



An Chartlann Náisiúnta National Archives

Reference Code:	2021/44/205
Creator(s):	Department of Foreign Affairs
Accession Conditions:	Open
Copyright:	National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

"This Week"(Radio Eirann) at 1.00 p.m. Sunday 5 February, 1989.

Interviewer(Brendan Wright):

Pressure has been mounting this week for the reopening of the controversial court case involving 4 UDR soldiers in the North who were jailed three years ago for the murder of a young Catholic man in Armagh in 1983. On Tuesday the Unionist MP Ken Maginnis raised the matter in the House of Commons with Mrs Thatcher, and the case is now to be referred to the British Attorney General. The broadcaster Robert Kee, who is also backing the case, says he is now strongly of the opinion the four former soldiers are totally innocent. At their trial in 1986 the UDR men pleaded not guilty, saying statements of admission they had given had been made under duress. They were convicted and jailed for life but are still protesting their innocence. And in another development this week-end the central witness in the case has told "This Week" she was lied to and tricked by the police when she came forward to give her evidence. She now claims there was an RUC cover-up at the time of the murder and she too has called for the case to be reopened despite the fact it was largely her evidence that convicted the four men. We have been to Armagh to investigate her claims and the circumstances surrounding this controversial case.

Mrs Margaret Bell (mother of Noel Bell...one of the 4 convicted):
They arrived here at our home I think about 4.00 o'clock on the Friday morning. In a way I wasn't surprised because I knew there had already been two of the boys or maybe three of the boys taken away by this time. We weren't unduly concerned. We were very angry because we didn't like the privacy of our

home been beseiged by all these RUC Personnel who made us feel as if we were criminals that morning.

Interviewer:

That was Mrs Margaret Bell describing the arrest of her son Noel, a UDR soldier who late in 1983 was charged with the murder of Catholic man Adrian Carroll who had been shot dead at Abbey Street in Armagh a few weeks earlier. In all 13 UDR soldiers from the Drumadd Camp in the town were arrested and questioned about the killing. Five were subsequently charged with the murder and 4, including 20 year old Bell, received life sentences in 1986. All those convicted made statements to the police admitting their involvement but at the trial all pleaded not guilty. Since then the 4 have consistently protested their innocence. Now their families supported by some politicians, clergymen and the distinguish broadcaster Robert Kee have launched a campaign for a re-trial. Margaret Bell says the trial judge, Lord Justice Kelly, brushed aside vital pieces of evidence.

Mrs Bell:

Well when the judge actually pronounced the sentence on the four boys we were...I would say my feelings were just...I was numb with shock. We knew by that stage...we had a good idea of how the trial was going because our counsel had kept us advised. We had a good idea what was going to happen and I would say we were just numbed because we knew that a great wrong had happened here in this court.

Interviewer:

After lengthy interrogation at the Castlereagh Holding Centre in Belfast one of the accused, Neil Latimer, confessed to the murder and in the following days Noel Bell, Winston Allen, James Hegan and Colin Warton also admitted involvement. At the trial the five said that the confessions had been extracted from them by ill treatment and pressure. Lord Justice Kelly believed only Colin Warton and he was set free. In police custody Warton says he was threatened he wouldn't see his girlfriend again for a long time.

Colin Warton:

Well they just had us there and they put pressure on us. They said I wouldn't really get out there for to get married to my girlfriend. You know like, whenever I got out, maybe, after doing a life sentence...sure I could see her married to somebody else. Now I was really jealous like, when I was outside and I couldn't really stand the thought of this, and that I would really see her getting married to somebody else, and that I would see her children and really they should be my children.

Interviewer:

Would you maintain and still maintain that you had absolutely nothing to do with the murder of Adrian Carroll at all?

Warton:

Yes that's right.

Interviewer:

And yet you made a statement implicating yourself in it?

Warton:

Yes, but it wasn't really a murder charge they said I would be charged with. They said I would be done with a lesser charge of withholding information.

Interviewer:

But what happened. What actually happened...you were, though, charged with the murder?

Warton:

Yes that's right...I would really accept for a lesser charge like for to try and get out. I was really thinking of myself that time when I was in jail. I didn't think that I could do like a life sentence but I know maybe I could have done a couple of years for something that I hadn't done. But like I would have accepted that for to get out early. For like that time I was in jail...that time I was in the Holding Centre...I said sure that they had us anyway and we were going to go down for life anyway so that if I made a statement there would be lesser, you know there would be lesser on us but if I didn't make a statement I was going to go down for a lot more. Sure they really had me thinking...sure if I had committed this crime.... That's the way like they sort play on you as well you know they say that for days and days sure that you definitely done this. Sure I was really thinking you know that we had done it like, eventually. You know coming near the end of my week sure I

was really thinking maybe we did do it. Sure like I couldn't really remember doing it, and they said like that we must have done it. Its like a brain-washing thing.

Interviewer:

Those claims of ill treatment at the hands of RUC interrogators are supported by Noel Bell's father, Norman. He says the medical records prove it.

Mr Norman Bell:

When our son was first admitted to the Crumlin Road Prison a doctor there even noted where he had been abused on his body. Marks had appeared, or whatever, and again that came out in court so there is no doubt that he had been maltreated.

Interviewer:

Noel Bell's parents believe he was the victim of an RUC coverup in this case. Norman Bell says he can explain why he supports the conspiracy theory.

Mr Bell:

I do feel that...at some stage there had been reported that a number of UDR men had, in fact, been arrested and were being interviewed in Castlereagh for the Carroll murder. I feel that immediately that stage had arose that it was essential that statements had to be extracted from these men by whatever means were necessary and I think it is perfectly obvious from that point.

Interviewer: Are you saying that the RUC were in some way under pressure to get a result, as it were?

Mr Bell:

Yes, I would have thought so. As you probably know in the Armagh area just prior to that there had been several Republican people, as I see it murdered, possibly by the Security Forces. I do know that a Mr Stalker investigated that and more recently a Mr Colin Sampson but I feel that, yes, the RUC may well have been under pressure and it might have looked better if they were able to obtain confessions from UDR men for this particular murder.

Interviewer:

The turning point in the RUC investigation into Adrian Carroll's murder came two weeks after the shooting. The police were approached by the Armagh priest Father Raymond Murray, who had been contacted by a woman who said she had seen a UDR patrol acting suspiciously in Lonsdale Street on the afternoon of the murder. This evidence from the woman subsequently known as "Witness A" was to be crucial to the outcome of the case. Now though, the woman who's middle aged and lives outside Armagh has said she was tricked and lied to by the police and she wants the case reopened. This is what she told me.

Witness A:

I have been to hell and back if you like. This is for a reason... I believe now that the police made a blunder...and I think it is up to them to come up with truth, not me. I think the police

should open up and tell the truth of the events of what happened. Why did they tell me one thing and write down something else. I could understand it if they were policemen that hadn't qualifications...lack of experience...but men in top positions like them should know better. The detectives at one stage told me they already knew who the murderer was and I asked them who it was and they said it was Neil Latimer. And I said well how do you know it was Neil Latimer. He said because we already have another witness that was on the scene and made a statement directly after the killing...and she had said it was Neil Latimer and she got a good look at him...and that she recognized him because she only lived round the corner. Now that turns out that its not true. It was very unfair that statement. I think they have tricked me. I see it as tricks...dirty tricks department. I don't care how they see it...none of them have approached me, but as far as I can see this girl has denied that...that she ever gave his name. In fact she said it wasn't him she seen. I mean whose telling lies?

Interviewer:

Witness A, who now alleges the police coverup in the Carroll case, says she willing to talk to the soldiers' relatives about what happened.

Witness A:

I certainly support the truth been brought out in the open. There is a cover up here with the police and somebody's working on this...I don't know what's going on...but there is definitely something...some reason or other that they wanted to put them

men down.

Interviewer:

Well, if the families of the men asked you or approached you and asked you for your assistance to try and bring new evidence or to help them, would you do it?

Witness A:

If the families want to speak to me they are quite welcome to that. I have no grudge against their families at all. No, I would welcome the families to come forward and talk to me about it and give me their views. No, I don't bare a grudge with these people. Why should I? And I certainly don't bare no grudge with Neil Latimer. Because, as far as I was concerned, he was a good friend of mine. I knew him awful well and as far as I am concerned he was a gentleman...not a murderer but a gentleman, and I can stand over that. The whole thing is not right, the whole case has never been right from the start. I don't want them to put the blame all put on me I think these police that investigate this have to shoulder this as well. I think the sooner they stand up to it the better. The killers have slipped away and they know now they can't get them. They have no chance of getting them, so why let them poor fellows go down for it?

Interviewer:

The author and broadcaster Robert Kee, whose research was instrumental in achieving an appeal earlier this month for the Gilford Four, has studied the case of the UDR soldiers and he says he

is now strongly of the opinion the four men are totally innocent.

I asked him how he had come to that conclusion.

Robert Kee:

By reading the transcript of the judgement of Lord Justice Kelly alone, actually, seems to me full of so many strange assumptions, so many strange selective judgments. That only one witness is to be trusted, whereas all the other witnesses who suggested quite different interpretations of the events are not to be trusted. That alone would make me suspect that there was something curious about this case. Then when I look at the statement of the people who were first involved in the incident and when the woman who actually saw the murderer commit the murder, or rather she saw him just before the murder...she heard the shots and then ran to the police to describe him. And when I see the evidence of the gardener who saw a stolen Cortina...a car that was later found to have been stolen in the Shankill Road in Belfast some weeks before...rush past just after hearing the shots, with two men in it. When I hear that the Protestant Action Force claimed responsibility that evening, then my doubts about the case, as aroused by the judgement alone, are considerably strengthened.

Interviewer:

Politicians too are now involved in this case. The local MP Seamus Mallon was approached by relatives of the soldiers and visited all four of them together in the Maze Prison. He says if new evidence and positive indications of a miscarriage of justice emerge he would give every possible help to undo the

harm that had occurred.

Mr Mallon:

I would readily admit that it must have been very difficult for those people to come to me. I would readily admit that it must have been very difficult for the 4 UDR men to see me in prison, but that's not the point. I am dealing with this case as the MP for this constituency. I am also dealing on the basis of one human being, being concerned about possible injustice to other human beings so that those things are not relevant as far as I am concerned. I highlighted instances where I knew that there were abuses within the UDR and the court records will show that there were terrible crimes committed but I am dealing with human beings. I am dealing with an issue in which human beings are concerned and I will deal with it only on that basis...and I will not allow, and I sincerely hope they will not allow, whatever views that we may or may not hold about the UDR to stand in the way of seeing if there is, indeed, a miscarriage of justice in this case. And I repeat, if there is, then I think it is the duty of all people involved in seeking for justice in the North of Ireland, to highlight that, and to ensure that, if there is a miscarriage, then that there is a new trial.

Interviewer:

Unionist MP Ken Maginnis raised the case with the Prime Minister, Mrs Thatcher in the House of Commons last week and he says he'll now be referring the matter to the British Attorney General.

Mr Maginnis:

What we have done is not come to a conclusion, but simply recognized the doubt, and we have asked someone who has got the expertise and the time to look carefully at the transcript of the trial and advise us as to what we should say when we meet the Attorney General. As you know, I spoke to the Prime Minister in the House during Question Time on the matter and she pointed me towards the Attorney General. If as we suspect there is justification insofar as significant evidence has been ignored, and insofar as there is considerable doubt placed on evidence which was taken into account, and if there should be further evidence emerge, then obviously we would want to see the case reopened.

Interviewer:

The Rev Hamilton Skillen, former President of the Methodist Church in Ireland, has also visited the UDR soldiers in prison. Initially he says he was very sceptical about their claims of innocence but he is now firmly convinced they were brain-washed by police interrogators.

Rev Skillen: The thing that bothers me most was the method of interrogation and the whole process by which these so called confessions were elicited. That's the thing that distresses me. The boys were brought in there at 2 o'clock in the morning and sometimes later, and they were left standing against walls and left standing there for a long time...and they became confused and after a week of that, as I said in the Methodist Conference, if I had undergone that kind of treatment for a week I would probably have confessed to having killed someone.

Interviewer:

Mr Skillen is now closely involved with the campaign to have the case of the Armagh UDR soldiers reopened. Its a campaign this former leading churchmen believes could right an injustice he's convinced has been done.

Rev Skillen:

Well, I think once the court case was heard and the appeal heard that the interest died out and I am rather sad about that because the injustice remains uncorrected and the great question still remains to be answered...Who killed Adrian Carroll? Who killed him?.....

(The Rev Hamilton Skillen and that distrubing report from Armagh by Brendan Wright).