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## Collusive behaviours but no prior knowledge of attacks

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The Police Ombudsman has today published a report into the RUC's handling of paramilitary attacks by the UDA/UFF between 1989 and 1993 which resulted in 19 murders and multiple attempted murders. The Ombudsman has identified collusive behaviours and raised significant concerns about police conduct.

All but one of the attacks took place in the north west of Northern Ireland. They included the murders of four people at Castlerock on 25 March 1993, and a gun attack which claimed the lives of eight people at Greysteel on 30 March 1993.

PDF: Full public statement



[OPERATION-GREENWICH.pdf](#)

One of the attacks, the murder of Sinn Fein councillor Eddie Fullerton, took place in Co. Donegal in May 1991.

Mrs Marie Anderson reported that her investigation found no evidence that the RUC had any prior knowledge of the attacks.

She stated that an initial failure by the RUC to ensure that it had adequate intelligence about the activities of the North West UDA/UFF led to an inability 'to effectively counteract the threat posed by them which began to emerge in 1989.'

After investigating police actions in relation to these attacks, Mrs Anderson said her enquiries had identified a number of significant concerns and said she was of the view that the families concerns about collusive behaviours were legitimate and justified. Matters identified included:

- Intelligence and surveillance failings which led to the arming of the North West UDA/UFF with military assault rifles

- Failure to warn a number of individuals of threats to their lives
- Failure by police to adequately address UDR officers passing information to loyalist paramilitaries
- Deliberate destruction of records relating to informants who were suspected of having been involved in serious criminality including murder
- Failure to disseminate all relevant intelligence to police officers investigating a number of the attacks
- Failures in the use and handling of informants suspected of being involved in serious criminality including murder

However, she also stated that, generally, police investigations into the attacks were 'prompt and thorough' resulting in a number of convictions of those responsible for the attacks.

The investigation identified a number of instances where RUC Special Branch had obtained information from informants which 'impacted upon the effectiveness of the UDA/UFF as a terrorist organisation and may have saved lives.'

During the Police Ombudsman's investigation, evidential files relating to suspected criminality by two former police officers were sent to the Public Prosecution Service (PPS). One was suspected of passing sensitive information to loyalist paramilitaries, the other of failing to disclose in a file to the then Director of Public Prosecutions that a suspect was also an informant. The PPS directed that neither officer should be prosecuted.

The findings are contained in a 336 page report following a complex and lengthy investigation.

### **Inadequate response to 'growing threat' posed by North West UDA/UFF**

Mrs Anderson said that the RUC had been aware of the growing threat posed by the North West UDA/UFF from early 1989 onwards.

Intelligence indicated that the North West UDA/UFF had acquired military assault rifles linked to the 1987 loyalist weapons importation, one of which was first used in the murder of Mr Gerard Casey in April 1989.

'My investigation has established that weapons, believed to have been part of this importation, were subsequently used in other North West UDA/UFF attacks between 1989 and 1993, following the murder of Mr Casey.'

The threat posed by the North West UDA/UFF was exacerbated by what Mrs Anderson described as its significant intelligence-gathering activities during this period. The names of hundreds of people from the republican and nationalist communities were discovered in loyalist 'intelligence caches' between November 1989 and February 1992.

'I am of the view that police were aware of the growing threat posed by the North West UDA/UFF from 1989 onwards. This increased threat, however, was not initially accompanied by a policing response proportionate to the increased risk to members of the republican and nationalist communities.'

### **Inconsistent approach to threat warnings**

Mrs Anderson also expressed concern that a number of individuals whose names were discovered in the 'intelligence caches' received no warning from police that their lives might be at risk, in contravention of RUC Force Orders. There is also no evidence that police assessed the risks to a number of those individuals.

Of the eleven attacks subject of the investigation, seven involved the targeting of individuals whose names had appeared in the 'caches'. The lists included the names of six of the 19 people murdered by the UDA/UFF during this period and that of Patrick McErlain, who survived an attack in August 1992.

Mrs Anderson was unable to conclude that the notification of threat warnings, in itself, would have been sufficient to protect these individuals from subsequent attack. However, she concluded that a threat notification would have allowed them to review their personal safety measures in light of the heightened risk.

### **Thorough investigations and intelligence successes**

However, Mrs Anderson also stated that investigations by the RUC into attacks by the North West UDA/UFF during the period were 'prompt and thorough.'

'The majority of intelligence obtained by Special Branch was shared with murder investigation teams in a timely manner.'

'Arrests were made and, where evidence existed, files submitted to the DPP. A number of individuals were prosecuted and convicted.'

Mrs Anderson added that she had found no evidence that any police officer had committed a criminal offence by protecting an informant from arrest and/or prosecution.

### **Concerns about the use and management of informants**

Mrs Anderson said there were aspects of the RUC's use and management of informants which had caused her concern.

She said police had continued to use a number of informants when they ought to have been aware that those people had failed to provide information about the activities of the North West UDA/UFF.

Mrs Anderson also referred to informants whom she said were allowed to continue in the role despite RUC Special Branch possessing intelligence that they were involved in serious criminality, including murder.

'I am of the view that this illustrated a practice on the part of some RUC Special Branch officers to recruit, and continue to use, informants suspected of involvement in serious criminality, including murder, contrary to applicable RUC policy at the time.'

### **Inadequate response the passing of information to loyalist paramilitaries**

Mrs Anderson also expressed concern that police had failed to deal appropriately with members of the security forces suspected of having passed sensitive information to loyalist paramilitaries.

She stated that although her investigation had found that some members suspected of involvement in such activity had been properly investigated, the investigation had also identified instances where members of the RUC and UDR were not subject to criminal investigations despite intelligence linking them to serious offences.

"Instead," she said, "they were dismissed or repositioned. I am of the view that the RUC response to these matters was both inconsistent and inadequate."

Mrs Anderson referred in particular to a failure to properly investigate suspicions that UDR members and RUC officers in the north west had passed information to terrorists or had otherwise assisted their activities.

She stated: "I am of the view that allegations of RUC officers passing information of use to terrorists was a serious matter that should have been investigated robustly and consistently."

## NOTES TO EDITORS

A PDF copy of the Police Ombudsman's full public statement is attached to this email.

The Police Ombudsman's investigation examined police actions in relation to a total of 19 murders and multiple attempted murders. These were:

1. The murder of Gerard Casey at Rasharkin, County Antrim, on 4 April 1989;
2. The murder of Eddie Fullerton at Buncrana, County Donegal, on 25 May 1991;
3. The murder of Patrick Shanaghan at Castlederg, County Tyrone, on 12 August 1991;
4. The murder of Thomas Donaghy, at Kilrea, County Derry/Londonderry, on 16 August 1991;
5. The murder of Bernard O'Hagan at Magherafelt, County Derry/Londonderry, on 16 September 1991;
6. The attempted murder of James McCorriston at Coleraine, County Derry/Londonderry, on 14 February 1992;
7. The murder of Daniel Cassidy at Kilrea, County Derry/Londonderry, on 2 April 1992;
8. The attempted murder of Patrick McErlain at Dunloy, County Antrim, on 28 August 1992;
9. The murder of Malachy Carey at Ballymoney, County Antrim. Mr Carey was shot on 12 December 1992 and died the following day as a result of his injuries;
10. The murders of Robert Dalrymple, James Kelly, James McKenna, and Noel O'Kane at Castlerock, County Derry/Londonderry, on 25 March 1993. A fifth man, Gerard McEldowney, was seriously injured in this attack; and
11. The murders of John Burns, Moira Duddy, Joseph McDermott, James Moore, John Moyne, Steven Mullan, and Karen Thompson at the Rising Sun Bar, Greysteel, County Derry/Londonderry, on 30 October 1993. An eighth victim, Samuel Montgomery, died as a result of injuries sustained in the attack on 14 April 1994.

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