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Trial of Constable John Robinson, 20 March to 3 April 1984

1. Constable Robinson was charged with the murder of Seamus Grew and Roderick Carroll on the night of 12 December 1982 in Armagh. Both were members of the INLA and were given INLA funerals. An RUC statement issued on the night of the shooting said that the car in which Grew and Carroll were travelling had accelerated through an RUC road check knocking down and injuring a Police Officer.

This shooting followed the shooting dead of three Provisional IRA members by the RUC at a police road block outside Lurgan on 11 November and of another man whom the RUC calimed to be a member of the IRA on 27 November, 1982.

2. Speaking to the Press on 14th December, 1982 Mr. Prior said that an enquiry would be conducted into the Armagh shootings by independent people from the police forces and that it would be up to the DPP to decide whether further action should be taken. He denied that there was an RUC special squad working to kill terrorists. He added that "there are special squads designed to prevent terrorism and to deal with terrorism but certainly not to kill terrorists". He added that if people break through road blocks and are suspected of being armed then the police are bound to take what measures they think necessary.

Shoot to Kill

3. These killings and a number of others in December and January 1983 by the security forces in Northern Ireland gave rise to speculation that a new shoot to kill policy had been adopted by the security forces in Northern Ireland. The killings raised considerable unease in the minority community.

4. They were raised with the British at both Ministerial and Official level. The Minister for Foreign Affairs did so trenchently with Mr. Prior when he met him on 1 February 1983. Mr. Prior denied that any new instructions had been issued to the security forces. He repeated what is now known to be false that Grew and Carroll had gone through a police road block injuring a police man. Mr. Prior also said that his initial reaction had been that shootings such as these could happen once or twice but after that it became very worrying. The Minister pointed to the damage they

caused to the relationship between the police and the minority.

5. Evidence which came to light about the killing of Grew and Carroll were passed on to the Chief Constable of the RUC by Cardinal Ó Fiaich. The hopes of responsible nationalists that the minority in Northern Ireland would give some support to the RUC rested to some degree on the outcome of this case. Both of those killed, though known to be INLA members, were unarmed at the time.

6. Following the incident leading to the deaths of Grew and Carroll, the RUC issued a statement on the night of the killing as follows:

"At approximately twenty past eight a two vehicle uniformed police road block was in operation at Girvans Bridge on the Armagh Keady road. A number of vehicles had passed through the road block when a car approached and was signalled to stop with a red light. It accelerated through the road check, knocking down and injuring a police officer. Police at the scene radioed another police vehicle in the area which moved in to give assistance and gave chase to the escaping vehicle which, by then, had been identified as belonging to a known leading terrorist. The police vehicle which was attempting to cut off the escaping car followed it at speed for some distance.

"When the escaping vehicle turned into Mullacreevie Park the police vehicle forced it to stop. The car then reversed at speed with its headlights full on, clearly identifying the police in uniform, who had dismounted from their vehicle, and were calling on the occupants to stop.

"The driver jumped out of the vehicle and the police, believing they were about to be fired on, themselves opened fire. Both the occupants were shot. The police officer who was injured at the road block was taken to Craigavon hospital suffering from injuries to the head, legs and hands. An extensive search of the area from the road check to the scene of the shooting is being carried out."

7. Subsequently, Robinson changed his version of the incident, when forensic evidence became available which disproved the original statement.

- He admitted that he went round the front of Grew's car

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and fired a second time - after having already emptied a magazine of 14 bullets into the car from the other side;

- Robinson is said to have told detectives: "It is possible I must have fired my last shot when I opened the door" (of Grew's car).

In Court, Robinson again changed his account of what happened and his testimony included the following:

- Senior RUC officers concocted a cover-up story of evidence leading to the Grew and Carroll killings.
- He was ordered under the Official Secrets Act to use the cover story so as not to involve the Special Branch, the British Army Surveillance Unit and to protect the life of a source.
- A source had informed the RUC that Dominic McGlinchey would be active in Armagh on the weekend the killings took place and a major operation was ordered to capture him. The operation involved the Special Branch, the Army and the Special Support Unit of the RUC of which he was a member.
- He had been trained to use maximum fire power to remove danger.
- As part of the cover-up an accident involving a police car and two cars used by the Army Surveillance Unit was changed by a fake radio message to a vehicle check-point and to involve the car in which those who were killed were travelling.
- He claimed RUC Special Branch officers were operating "outside the jurisdiction" (believed to be within the territory of the State) on the night of the shooting. According to a newspaper report "he believes their involvement was that they were operating at the time outside our own jurisdiction".

It is significant that Crown Counsel are reported in the newspapers as having indicated their intention not to challenge Robinson's statements.

The interpretation of a number of Unionist barristers, whom an officer of the Department met, was that the line taken by the Crown Counsel in effect amounted to an admission.

8. Following discussion with the Minister and Secretary of the Department of Foreign Affairs, the British Ambassador was called to the Department of Foreign Affairs on 30 March. The following is a note of what was said:

I said to him that I wished to confirm that any activities of the security forces of any other country within our jurisdiction and without our agreement were unacceptable to the Irish Government.

He took note of this and said he would convey it to his authorities. He made it clear that he was aware that this arose from the statement in the Belfast Crown Court of 29 March of Constable Robinson.

Very careful consideration was given to the form with which the matter would be raised with the British, the purpose being to be able to say that the matter had been raised but without getting into the contentious area of whether the claim made in court was true or false.