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Civilian Deaths (Ballymurphy)

4.27 pm

Mark Durkan (Foyle) (SDLP): It is a privilege to open this Adjournment debate under your chairmanship, Mr Crausby.

On Monday 9 August 1971, the then Northern Ireland Government introduced internment without trial. That policy was dramatically and drastically imposed by the British Army. It could only have been implemented with the sanction and counsel of the British Government and their agents. It was a misguided and counter-productive response to the security and political concerns of Government at the time. However, in today's short debate, we need to consider first not the longer-term fallout from the disaster of internment, but an immediate fatal atrocity that was perpetrated with its imposition. On 9, 10 and 11 August 1971, 11 innocent civilians were killed in the Ballymurphy area of west Belfast by the Parachute Regiment, the same regiment that was specially deployed to Derry months later on 30 January 1972-Bloody Sunday.

The fact that 11 innocent victims of Ballymurphy were killed over three days at a time of wider, serious conflagration, repression, violence and many other deaths meant that Ballymurphy was not really landmarked as an atrocity in its own right, either at the time or for some time after. That is why the victims' families and the people of Ballymurphy have challenged us all to acknowledge that theirs has been the forgotten atrocity. They have resolved that it will be forgotten or passed over no more. They need to set their truth free, to have the innocence of their loved ones fully vindicated, to have the enormity of what was perpetrated and then papered over fully understood, and to have responsibility taken for those awful events by the forces and power of the state.

I salute the dignity and determination of the families who have come together in such a purposeful and powerful way, and who have lobbied all the parties in Northern Ireland, the Irish Government and the British Government. In recent times, they have been briefing Members of this Parliament about those dark events that have been frustratingly and disturbingly overshadowed for too long.

Chris Ruane (Vale of Clwyd) (Lab): I was lobbied by the sons of one of the people murdered, and I was taken aback by the ferocity of the force used on that day. A mother had half her face blown away. People lying wounded on the ground were shot at point-blank range. Wounded people were taken to the barracks and killed there. Atrocities were committed, and I fully support my hon. Friend in his fight for justice.

Mark Durkan: I thank my hon. Friend for that intervention. He rightly brings us to the details of what happened during those three days in Ballymurphy. I acknowledge that these were not the only deaths that occurred during that period; in fact, there were 28 deaths in total. The wider scale of the deaths should not be used by anyone to diminish the seriousness of the questions that must be asked about Ballymurphy, nor should those questions diminish the seriousness of the grief felt by the families of other victims killed then

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and since. It is important, if that atrocity is not to be forgotten, that the victims should not be

forgotten. Particularly in a debate such as this, their names and what happened to them should be remembered.

The first victim, on 9 August, was Father Hugh Mullan, who was shot as he carried a white cloth while going to the aid of someone else who had been shot and wounded. In a debate in the main Chamber of the House of Commons, the hon. Member for Keighley (Kris Hopkins) spoke poignantly about his regard for the iconic image of Father Daly in Derry on Bloody Sunday. In Ballymurphy, another priest with a white cloth went to the aid of a victim, and that priest was shot. When Frank Quinn, seeing him lying wounded, went to his aid, he too was shot. Both of them were then shot further as they lay on the ground. A priest who went to the aid of an injured parishioner was killed, and someone else who came from his place of safety into Army gunfire was killed as well.

The third victim was 200 yards away. At exactly the time when Father Mullan and Frank Quinn were being shot, the Army was firing near the Taggart barracks at the top of Ballymurphy. Paratroopers were firing indiscriminately. Noel Phillips, a young man of 19, was shot and wounded. As my hon. Friend the Member for Vale of Clwyd (Chris Ruane) said, a woman, Joan Connolly, came to his aid, calling to Noel Phillips that it was all right; she was coming to him. She was then shot in the face. Joan Connolly was a mother of eight.

The fifth victim was Daniel Teggart, a father of 13. He was initially shot while running for cover, but was then repeatedly shot-up to 14 times-while he lay defenceless on the ground. Also on 9 August, Joseph Murphy, a father of 12, was shot in the leg. He received no medical attention; neither did some of the other victims, including Noel Phillips.

On 10 August, the seventh victim, Eddie Doherty, was killed as he made his way home along Whiterock road. A digger and a Saracen moved in to dismantle a barricade blocking the road. From the cab of the mechanical digger, a member of the Parachute Regiment shot Eddie Doherty in the back.

Early in the morning of 11 August, John Laverty, age 20, was shot dead by soldiers. Joseph Corr, a father of seven, was also shot and died of his injuries on 27 August. The Parachute Regiment alleged that both men were firing at the Army. Neither men were armed, and all ballistic and forensic evidence disproved that testimony.

The 10th victim was Paddy McCarthy, a community worker, who was wounded in the hand while attempting to leave the local community centre to distribute bread and milk. Hon. Members must understand that after the introduction of internment, no normal commercial or other services were running, so people engaged in that sort of operation at the community level. After Paddy McCarthy decided to continue with his deliveries hours later, he was stopped by soldiers and beaten. He suffered a massive heart attack and died as a result of that ordeal.

The 11th victim, John McKerr, was taking a break from his work at Corpus Christi church in Ballymurphy and had walked 50 yards from the chapel gates when a British sniper shot him. Local residents went to his aid and remained at his side until an ambulance arrived, but he died of his wounds on 20 August.

I read out those details because when we talk about events such as Ballymurphy, all of us can speak in shorthand using particular names and locations, but it is important to remember specific events. This is the first debate on this subject, although I believe that there will be others, so it is important that the background facts are spelled out.

One problem at the time was that the Royal Ulster Constabulary did not investigate the deaths, because that was not the done thing in those days. The arrangement was that killings and other actions by the Army were investigated by the Royal Military Police. As we know from the findings of the Historical Enquiries Team, those interviews seem to have been conducted on a tea-and-sympathy basis. Officers' versions of the circumstances and their actions would become the RMP's accepted version, which would then become the received version accepted by both the Northern Ireland Government and the British Government of the time. The RUC was basically left to accept those conclusions as a matter of fact. For those reasons, the killings were not properly investigated at the time.

Several hon. Members *rose-*

Mark Durkan: I will give way to my hon. Friend the Member for South Down (Ms Ritchie) first.

Ms Margaret Ritchie (South Down) (SDLP): I commend my hon. Friend on securing this debate. I, too, have met the Ballymurphy families in Westminster, at Stormont and in Ballymurphy. I am struck not only by their innocence but by their sheer humility and need to find justice and truth. Does my hon. Friend agree that the activities of the Parachute Regiment must be examined in connection with their use and deployment at the time in Belfast, Derry and throughout Northern Ireland?

Mark Durkan: I thank my hon. Friend for that point. Wider questions must be asked of the powers that be, in both military command and political oversight, about how the Parachute Regiment was deployed in Northern Ireland in those days. Clearly, the Parachute Regiment's behaviour in Ballymurphy should have been factored into the thinking about its future deployment. People should have had that in mind when it was decided to send the Parachute Regiment, specifically, to Derry for Bloody Sunday. Of course, the Parachute Regiment must account not just for the deaths in Derry and Ballymurphy, but for the killing of two innocent Protestants, Mr Johnston and Mr McKinnie, in September 1972 on the Shankill.

Stephen Pound (Ealing North) (Lab): My hon. Friend's words hang heavy in the air, and it will take more than the wind of history to blow them away. In a speech last month, my hon. Friend the Member for South Down (Ms Ritchie) referred to the stigma still attached to the families. Does he believe that an inquiry could finally establish the innocence of the victims, bearing in mind the statements that were released at the time, which appeared to give a contrary impression but were never substantiated?

Mark Durkan: Yes, I believe that it could. The state adopted the view at the time that what the Royal Military Police established in its inquiries with the

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soldiers who carried out the actions would be the official, received version of events. So long as the state does not specifically repudiate that version of events, it will be left hanging there. That is one of the reasons why the families want to see that version properly probed and resolved, not just for themselves, but because there are surely wider questions for us all about

how the state could conduct itself in that way and ignore the serious questions that arose as a result.

Naomi Long (Belfast East) (Alliance): I commend the hon. Gentleman on bringing up the matter in a debate in Westminster. As Lord Mayor of Belfast, I had the opportunity last year, and even before that, to meet the families of the victims. Does he agree with me that in both Ballymurphy and Bloody Sunday-the two incidents have to be looked at as related-the pain of loss was compounded by the fact that those who were victims of a crime were effectively treated as though they were in some way guilty?

Mark Durkan: The hon. Lady has put her finger on an important point. I do not talk about the victims of Ballymurphy or Bloody Sunday as if they were the only people who suffered grievously and need truth and justice, because there are many other victims of other forces or self-styled forces who are also due that. However, one thing that sets the victims of Ballymurphy and Bloody Sunday apart is that they were denied the promises, albeit hollow promises, made by the state at the time that no stone would be left unturned in the pursuit of justice. The state and its political establishment denied them the sense of solidarity that other victims were given. They were accorded no sympathy or recognition of their innocence. Their innocence was impugned, because the suggestion was that they had somehow conspired to bring death on themselves or others.

That is one of the reasons why the other victims who not only received mortal injuries but found themselves in the twilight zone of state condemnation are due vindication and proper affirmation of their innocence through independent international assessment, and that is also why someone must be held responsible and why responsibility must be taken. That is important, not least in the light of the important and positive statements that the Prime Minister made when the Saville report was published, and in the light of those important findings themselves. The Prime Minister said several times on that day, and it was repeated on the day of the Saville statement and when the report was debated last month, that the Government take responsibility. It is important that the families of the victims of Ballymurphy hear someone take responsibility for those events.

Thomas Docherty (Dunfermline and West Fife) (Lab): My hon. Friend has been an absolute champion, as have his colleagues, of those families for many years, and I am sure that he will ensure that they are never forgotten. Does he agree with me that, although the role of the Parachute Regiment, who were quite clearly murderers in this case, should not be overlooked, the state itself had a failing, and is there not arguably a direct link between its inaction over Ballymurphy and Bloody Sunday? Does he agree that, had the state done the right thing in Ballymurphy, we might have avoided what happened on Bloody Sunday?

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Mark Durkan: That is a very pertinent point. The Parachute Regiment committed those killings in one area in a concentrated operation, and just because they did not take place in one day, it does not mean that it was not a concentrated operation. Those deaths were not properly investigated alongside other Army killings.

We now know, because of investigations by the Historical Enquiries Team and work done by the Pat Finucane Centre, that in the autumn of 1971 there were liaison meetings between a

representative of the military and the then Attorney-General for Northern Ireland, Basil Kelly, to look at the possible risk of prosecution of soldiers for some of their conduct. The Attorney-General seems to have suggested that prosecutions might have to take place on some matters, such as traffic offences, but he was seized of the need to try to avoid prosecutions for more serious or controversial offences. In December 1971 he decided, on the basis of the shooting of Billy McGreanery that September, that no soldier should be prosecuted for anything they did in the line of duty. As I say, that decision was made in December 1971, and it is hard for those of us who know about that not to believe that in the minds of the Army, that became the going rate, as regards what the yellow card did or did not mean. It meant that they could behave with impunity. It is hard to believe that the Army, and certainly the Parachute Regiment, were unaware of the Attorney-General's decision.

Patrick Mercer (Newark) (Con): I am listening with great interest. Some deeply pejorative statements have been made about an organisation that is being referred to as the Parachute Regiment. The Parachute Regiment is an enormous organisation consisting of three battalions. As the hon. Gentleman will have heard me say during the debate on the Saville report, what we are talking about seems to relate to one battalion, and indeed to one specific company within it. The Parachute Regiment has given invaluable service to this country. It might have had some difficulties and problems and done some wrong things, but I beg that we be more specific about an organisation that is very gallant, and whose services have been well recognised.

Mark Durkan: I thank the hon. Gentleman for that point. By referring to the Parachute Regiment in broad terms, I was certainly not trying to impugn anyone or extend my remarks to anyone who feels that they are in a position to disown and disclaim what happened that day. I am aware that today we heard condolences expressed in the House regarding a member of 3rd Battalion the Parachute Regiment, who lost his life tragically in Afghanistan. I am sensitive to those considerations and take the hon. Gentleman's sensitive admonition in the spirit in which it was intended and in which it was conveyed.

When the Attorney-General made his judgment following the killing of Billy McGreanery, the RUC commander in Derry at the time, having read what the military police had said in relation to the shooting and the statement of the soldier concerned, recommended that that soldier be prosecuted for murder. That recommendation was endorsed at RUC headquarters, and it was the Attorney-General who subsequently created the new rule about prosecutions. That is why I think that all those events raise wider issues that need to be pursued.

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None of that information was available to the Saville inquiry, because it had not yet been discovered by the Historical Enquiries Team and the Pat Finucane Centre.

Ian Lavery (Wansbeck) (Lab): Does my hon. Friend agree with me that that has to be described as an atrocity? Eleven people died, and yet 39 years on we still have no resolution, no apology has been offered to the families and there has been no independent inquiry. What do the Ballymurphy families need in order to be able to move on with their lives and draw a line under this?

Mark Durkan: I thank my hon. Friend-

Mr David Crausby (in the Chair): Order. I respectfully point out to the hon. Gentleman that this is a 30-minute debate, so if he expects a comprehensive response from the Minister, he will need to give him some time.

Mark Durkan: I was about to thank my hon. Friend for his question and say that I look forward to it perhaps being answered by the Minister. I spoke with the Minister earlier, and he told me how much time he would need and expressed a wish to see interventions taken so that we have could have a free-flowing debate.

I hope that the Minister has heard all the points that other Members and I have made, but, most importantly, I hope that he is in a position, working with the Secretary of State, who has already met the families, to address some of the questions that he knows the families have. This debate is to let them and the Minister know that the questions do not come only from the families.

4.50 pm

The Minister of State, Northern Ireland Office (Mr Hugo Swire): I am most grateful to you, Mr Crausby, for chairing this afternoon's proceedings, and I am particularly grateful to the hon. Member for Foyle (Mark Durkan) for securing this debate.

I start with a sin of omission rather than commission. Yesterday was my first encounter across the Floor with the hon. Member for Ealing North (Stephen Pound). I congratulate him and welcome him to his new role as shadow Minister—indeed, he is my shadow. I know him well from the past. We served together on the Select Committee on Northern Ireland Affairs, and I know that he has given that Committee long and distinguished service. Its current Chairman, my hon. Friend the Member for Tewkesbury (Mr Robertson), is here today.

The hon. Member for Foyle spoke in detail today about the Ballymurphy families' campaign. The hon. Members for Belfast East (Naomi Long) and for South Down (Ms Ritchie) stated that they had both met the families as, indeed, have my right hon. Friend the Secretary of State and I. We met them in October to discuss their case. The families recounted their moving stories at length, and we both expressed our profound sympathy for the loss that they had suffered.

We also listened carefully to the families' requests for an independent international investigation, recognition of the innocence of their loved ones, and an apology. We did, of course, note the ongoing independent investigation into the case being carried out by the Historical Enquiries Team. I understand that many of the families do not support that investigation, but it is right that I reiterate this afternoon the Government's

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strong support for the work of the HET. It has demonstrated on several occasions, whether in the Majella O'Hare case or the McGreanery case in the constituency of the hon. Member for Foyle, to which he referred, that it carries out its investigations with absolute professionalism and independence.

Furthermore, as I said last night in the Northern Ireland Grand Committee, the HET's projected spend to 2011 is £32.5 million. If we compare and contrast that with the cost of the Bloody Sunday inquiry at £191.5 million, the Rosemary Nelson inquiry at £45.5 million, the Robert Hamill inquiry at £32.4 million and the Billy Wright inquiry at £30.4 million, we can

begin to see the good value for money that the HET provides. I understand that the families have presented information to the Attorney-General for Northern Ireland and have asked him to consider using his powers to reopen the inquests into the deaths. Such decisions are, of course, properly a matter for the Attorney-General, not the Government.

Several Members rightly pointed out that the Government need to consider their response to the Ballymurphy campaign in the wider context of how we deal with the painful legacy of Northern Ireland's past. However, we must also consider the wider context of the events in Northern Ireland in August 1971, a time when violence was escalating at a rate that would lead to the bloodiest year in Northern Ireland's history. Between 9 and 11 August, there were 28 deaths in total across Northern Ireland, 11 of which were in Ballymurphy.

The Government's approach to the conclusions of individual reviews and reports is absolutely clear: where wrongdoing or failings by the state are clearly identified, we will accept responsibility and apologise. In that context, I would associate myself more closely with the intervention made by my hon. Friend the Member for Newark (Patrick Mercer) than with the somewhat rash comments made by the hon. Member for Dunfermline and West Fife (Thomas Docherty).

As my right hon. Friend the Prime Minister said in his statement on the Saville report, we do not honour all those who have served with distinction in upholding the rule of law in Northern Ireland by hiding from the truth, but neither do the Government believe that the past can be adequately addressed by focusing solely on the actions of the state. To respond to the point made, I believe, by the hon. Member for Ealing North, that is why we do not believe that selecting a further series of cases to be subjected to a lengthy public inquiry is an appropriate means of addressing the legacy of a conflict that saw more than 3,500 people from all parts of the community lose their lives.

Naomi Long: I welcome the Minister's strong support for the work of the HET, but does he agree that if we are not to have further individual inquiries, the Government must take-and lead-a comprehensive approach to dealing with the past and its legacy? I fear to say that, as yet, that has not been forthcoming.

Mr Swire: Indeed, if the hon. Lady will allow me, I will just say:

"Having recapitalised the banks, it seems as if we are recapitalising the legal profession in Northern Ireland. I'm sure the pain of the past has been eased in the case of the barristers but I'm not sure whether any material benefit has been achieved for the people of Northern Ireland."

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Those are not my words, but the words of the hon. Member for Ealing North, as reported in the *Belfast Telegraph* on 5 November 2004.

Thomas Docherty: Without wishing to compound his ire towards me, can the Minister clarify whether he is therefore criticising the decision to hold the Bloody Sunday inquiry? It sounds as if he is saying that it was held only to line the pockets of lawyers rather than to help bring some comfort and closure to the families.

Mr Swire: The hon. Gentleman should not conflate the two things. I was repeating what the *Belfast Telegraph* reported the hon. Member for Ealing North as saying about further costly inquiries. As for ire directed towards the hon. Member for Dunfermline and West Fife, if I heard him correctly, he made some severe criticisms of the Parachute Regiment which were then picked up by my hon. Friend the Member for Newark.

Various Members, not least the hon. Member for Belfast East just now, asked how the Government thought inquiries could be replaced. We are committed to listening to the views of people across Northern Ireland on dealing with the past. It was clear from the summary of responses that we published to the previous Government's consultation on Eames-Bradley that there is little consensus at present. However, as we emphatically do not believe that the past can simply be shut down, we will continue to seek a way forward.

Stephen Pound: I thank the Minister for his kind words earlier. Much of what he is saying is outside the remit of the HET-and I understand and support his comments about it. What assurance can he give us tonight, what process can he offer, what peace can he bring to those family members who still desperately need nothing more than the truth to be brought out? If not the HET, what?

Mr Swire: The Government are looking in a measured way at options that might command support across the community, including the option of creating an information-sharing process that could help families and the wider society achieve greater understanding of the events of the past 40 years. We are consulting on that. There is no easy or quick answer. I tend to agree with the hon. Gentleman that further costly inquiries are not the way forward, but I stress again that that does not mean that we can bury the past. We have to address the issues, and we will do so in a measured and, I hope, sensitive way.

In conclusion, I welcome this important and valuable debate and again thank the hon. Member for Foyle for bringing the matter to the House. I reiterate that the Government are committed to considering carefully the Ballymurphy case in the context of how we deal with the legacy of Northern Ireland's troubled past.

Question put and agreed to.

4.58 pm

Sitting adjourned.