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Mother's grief as O'Loan finds son's plastic bullet death 'unjustifiable'

(Seamus McKinney, [Irish News](#))

The mother of teenage plastic bullet victim Paul Whitters said she will never have closure to her grief despite the Police Ombudsman finding her son's death to have been "unjustifiable and needless".

Helen Whitters was speaking after ombudsman Nuala O'Loan issued a damning report into the death of 15-year-old Paul Whitters in Derry in April 1981.

The youth died 10 days after he was struck on the head by a plastic bullet fired by a police officer during a riot close to Derry city cemetery.

Ombudsman Mrs O'Loan found that the teenager was shot at under the minimum permissible range for firing plastic bullets.

She also found that police had made no attempt to arrest the victim before opening fire and that they failed to conduct a proper investigation into his death.

Mrs O'Loan said the police account of the death was inconsistent with that of seven eye witnesses who were not interviewed by police.

She said: "In my view the firing of the baton gun on that occasion was wrong and unjustifiable. The gun was used in contravention of the rules in place at the time.

"No warning was given by loudhailer and it was fired at less than the permissible range of 20 metres."

She also criticised a lack of cooperation by the now retired RUC officers involved. The ombudsman said the officer who fired the gun refused to speak while most of the others involved either refused to speak to her investigators or said they had nothing to add to the four-year investigation.

But Mrs O'Loan said she could find no evidence there was any intent to unlawfully kill or cause grievous bodily harm to the Derry teenager.

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Responding to the report, the victim's sister, Emma Whitters, said in light of the findings the then Director of Public Prosecution's decision not to prosecute the police officer concerned was questionable.

"Our family did not embark on this process in the belief that it would result in a prosecution but after so many years we have come to question the separation of law and state when it comes to state violence. The lack of prosecutions regarding deaths from plastic bullets reinforces these misgivings," she said.

The victim's mother, Helen Whitters, said that while she welcomed the findings, she would never find closure.

"There was nothing bad in Paul; we were not a political family...This brings sort of a closure but there will never be closure for the death of your child. If your child dies, part of your future is gone."

In response to the report, a PSNI spokesman said police have no desire to use plastic bullets again.

"The Police Service has also said that AEPs (attenuated energy projectiles) will not be used for the purposes of public order or crowd control but only in response to an individual or individuals threatening violence where the only alternative would be the use of life rounds following the same rules as in England and Wales."

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