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*File 7*

*Handwritten notes and signatures:*  
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2.1.91

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M. Walker: P. 08  
M. de...: M. P...  
Box  
M. P. de...*

SECURE FAX NO. 628

IMMEDIATE AND CONFIDENTIAL

Date: 2.1.91

To: HQ  
From: Belfast  
For: Ass. Sec Gallagher  
From: Joint Secretary

Cullyhanna Shootings

I discussed this matter further with Robert Alston this morning drawing his attention to the calls by Archbishop Daly and Seamus Mallon for an independent inquiry and to the news reports and editorials in the Irish News, Irish Press and News Letter. You will have seen the Irish News report that six further eyewitnesses have made statements to the Caraher family solicitor saying there was no warning, the car did not smash through the checkpoint and no soldiers were injured.

I said that there was strong pressure building up in this case and I asked for an urgent response to the questions which were given to the other side on New Year's Eve (see my SF627 to Ronan Murphy). I recalled similar incidents in recent years including Whiterock, MacAnespie and The Kildress Inn and said there was very strong dissatisfaction in the nationalist community with the Government's treatment of these incidents which lay behind the calls by Archbishop Daly and Seamus Mallon for an independent inquiry. I have pointed out that information was supplied to us fairly quickly in certain previous cases, eg, Loughgall and Whiterock. Mr Alston has promised to try to provide a response in the next 24 hours.

SECURE FAX NO. 627

1 January 1991

To: HQ

From: Belfast

For: Ronan Murphy

From: Joint Secretary

Gullyhanna Shootings

1. I attach copy of an aide memoire given to the British side yesterday afternoon. The questions are based on your Secure Fax 434, with some additions, notably on the identity and role of the third man reported to be involved and the question of the suspension or standing down from duty of the soldier(s) who did the shooting. You will see from the attached report in yesterday evening's Belfast Telegraph that the army has said that the soldiers have not been suspended and are back on duty. The soldiers apparently injured by the car are also reported to be back on duty.
2. I also attach a report from today's Irish News which gives the evidence of Francis Caraher at a Sinn Féin press conference yesterday. He says no warning was given by the soldiers.

Cullyhanna Shootings

These shootings have caused a great deal of concern.

We appreciate that the matter is now under police investigation and that a report will be made in due course to the DPP. However, we have asked for and received information in similar incidents in the past, given where necessary in confidence. In view of local concern and reports from the area, we would be grateful for the fullest possible information at this stage and in particular, for the answers to the questions below:-

1. Was the car in which the Caraher brothers were travelling stopped at an earlier checkpoint, before the one near which they were shot? If so, how far apart were the two checkpoints?
2. What transpired at the first checkpoint. Was there a row or altercation?
3. Was anything discovered in the car at the first checkpoint?
4. What happened after the Carahers left the first checkpoint?
5. Were the two unarmed when shot?
6. Was a warning issued? In other respects, were yellow card instructions followed?
7. How many shots were fired?
8. Where was the car when the shots were fired? Was it in front of the checkpoint or after it? There are reports that bullets struck the car from the front).
9. Was the car stationary or moving when it was hit?

10. Were soldiers struck by the car, carried on the bonnet? If so, what were the circumstances?
11. What regiment was involved in the shooting? (Marines?)
12. Were members of the RUC present at either checkpoint?
13. What was the nature of the injuries to the Carahers?
14. What is the present condition of Michael Caraher?
15. Was there a third man with the Carahers when the shooting occurred? If so, who was he and what was his role?
16. How long is the RUC investigation likely to take?
17. Are other investigations in progress or contemplated by the Army, the IPCC or other authorities?
18. Are the soldiers involved suspended or stood down from operational duty?