesting there were no nail bombers. He insisted he was certain in his mind in 1972 that he was justified in shooting the man. It was put to Soldier N that if he saw the object in the man's hand smoking then he could not be mistaken, it either happened or it did not. He accepted there was no explosion. He could not explain why, if there was a nail bomb and the fuse had been lit there was no explosion. Neither could he explain why none of the soldiers in or near the car park had seen the alleged nail bomber.

By cross referencing the grid references given in Soldier N's RMP statement and those contained in Major Loden's List of Engagements [B2214] it is clear Major Loden has recorded Soldier N as having made the first engagement on Bloody Sunday. This was not Soldier N's understanding and he could not explain why Major Loden had his shooting a nail bomber as the first engagement.

### **Margaret Deery**

Margaret (Peggy) Deery was shot in the thigh whilst in the Rossville Flats car park or at the back of Chamberlain Street. She says the man who shot her was about 5' 10" tall and had a round face. Soldier N is 5' 9" but denied he had a round face. He said he definitely did not shoot a woman. He denied he could have shot anyone other than the person he was aiming at.

Soldier N denied he was sat in his pig in a state of shock as described by the Regimental Sergeant Major INQ 2037. He did not know why the RSM would say this.

### **Michael Bridge**

Michael Bridge was in Chamberlain Street near to Eden Place when Soldier N fired his first shots. He then ran down Chamberlain Street to the Rossville Flats car park where he came across the body of Jackie Duddy. He then moved slightly north, still in the car park, to the position where he can be seen in photographs P0740 and P0741. In the later he can be seen standing facing north with his arms outstretched behind his body. Questioned by Declan Morgan QC Soldier N accepted Michael Bridge may have come into his line of sight in roughly the position he claimed to have seen the nail bomber. However he denied he could have shot Mr. Bridge, who was shot in the thigh, unless he had something in his hand.

### **Other Soldiers Firing**

Soldier N says he was unaware of any other shooting that day until he heard Major Loden give the "ceasefire" order. He had by this time moved to the north end of Block 1 of the Rossville Flats where he spoke to Major Loden. Soldier N said he was "very, very, busy" and this was why he did not witness any other soldier firing or any civilians being shot in the Rossville Flats car park.

However Declan Morgan QC pointed out that he had said in his first RMP statement [B0374] that he "had been in this position (i.e. where he shot the nail bomber) for 5 minutes." He says nothing about why he was standing there and it is precisely the time when all the firing is occurring and people are being shot in the car park. Soldier N agreed it did not make sense. It was put to him the only reason he would say that was because it must be true and he must have seen what happened.

Soldier N did not exercise any supervision over the men in his platoon until he moved to Block 1 and spoke to his platoon sergeant and Major Loden. He claimed that he was making his way towards Sergeant O's pig and soldiers at Block 1 when he saw the nail bomber. He then continued and when he got there, according to his Widgery Statement, he says, "I called my men back to the pigs as our task was now complete." Mr. Toohey asked what he meant by this and he said he was referring to the arrest operation.

### **Collection of Bodies**

Soldier N was then tasked to go and pick up bodies on the rubble barricade in Rossville Street. He said there were three bodies on the south side of the barricade. He travelled in his pig with about 5 other men. Some may have been on foot. They drove through the gap in the barricade, picked up the bodies and then reversed into Glenfada Park North before returning to the north end of Block 1. At the barricade he saw an elderly man (Alexander Nash) who he examined but could find no sign of injury. Photograph P0667 shows the pig in Glenfada Park North and other bodies lying south of Block 1 including Hugh Gilmour and Bernard McGuigan. Soldier N said he was concerned the safety of his men whilst collecting the bodies because firing was still going on. He made no effort to search the bodies or the barricade for weapons.

Soldier N denied a suggestion put by Michael Mansfield QC that the pig provided cover for his soldiers to fire. Photograph P0813 does show a para crouched behind the pig but Soldier N said this was perfectly normal and that none of his soldiers fired at this time.

Soldier N denied that he lied to Father Irwin by saying there were no bodies in the pig or that he smirked. He denied that he witnessed the incident described by Father Irwin when he attempted to open the door to the pig and an officer threatened to shoot him if he did so [H0009-0020]. He only mentioned the collection of bodies in his third RMP statement made on 14 February 1972 but denied knowing at the time this was in response to Father Irwin having made a complaint.

When asked about the contradiction between saying "order was restored very quickly" (after he shot the alleged nail bomber) and his concern about firing when collecting the bodies Soldier N said the first comment referred to the vicinity of north of Block 1 of the Rossville Flats. In evidence to Lord Widgery [B426] Soldier N said there were several shots fired in his direction whilst collecting the bodies on the barricade but he made no mention of being under fire in his earlier RMP statement [B0385] which dealt with the collection of bodies. In his Widgery Statement [B401] he refers to firing from

further south in Rossville Street. Soldier N denied he was making things up as he went along.

### **Doubts About His Actions**

Soldier N admitted to becoming very depressed in part due to his doubts about his own actions on Bloody Sunday. However he denied he felt guilty about what he did. He admitted that he lied during the ITV This Week interview broadcast in February 1972 when he said he had seen a gunman. When asked to explain why he repeated the lie several times Soldier N said he was talking to the Media and now it would be called spin. Nowhere in this interview did Soldier N admit firing either the three warning shots or shooting a nail bomber. He did however refer to seeing another soldier engaging a nail bomber. This was untrue. However Soldier N denied he had told a pack of lies in the interview or that he was a self confessed liar.

He also denied the contradiction between his evidence to Lord Widgery [B0423] and his Widgery Statement [B0399] demonstrated he was lying on one or both occasions. In his statement he refers to having heard firing whilst in Eden Place whereas to Lord Widgery he denied hearing shots other than his own.

### **INQ 768**

**Lance Corporal, Motor Platoon, Support Company, 1<sup>st</sup> Battalion  
Parachute Regiment**

**Made Statement to the Inquiry on 26 June 2000 [C0768]**

INQ 768 had never been to Derry before. His recollection was that he drove Sergeant O's pig to Derry from Belfast, however Sergeant O says he was not driving. As they entered Derry they went through a checkpoint and INQ 768 recalls a soldier from the Royal Anglian Regiment having to jump out of the way as they drove through.

The next thing he could remember was being with Soldier P on the flat roof next to the Presbyterian Church. He and Soldier P were lying prone on the roof behind a parapet. From here they could see the open ground ahead. Whilst on the roof a high velocity shot struck the drain pipe to the church behind them causing it to shatter. He did not recall hearing the 5 SLR shots fired by Soldier A and Soldier B from Abbey Taxis.

INQ 768 then recalls being back in the pig and overhearing someone, he does not know who, saying, "If my men do not go in now, we are going back to Belfast." He could not remember if this was said in his presence or if he heard it over the radio. He did hear over the radio an order to "go, go, go!"

### **Going In**

INQ 768 then says he drove Sergeant O's pig into the Bogside coming to a stop in front of the Rossville Flats. However again other evidence suggested it was Soldier P who was driving. They debussed and INQ 768 remained close to the rear of the vehicle as a guard. He says he then heard 5 or 6 rounds of gunfire which he believed to be automatic and incoming. He then heard 3

to 10 SLR rounds of army fire. This is his only recollection of the period in which Support Company fired over 100 rounds, shooting 27 civilians.

### **Did Not See Shootings**

He says he did not see any civilian gunmen, any soldiers firing or anyone being shot. He did not see the nail bomber Soldier N alleged he shot in the Rossville Flats car park. Nor did he see Sergeant O firing from the car park or Q firing from the north end of Block 1. Soldier R fired from next to the pig but INQ 768 says he did not see this. Soldiers S, T and V also fired from positions close to where INQ 768 was standing but he says he saw nothing.

His next memory is of taking some bodies of those who had been shot to the mortuary. He described driving a pig, which could have been Soldier N's, with bodies in the back to the hospital. He says they waited at the hospital until there were no civilians around before unloading the bodies. He did not recall actually collecting the bodies or driving through the rubble barricade.

### **Soldier 162**

**Corporal, Motor Platoon, Support Company, 1<sup>st</sup> Battalion Parachute Regiment**

**Made Statements to the RMP on 4 February 1972 [B1960] and this Inquiry on 15 July 2000 [B1962.0001]**

Soldier 162 had never been to Derry before. The first thing he could remember about events on 30 January 1972 was being near the Presbyterian Church. He recalled a high velocity shot hitting the church high above his head. The next thing he remembers is being in Soldier N's pig as they drove into the Bogside. Soldier S was driving.

Soldier 162 says after getting out of the pig he heard automatic gunfire. He heard 4 or 5 rounds but did not know where they had come from. They were not an immediate threat. However he did not mention this gunfire in his original statement in 1972. He then got hold of a man standing close to the rear wall of Chamberlain Street. The man said he was press and Soldier 162 told him to stand still. He then looked down a narrow alleyway which he says was definitely not Eden Place. Then at some stage Sergeant O handed him a prisoner who he took to the nearest pig. He left the prisoner at the pig for someone else to guard.

### **Did Not See Shootings**

In his RMP statement Soldier 162 says he stayed with the pig for about 10 minutes. As with many others present on the waste ground Soldier 162 denied seeing any soldier firing or witnessing any of the incidents in which civilians were shot. He says he did not see anything untoward. Soldier 162 said the reference to people throwing bottles and stones in his original statement must have come from the RMP, he did not see this.

Soldier 162 was told there were 3 bodies at the rubble barricade and he made his way there on foot to provide cover for those who collected the bodies. He said when he got there the 3 bodies had been placed in similar

positions, each on their back with their hands on their chests. He remembers the bodies were loaded onto a pig and taken back to the waste ground but has no specific recollection of seeing the bodies moved.

Later he remembered a verbal ammunition check whereby each soldier reported how many rounds he had fired. He thought this took place whilst they were still in the Bogside. The actual physical check of ammunition would not have been done until they returned to barracks in Belfast.

Years later Soldier 162 was contacted by an ex-para, Neil Davis, in connection with a television programme. He was told the programme was about the motor platoon and he met Davis and two journalists at a pub. They wanted to discuss Bloody Sunday but Soldier 162 did not want to talk about it. He had two conversations, one with Davis at his home and another with Davis and the journalists in a pub. He was aware the second interview was tape-recorded but not the first. [Transcript is at 0-0024-0001]

### **INQ 301**

**Provost Sergeant, 1<sup>st</sup> Battalion Parachute Regiment  
Made Statements to the RMP on 12 June 1972 [C0301.0010] and to this  
Inquiry on 22 June 2000 [C0301]**

INQ 301 was the Battalion military police sergeant. He was responsible for security and discipline as well as looking after prisoners from operations. He was in Northern Ireland almost continually from 1969 to 1972 but had never been to Derry before 30 January 1972.

He remembered being at the forming up point in a technical college car park. He was sitting in the back of a 4 tonne lorry. The next thing he could remember was detainees standing against a wire fence. There was gunfire going on but INQ 301 did not feel under any threat. He could not identify the gunfire. He could not remember the civilians being brought to the fence or anything else except that they were loaded onto the 4 tonne lorry and taken to the holding centre. He remembered a middle-aged woman who kept shouting at them. He denied there was any brutality towards prisoners. He was not aware of the incident described by James Doherty [AD0069-0005] where he was beaten by paras in response to abuse they were being given by Mrs. O'Brien, the woman in the lorry.

INQ 301 was present in the sergeant's mess at Palace Barracks in Belfast when the ITN film crew interviewed paras just after Bloody Sunday. He said he could not recall saying, as he did, that all those shot on Bloody Sunday were gunmen or nail bombers. He denied this was dishonest.

### **Soldier 33**

**Lance Corporal, Signals Platoon, Support Company, 1<sup>st</sup> Battalion  
Parachute Regiment**

## **Made Statements to the RMP on 4 February 1972 [B1617] and to this Inquiry on 27 June 2000 [B1621]**

Soldier 33 was a radio operator and on 30 January 1972 he was assigned to Major Loden, commander of Support Company. He was stationed in the Support Company command vehicle. INQ 627 may have been the other signaller. There were two C42 radios mounted in the vehicle, one tuned to the company net the other to the battalion net. There were also two A41 portable radios. His job was to relay messages to and from Major Loden but Major Loden could speak directly by using a handset. It was not possible to contact Brigade directly but they could speak to 1 Para HQ (the Gin Palace) on the battalion net. All para call signs began with B or Bravo. 'Sunray' referred to a commander. There was no log for the company net.

Soldier 33 would have received the Signals Order for the operation [W0288]. This allocated frequencies to the various units and provided a code for authenticating a caller. The communications chart [W0291] showed in diagram form the downward link from Brigade to the various regiments and sub-units. Bravo 9 was Colonel Wilford, B9A was his second in command, B7 was Guinness Force, B5 A company, B3 C Company and B1 Support Company, B81 Colonel Wilford's signaller, B92 the intelligence officer and B93 the operations officer.

Soldier 33 says he heard a 'contact' report from machine gun platoon over the company net regarding shooting a nail bomber. However Soldier 33 was manning the battalion net, not the company net. He could not remember hearing the order "move now through barrier 14, also call sign 1 (i.e. Support Company)" however he heard "go, go, go." He did not know where they were going to deploy. He couldn't see anything out of the back of the vehicle.

The command vehicle pulled up on some waste ground and Soldier 33 jumped out with one of the A41 radios. He was not sure if the other signaller got out but they would normally both follow Major Loden. Soldier 33 did not recall the command vehicle being on Rossville Street as pictured in some of the photographs [e.g. EP0023-0005 and EP0002-0007]. Soldier 33 said the signaller pictured in EP0002-0007] was not him. He is 6'2."

### **Arrest**

Soldier 33 claims to have arrested someone for throwing stones on the waste ground but could not remember any details of what happened. His 1972 statement to the RMP refers to taking the prisoner to the junction of Eden Place/Rossville Street where he was handed over to the arrest team. Soldier 33 is recorded as having arrested A.J. McGilloway [ARR0039-0001 to 0003]. However Mr. McGilloway is pictured in a photograph [P0640] with others sheltering at the south gable end of Glenfada Park North. 22 people were arrested at this location including, apparently, Mr. McGilloway. Soldier 33 denied making up an account of having arrested McGilloway.

### **Gunfire**

He then says he ran to catch up with Major Loden at the north end of Block 1 of the Rossville Flats. At this time he claims he came under automatic fire. However in his RMP statement he says he was running with Major Loden and INQ 627 when they all came under fire. He does not now recall being with Loden when running across the waste ground. He says he has no doubt the first firing he heard that day was this gunfire and that it was from a Thompson sub-machine gun. Soldier 33 marked the approximate position of where he claims the bullets struck the ground in front of him on a photograph [see B1621-0018]. He said the gunfire appeared to come from high in the Rossville Flats. He took cover behind the north end of Block 1. He sent a contact report to 1 Para HQ but only said "contact, wait, out." He did not make a further report. This was received by his sergeant, INQ 720, at the Gin Palace.

### **The Rubble Barricade**

Soldier 33 also says Soldier T was at Block 1 and at some point the vehicles moved up close to their position. He recalls seeing T whilst firing was going on. He says there was more than one type of weapon firing. He says he took up a position at the corner of Block 1 looking south towards the rubble barricade. There he saw a man lying on his stomach and another waving his arm calling for help.

He also claims to have seen an arm emerge from Block 1 and fire a pistol. In his original RMP statement he refers to the arm being "three or four windows" in from the end of the block but now says, having seen the photographs, the arm was at the doorway seen on photograph P0307. He explained he had thought the doorway was a window. He claims the gunman fired at soldiers on the opposite side of Rossville Street close to Glenfada Park. He then saw a soldier to his right return fire at the gunman. He saw one shot fired south. This is the only shot he admits seeing fired by paras. However Soldier F, who appears to be the soldier concerned, says he fired at a gunman on the upper floors of the Rossville Flats.

Soldier 33 claims he saw the strike of bullets on the rubble barricade close to the man who was waving. He says he thinks these shots came from the civilian gunman. He claims they could not have come from soldiers because they struck behind the barricade. It was put to Soldier 33 that he was just corroborating an account by Soldier U of an alleged civilian gunman with a pistol. Soldier U had not mentioned the gunman in his first statement on 31 January 1972 but did mention him in his second statement taken on the same day as Soldier 33's RMP statement. Soldier 33 was not called to give evidence to Lord Widgery even though he claims to have witnessed a civilian gunman firing.

Soldier 33 was shown extracts of a video showing Support Company entering the Bogside. In the video a soldier with a megaphone can be seen being followed by two signallers. It was put to Soldier 33 that this was Major Loden being followed by him and INQ 627. However Soldier 33 denied this showed him in Rossville Street and at Kells Walk contradicting his account to the Inquiry. It was put to him that only 2 people were arrested on the waste ground and neither of these was Mr. McGilloway. Another video shows two soldiers at the corner of Block 1 of the Rossville Flats at the time a man,

Alexander Nash, can be seen waving at the rubble barricade. Neither of the soldiers at Block 1 had a radio. Furthermore Soldier 112 claims to have been at this point with Soldier U. Soldier 112 had claimed he saw a hand holding a pistol protruding from a second floor window but when giving evidence to this Inquiry last week admitted he might have been completely mistaken about seeing a gunman at all.

The evidence of Company Sergeant Major Lewis was that Soldier 33 told him he had seen a civilian gunman on the balcony of the Rossville Flats. He was concerned Soldier 33 was aiming at civilians and looked up the sight of his rifle. Lewis could not see a gunman and having demonstrated his concern Soldier 33 lowered his rifle. Soldier 33 denied that this happened. He denied a suggestion from Arthur Harvey QC that he had a casual disregard for truth and life.

## **INQ 245**

### **Lance Corporal, 1<sup>st</sup> Battalion Coldstream Guards Made Statement to this Inquiry [C0245]**

INQ 245 was part of the Coldstream Guards' commanding officer's team on 30 January 1972. He was probably INQ 598's radio operator.

Researchers for the Jimmy McGovern film Sunday had interviewed INQ 245. The notes of the interview record that it took place on 18 September 2000 [C0247.0007]. INQ 245 said the notes of the interview were inaccurate. For example they record that he was present at the observation post (OP) on the city walls when it was fired at on Bloody Sunday. However INQ 245 was not there, he only heard about the shooting over the radio. He would have visited various locations during the day and may have been at the OP at some point. He could not remember the specific location of the OP but he thought it was a temporary one, not the permanent Charlie OP.

## **INQ 587**

### **Private, 9 Platoon, C Company, 1<sup>st</sup> Battalion Parachute Regiment Made Statement to the Inquiry [C0587]**

INQ 587 was at barrier 14 on 30 January 1972 before being deployed into the Bogside. Whilst waiting he heard bangs but no gunfire. They went in on foot and the vehicles followed them in once the barrier was opened. When he went in INQ 587 was only carrying a baton. He went straight down William Street near to the junction with Rossville Street. He does not think he ever left William Street. He swapped his baton for his SLR once the pigs arrived because of the gunfire. He heard gunfire before reaching Rossville Street.

INQ 587 claimed to identify the sounds of a Thompson sub-machine gun and a Garrand rifle as well as SLR gunfire. However he could not distinguish the weapons on the day. Then he only heard a series of bangs. Only subsequently when he became a weapons instructor did he become familiar with the different sounds and his interpretation of what he heard on Bloody

Sunday was a retrospective analysis some years later. His account was that he heard a Thompson first then SLR fire and a Garrand at some point after that.

### **Extra Ammunition**

INQ 587 said it was common practise to carry extra rounds of ammunition. This was done because they had to account for rounds if they lost them. It was easier just to replace any lost rounds with ones taken from the firing ranges. INQ 587 explained it was impossible to tell from which batch a particular bullet had come. The only marks on bullets were a date of manufacture, a NATO stamp and a manufactures mark. The keeping of extra rounds was a serious offence so it was not talked about openly but it was very common. He could not remember specifically but INQ 587 said he probably had extra rounds with him on Bloody Sunday.

INQ 587 referred to the operation on Bloody Sunday as a "complete fuck up." By this he meant that they failed to achieve what they had intended, i.e. to arrest rioters.

INQ 587 identified INQ 1093 as the signaller on the left of photograph P0501. The other soldier is INQ 1334. He also identified INQ 579 as the soldier in the middle of photograph [EP0004-0041].