



An Chartlann Náisiúnta
National Archives

Reference Code: 2021/47/119

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.

AN RÚNAÍOCHT ANGLA-ÉIREANNACH

BÉAL FEIRSTE

ANGLO-IRISH SECRETARIAT

BELFAST

PA - UDR4

16 December, 1992

a. J. Keble

W. J. Keble

pc PA.

21.12.92

Mr. Pat Hennessy
Counsellor
Anglo-Irish Division
Department of Foreign Affairs
Dublin 2

Dear Pat

TV Programme on UDR 4

It would appear that the transcript on the above programme, which we prepared, has not been forwarded to you and I am now therefore enclosing a copy.

Yours sincerely

Sean Farrell

Sean Farrell

Transcript of "Critical Eye" Programme on the "UDR 4"

Noel Bell: This was really strange behaviour from the police, I had certainly never seen that side of the police before and I was really very very confused, I was frightened and confused because I didn't know what was going to happen next.

Winston Allen: Over a period of days when you start to tire and the physical and the psychological pressure it starts to get to you, then you start to believe the police and you start to believe what they say and you actually believe that it is your best way out and that's to sign the statement.

Jim Hegan: When I was convicted I was shattered you know at that having taken place, everything that I was brought up to believe in, respect for Law and Order and the RUC, everything was shattered, you know my faith in justice was zero that day.

"Loyalty on the Line" - CAPTION

Presenter: This is a story of a murder in Northern Ireland. It led four British soldiers to question their loyalty to the very system of justice they were meant to uphold. The setting is Armagh, a small market town which on the surface looks like any other in the United Kingdom. Nine years ago the murder of Adrian Carroll, a young Catholic man, put four members of the British Army behind bars. Three of the four were released this summer following evidence that police officers had lied in Court. For the first time many in the Protestant community are now questioning the actions of the police force, the Royal Ulster Constabulary. Tonight's Critical Eye uncovers the police malpractice that put four soldiers in prison on a murder charge, as we go behind the headlines.

(Radio News Report, 12th July, 1992)

..... behind bars, three of the UDR Four walked to freedom. It had been their second appeal and the judges had ruled that their verbal and written statements couldn't be relied upon because of police malpractice but their elation was tempered by the absence of Neil Latimer who was on his way back to serving a life sentence as they became free men.

(Ken McGuinness T.V. Interview)

..... How can one man be guilty. Either one is guilty or the thirteen members of the patrol are guilty. Either three are innocent or all are innocent. There can't be half measures and what we have seen today is a travesty of justice that Northern Ireland has not witnessed in all the sad times of the last 20 years.

(Interview with 3 men freed)

What do you want to see done now?

Well I would like to see them responsible brought to justice.

How do you compensate for the lost nine years?

How can you compensate for it, you can't

Presenter: The UDR Four were former members of the Ulster Defence Regiment, a section of the British Army, drawn almost exclusively from Northern Ireland's Protestant community. As three drive to freedom the fourth Neil Latimer, continues his life sentence.

According to the Crown case he could not have carried out the murder alone, yet only three out of the four convictions were quashed.

Winston Allen: It's great to be free but in ways too I'm angry in a way because I've missed so much and it has taken so long to come to this decision. Really I spent nine years for nothing, absolutely nothing.

I was aware that the Ulster Defence Regiment had a sectarian image but it didn't really bother me at that time because I felt that this was just false propaganda. The opinions of the security forces at the moment have changed quite a bit. I found myself leaning much more towards the nationalist opinion of the security forces because of my own experience.

Jim Hegan: I will not be satisfied till the whole truth of this case is established and that everyone can see what the truth is and where the corruption is and how the whole case came about in the first place. There is no difference whether the injustice affects somebody from a nationalist community, the suffering is all the same for their families. We are not the only case. It has been going on for years and to this day there are still innocent men in Macaberry and in the Maze.

Noel Bell: Whatever I am doing, the wee jobs that I am doing at the moment, I'm throwing myself into them and trying to get a purpose and a direction and trying to keep my mind off what has happened to me because it was rather dramatic and there were quite a number of times during my period of imprisonment when I did feel like giving up hope. It was like beating your head against a brick wall all the time, trying to get people

to believe in you. Armagh had always been polarised. There was the Roman Catholic community and there was the Protestant community and both sides never mixed and it wasn't just something that was done, there was no mixing from the two sides.

Presenter: Armagh lies near the border with the Republic of Ireland in an area known locally as the "murder triangle". People here go about their daily business but they also live with the constant fear of violence. The early 1980's was a time of high tension between the two communities after a series of murders. The shooting of Adrian Carroll was another cold-blooded sectarian killing. His brother belonged to the Irish National Liberation Army, enough to make Adrian a target, even though he himself had never been involved.

"The Crown Case" - CAPTION

Two weeks after the shooting a woman made contact with two priests who ...the community. This woman, known only as "Witness A" was the main Crown witness at the trial of the UDR Four.

(Fr. Denis Faul - interview)

So I went over to Fr. Murray and we went out to her house, which is near Armagh City and we met this woman and she told us her story, which was quite a surprise to us and quite an alarming surprise to us.

Presenter: Witness A did not see the murder take place. Five minutes before the shooting she was half a mile away in Lonsdale Street. But what she claimed to have seen there on 8th November 1983 was to become central to the Crown case.

Fr. Faul: She saw two UDR men bringing a civilian down from the front of the Technical College and she thought somebody had been arrested. She recognised him as Neil Latimer. She noticed he was dressed in some kind of a tartan coat and scarf and cap or something like that.

Presenter: Witness A knew Neil Latimer and knew he was in the UDR. Her statement claimed she saw him dressed in civilian clothing, apparently being arrested by a UDR patrol. The Crown claimed later that Latimer left his patrol to change out of his uniform behind a portocabin in the Technical College. At 4.30 p.m. his own patrol carried out the so-called mock arrest, in order to get him back into the Land Rover in disguise. The Crown said Latimer was then dropped off by his patrol at Adrian Carroll's workplace. He trailed him home and at 4.36 p.m. shot him. But a workmate of Adrian's had walked home behind him. He gave evidence at the original trial that he saw no one else following Adrian. The Crown said that Latimer then ran back down through the busy town to rejoin his patrol, yet there were no witnesses to this. In fact a police constable in the street at the time gave evidence that he did not see the UDR Land Rover.

Joe Rice (Neil Latimer's Solicitor): Given the size of Armagh and given the nature of this particular shooting, it seems unusual that the modus operandi to be used by the gunman would have included a mock arrest and certainly it seems strange to me, and I am from Armagh, that the gunman having effected the shooting would then have ran down one of the main streets in Armagh during quite a busy period back down to the same Land Rover, presumably where he had come from previously.

Presenter: Broadcaster and Author Robert Kee, who helped expose the Guildford Four case has become an expert in miscarriages of justice.

Robert Kee: When I first looked at these transcripts of the trial the first thing that struck me as being strange to say the least was that if paramilitaries operating from within the UDR, we know there were such, wish to wipe out a Catholic in Armagh City, they would not do it by such an elaborate, conspiratorial and attention-seeking operation as apparently the Crown said had taken place with the murder of Adrian Carroll. They would not use 13 men in a UDR patrol. You would use one man to wipe out one man in Armagh city as, alas, has happened before.

Presenter: Later, on a local news bulletin, Witness A heard that Adrian Carroll had been murdered by a man wearing a tartan cap.

(Radio Coverage)

The shooting happened in an alley outside his home in front of two young girls. They told the police that the killer was wearing a tartan cap.....

Presenter: Two weeks after seeing this bulletin Witness A made a statement to her local priest.

(Radio Coverage)

The organisation has claimed responsibility for a number of sectarian murders in the past.

Fr. Faul: Nothing whatsoever would make me doubt the statement of Witness A. She was an intelligent, rational, calm woman, making a statement about something she saw. She had no malicious intentions in making that statement as far as I could see. I would never have any doubt, I never had any doubt about the truthfulness. The Detective interviewed her and the Detectives know their job. They would speedily find out if it was a made up or malicious statement and they would get rid of it. I have known that to happen in other cases.

Presenter: Neil Latimer was arrested three weeks after the killing on the basis of her statement. All thirteen members of the patrol were originally taken in for questioning. Only five went on to confess to the murder of Carroll. The fifth man's case collapsed at the original trial when the police were found to have lied in Court, yet the four men were still found guilty. Witness A was not an eye witness to the murder but her account of the mock arrest has become central to the Crown case.

Joe Rice (Latimer's Solicitor): Obviously, Neil Latimer will say that there was no mock arrest. Other members of that patrol have said that there was never a mock arrest. The mock arrest is very much necessary because one of the main planks of the Crown case is the evidence of Witness A. She says, alone, that a mock arrest took place and the Crown obviously have to rely upon the fact that her evidence is true.

Robert Kee: Why do all the judges so much want to believe only Witness A. She, according to the original trial judge and the appeal court hearing, is totally believable and absolutely makes, according to them, the case against Latimer watertight. There are on the other hand, I think I have counted eight, other witnesses, who suggest that the way in

which the Crown allege the murder took place must have been totally wrong and it must have happened some other way.

Presenter: The eight other witnesses all contradict the Crown case. The police constable, Adrian Carroll's workmate, a neighbour, a gardener, an Army Sergeant, two farm workers and the only eye witness to the killing, all gave evidence which together provide Neil Latimer with an alibi. Most of them felt unable to take part in this programme for fear of repercussions.

"The Men's Alibi" CAPTION

Presenter: The UDR Four have maintained over nine years that they played no part in the murder. They gave a different account of their movements that day. They were part of a 13-man patrol working on the outskirts of Armagh. Their brief was to find a hidden arms cache. The search was called off at 4.25 due to bad light. Two farm workers stated that they were stopped by the patrol. A few minutes after driving into town they heard shots. They say the patrol had not passed them on the way in. Based on this account the UDR patrol could not have been in Armagh at the time of the murder. Unaware of the shooting the patrol drove straight back to base, their arrival witnessed by an Army Sergeant, Samuel Lowry, who was on duty at the time.

"Case for the Defence" CAPTION

Presenter: There is another version of how this murder was carried out. The only eye witness went to the police immediately after the shooting but her evidence has always been ignored by the Crown. Elaine Dunne was posting letters

when she saw a man wearing a tartan cap. They exchanged glances.

Elaine Dunne: It was really eye contact with the gunman but I didn't know he was the gunman at the time but he was going up Abbey Street, the same street that I was going to have to walk back to work to. It's quite a lonely place, Abbey Street. He was a bit in front of me and I seen him taking out a gun and firing a couple of shots. The gunman definitely was not Neil Latimer. I seen the gunman quite at a close range and if I had of known that man I would have spoken to him. It definitely wasn't Neil, height wise, face, everything, it wasn't Neil, I don't know, it definitely wasn't Neil Latimer.

Presenter: Elaine would have recognised Neil Latimer as they lived in the same street. The Judge chose to discount her evidence in favour of Witness A.

Joe Rice: We believe that there is much better evidence to be found in the evidence of Elaine Dunne. She was a witness who went straight to the police at the time of the murder and who gave a description of the gunman that it could not possibly be Neil Latimer. Unfortunately the Court of Appeal have held that she is probably an honest witness but a mistaken witness. We do not believe that she is mistaken. We believe that Elaine Dunne is telling the truth.

Presenter: One of Carroll's neighbours, and a gardener, supported Elaine Dunne's evidence. According to them the gunman ran up Abbey Street and not down as stated by the Crown.

Joe Rice: There is enough evidence to support the view that the gunman left the area by departing from the top of Abbey

Street by use of a Ford Cortina, which we now know had been stolen in Belfast some days previously.

Presenter: The Protestant Action Force, an alias used by the Ulster Volunteer Force, a Loyalist Paramilitary Group, claimed the killing. They have put out seven statements denying that Neil Latimer and the rest of his UDR patrol played any part in the murder. A former Commanding Officer of the UVF was informed of operations in Armagh at that time. He has explained for the first time how he believes the shooting was carried out. He is known to the security forces and is willing to cooperate with the RUC. He is unwilling to be seen on television for fear of reprisals against his family from the local community. He was prepared to give us a statement.

(Statement by former Commander, UVF)

Neil Latimer did not shoot Adrian Carroll. It was carried out under the strictest command of a "let" team. This means that one particular unit has an assignment in another area. They will be watching their victim for maybe two weeks and then it is carried out by that outside unit and then they move back into their own area again. They are unknown to that particular area and then brought back out again so that no one can possibly identify them.

Jim Began: We have been at pains to understand why we were arrested in the first place and it is now that we see clearly that in the early 1980's the RUC were under immense political pressure in relation to the alleged shoot-to-kill policy that was carried out by them.

Noel Bell: The pressure on the RUC at that time in Armagh was pretty immense because they were being accused of shooting innocent Roman Catholics.

Presenter: In 1982 six unarmed men were shot dead by the RUC in what became known as the "shoot-to-kill" incidents. One of them was Roddy Carroll, Adrian's brother. There was growing concern amongst human rights organisations, such as Amnesty International, that the police force in Northern Ireland was acting unlawfully. At the same time a series of unsolved murders and attempted murders in Armagh led to nationalist claims that the Ulster Defence Regiment were involved in sectarian killings.

(Seamus Mallon - Interview)

The problem of the UDR goes back to the day and hour it was founded, where you have a Regiment which was so predominately representative of one section of the community, where the ethic was very much a Unionist ethic to the exclusion of all other ethics, then I think the problem is much much deeper than that and I think the problem there within the Ulster Defence Regiment has always been the ambivalence in relation to what was the law of the land.

Fr. Faul: The UDR represented the armed Protestants of the community. You can't arm one side of the community and give them guns and excessive special powers, legal powers, to do more or less what they like with the other half of the community and that was the situation.

Seamus Mallon: You had a rather emotive cauldron in a place like Armagh at that period of time, and within that context the UDR were behaving very very offensively towards the

Catholic community. Indeed it had got to the stage where those of us who were representing the community were recognising clearly that a number of members of the UDR were simply out of control.

Fr. Faul: It was an alarming surprise to us to hear that members of the UDR on duty were suspected of being involved in the murder of Adrian Carroll. Because a nightmare for the Catholic community since the setting up of Northern Ireland has been that armed Protestants in the uniform of the Queen would come with their weapons and with the protection of the law and murder Catholics. It has happened a number of times and is the ultimate nightmare because it means there is no law and order.

Presenter: Nationalists condemning the UDR as out of control, and the police needing to prove their fairness to both communities could explain why action was taken against the UDR.

Jim Hegan: It is only within the recent years that we have come to know of what took place before we were arrested and someone sat down and decided to take the pressure off the RUC if they arrested members of the Ulster Defence Regiment. That would show to the community that they are impartial and evenhanded.

Noel Bell: The UDR were not held in very high esteem by the RUC. They were seen as a second-rate force, so someone, we believe, came to the decision to frame a section of the UDR for the murder of Adrian Carroll.

Presenter: Other convictions at this time proved their was collusion between members of the Ulster Defence Regiment and Loyalist murder squads.

(Statement - former UVF Commander)

The UVF, the UDA and all the terrorist organisations do send men into the UDR to get trained. Where could you find a better training place than to send men into a legal organisation where they are going to get handling weapons or they are going to get handling explosives maybe, plus the information that is being filtered out. I mean there is lots of information comes to the security forces.

Presenter: The police in Armagh had to be seen to take action on paramilitary collusion with the Ulster Defence Regiment but why was Neil Latimer's patrol singled out and what happened in Castlereagh to make these men confess to a murder they did not commit.

"Loyalty on the line - part two" - CAPTION

Presenter: Three weeks after the shotting of Adrian Carroll in Armagh, four soldiers were arrested from their homes in the early hours of the morning and taken to Castlereagh Holding Centre in Belfast.

Jim Hegan: Various thoughts were coming back about what people had said about Castlereagh over the years where I know that they'll hit you and that, leave marks on you. Well I was standing there with my arms across my stomach to protest myself in fear of being punched in the stomach but as I said

the Inspector who was making most of the threats, it wasn't him that hit me and in fact I was taken unawares whenever I was struck on both sides of the face by the other officer and this really stung me that I was being assaulted by an RUC officer whom I had great respect for, you know working with the RUC officers over the years.

Joe Rice: Castlereagh is one of the main three Holding Centres in Northern Ireland attached to a police station where terrorist suspects are interrogated in relation to their alleged crimes. The name itself conjures up images of torture, inhumane and degrading treatment. Unlike in England and Wales the Solicitor is not allowed to remain during interviews and really there is a feeling of isolation, there is an oppressive atmosphere by the very circumstances of being held incommunicado for up to 48 hours. That is the flavour of Castlereagh.

Winston Allen: You don't expect that type of hostility and when it runs against you its hard to know how to deal with it but then again I wasn't used to interrogation, I didn't expect that type of situation and well its just a matter of days and you start to wear down and you get tired and you are just under constant pressure.

Noel Bell: Throughout your day in Castlereagh the interviews are sort of inter-spaced between two nice detectives and two nasty detectives. That seems to be the way they work in the majority of cases. The two nice ones would come in and befriend you so to speak and say look this is the way to get out, this is how to get out, just tell the truth and tell us your involvement and we will do this for you, we will do that for you, we will get you home and all the hassle will stop and then the two nasty ones will come in again and give you a hard

time and they will slap you and punch you and then you will be wound up again and then the two nice ones will come in and it carries on all day until at the end, well I certainly couldn't take any more at the end of my first day in. It was just something I was totally unprepared for.

Jim Hegan: As the days went on I gradually got worn down. I was being confused, I was given too many things to think about, different threats were made against myself. One Detective informed me that my wife was going to be arrested and taken to Castlereagh and that my children were going to be put into care and the psychological impact of this, it was all wearing me down, it was all designed to wear me down.

Winston Allen: You start to tire and the physical and the psychological pressure it starts to get to you, well then you start to believe the police and you start to believe what they say and you actually believe that it is your best way out and that is to sign the statement and that actually takes the pressure off.

Noel Bell: Throughout the day they were constantly telling me how Neil Latimer said in his confessions that he had carried out this murder and what routes he took and what routes we were supposed to have taken so at the end of the day I knew all the facts or the facts as they believed them to be so as I could feed them back to him and this was all put into the statement and all I had to do basically was nod my head or answer yes or no to questions.

Jim Hegan: I had been asking for a Solicitor and this was denied me and I knew I was entitled to a Solicitor once I was in Castlereagh for 48 hours and as well as that I was entitled

to an Army Solicitor as I was a soldier and this was also denied to me in Castlereagh.

Noel Bell: At the time that I signed the confession I honestly never realised the importance of that act. I certainly never realised it was going to put me in prison because what the Superintendent told me was just tell the truth and get this off your mind and I will get you home the next morning and that was the utmost thought in my mind then, was just getting out of Castlereagh. It might seem very naive now to expect that actually putting your name to a confession of murder but the state of mind I was in, I was just grasping at straws.

Presenter: At the original trial in 1986 the police officers from Castlereagh denied under Oath that any threats had been made, access to Solicitors denied or confessions forced. But last year the police were found to have lied when the interview notes were subjected to a forensic analysis called ESDA.

Robert Kee: ESDA very simply ... very simply, is a complicated scientific method of testing interview notes by looking at the impressions made on the pages below those notes to find out what actually happened at interviews rather than simply accepting what the documents produced in Court say happened. The simplest way of saying what ESDA revealed in this case is by quoting the three judges' ruling from the Appeal Court and they say "the ESDA examination of the interview notes has disclosed matters of the utmost gravity". They say "the police rewrote interview notes after the conclusion of the respective interviews, that they gave untruthful evidence at the trial" and "its also clear that some authentications", say the judges, "were falsely appended

to the notes by some senior officers" and they go on to say "we therefore direct that this judgement be sent by the Registrar of this Court to the Director of Public Prosecutions".

Presenter: Neil Latimer continues his life sentence for murder in Maghaberry Prison. What has confused many is why the Appeal Court judgement quashed only three of the four convictions. The judges made much of the fact that Latimer confessed on the first day but Latimer has always maintained he only did so because he was bullied, threatened and offered inducements.

Joe Rice: Neil Latimer was 21 years of age when he was arrested by the police in Armagh. He had left school at 17 years of age. He had no formal education. Unfortunately within the first few hours he was put under quite formidable pressures to make statements and ultimately he did make statements to a crime that he did not commit.

Robert Kee: The documents which tell you about the interviews make clear in Latimer's case that he was in the most fearful muddle all the time, that he seemed to be wanting to tell the police what, one rather gathers they wanted to be told, but he doesn't seem at all clear as to what it is they want to be told. For a very small example of that, at one point he talks about a change of clothes, he talks about changing from his civilian clothes, a jumper, jeans etc. into his UDR uniform. Then you see when you come to the actual confession, of course its all clean and straightforward and coherent ... I went down to Lonsdale Street that morning in my own car and put the dufflecoat and cap and the glasses that were in the dufflecoat in a blue bag under one of the huts and I went back up home.

No mention, incidentally, of the first change, inexplicable change from civilian clothes into a UDR uniform.

Presenter: We sent Latimer's interview notes to a former Appeal Court Judge. Sir Frederick Lawton served for 14 years on the Appeal Court Bench, not in Belfast but in England. He found the police methods unacceptable.

(Sir Frederick Lawton's Statement)

"Had I been sitting on the hearing I would have said I had a lurking doubt about Latimer's conviction and that in consequence it should be quashed. I am of the opinion that the questioning was oppressive and that any confession obtained as a result of it should have been adjudged inadmissible".

Joe Rice: We have no doubt that at least seven of Latimer's interviews were tampered with. Now when I say tampered with I mean basically that the interview notes in relation to those seven were re-written at some time after they were supposed to have been written up and also that false authentications were appended by the two most senior officers in the case.

Presenter: The senior officer in the case was Detective Superintendent James Mitchell. He was in charge of an operation which rode roughshod over the suspects rights. Police officers who questioned Latimer took part in interviews which were subsequently re-written. Notes were authenticated by senior officers up to five days late. Access to Solicitors was denied until confessions had been signed. The requests were then removed from the notes. Despite all the irregularities surrounding his case Latimer remains in prison.

Noel Bell: The number one thing in my life will be to get Neil out. Not just for Neil's sake but for all of our sakes, cos it will only be then I feel that our names will be cleared.

Radio interview with 3 freed men - (Eamonn Mallie, Downtown Radio)

Interviewer: Okay, gentlemen, you have just come out from speaking with Neil Latimer. Can you just tell me what were your real emotions as you re-entered that prison as free men to see an inmate?

Noel Bell: It was a very emotional experience Eamonn. It was as you know any time we had been into visits we were prisoners and we couldn't walk in the front gate or walk back out of it again all we knew was the back route in and out.

Interviewer: Winston Allen, the Director of Public Prosecutions has now got to decide whether in fact charges should be brought against certain officers who in the words of the judges said that they distorted notes, re-wrote notes and realised the situation which was unacceptable to the Court. Do you trust the impartiality of the DPP?

Winston Allen: No, I would say I'd be very dubious about it all because in the past, even in our own case, we expected justice to be done and I felt from 1986, probably, that justice was going to be done but it didn't work out so now after nine years in jail I can't really trust the system or the DPP.

Interviewer: So are you saying then that there is one great conspiracy - you've got the executive in the person of the

State, you've got the police and you've got the judiciary all working together to deny people like you and Neil Latimer justice. Is that what you are saying?

Jim Heqan: Well what I am saying is that the methods that are used in Castlereagh to obtain statements have to be covered up whenever these detectives are in the witness box giving evidence and whenever they cover up the methods that they use when they are being cross-examined they perverted the Court of Justice in our case.

Interviewer: The RUC officers are very skilled people. They have had 20 years of experience of interrogating, questioning people like you. Why do you think that they universally, still say, in private that you are guilty people?

Noel Bell: It will take time but we will need to get to the very bottom of how the case came about, how we were fingered and how the blame was put on to us. I think that is the important thing. It is to get to the very bottom of the case.

Interviewer: Would you share that view, Winston Allen?

Winston Allen: Yes, I would, but I feel too once policemen get statements I think they just automatically believe that there's guilt. They really don't look any further to find the truth. You know really if they had investigated the death property and looked for the truth instead of just looking to statements to find the guilt of a man, it would have been a completely different story today.

Noel Bell: I know when we were giving evidence in Court we spoke the truth and the policemen when it came to their turn to give evidence they were the ones that lied and at the end

of the day the judges took the word of the police over our word and whenever you analyse that it is not too hard to see why with the present situation in Northern Ireland. The police must be believed and they must be seen to be the enforcers of law.

Presenter: Last year the RUC appointed the Senior Force Detective, Chief Superintendent Alfred Entwhistle to conduct a fresh enquiry into the original investigation. His report was never published but we have obtained a copy. Entwhistle's report finally sheds some light on why Latimer's patrol was suspected of being involved in the murder of Adrian Carroll. The patrol was brought to the attention of Special Branch on the night of the killing by an English Company Sergeant Major based in Armagh with the Second UDR Battalion. He told the police that Latimer's patrol sergeant had a motive for the killing as his brother-in-law had been murdered by the IRA the previous year. No hard evidence, but enough to cast a shadow over the entire patrol. Entwhistle assessed the evidence of the two main witnesses of the case in a similar way. He found Witness A to be an honest witness but he downgraded the evidence of Elaine Dunne.

Robert Kee: The Entwhistle report seemed to be suggesting that Elaine Dunne might have had a special reason to defend the UDR because her father-in-law had been murdered by the IRA. Now, in fact, this does not come up in the ruling of the Appeal Court at all but the Appeal Court does downgrade very strongly the evidence of someone who, to me, seems the most effective witness of the lot. I mean the girl who saw the murder.

Elaine Dunne: Whenever the shooting happened and I had went to the police station, I didn't know who had been shot. I

didn't know that the gunman was a Protestant. I didn't know that the victim was a Catholic. I went to the police because a shooting had happened and I was going to report what I had seen.

Presenter: Entwhistle confirms that regulations in Castlereagh were broken. In Neil Latimer's case one interview was re-written five days later and then authenticated by the senior officer, Superintendent Mitchell. But late authentication is a blatant contravention of the RUC's own rules. These state that interview notes must be signed as soon as possible to demonstrate that the notes are authentic and contemporaneous. Despite all the evidence of bad practice Entwhistle concludes "there was no attempt made to fabricate evidence, neither was there any attempt made to alter the content of interviews".

Robert Kee: The Entwhistle report, gave you the impression, or it gives I think, the ordinary man in the street, the impression reading it, that the didn't think the irregularities were very serious. However, the Appeal Court Judges did find them serious enough to quash the convictions of three of the four UDR people.

Jim Hegan: One would think if the RUC was a professional force, they would have the attitude and professionalism to investigate themselves but sadly that is not the case and that is why there is a need for a police force from the mainland to investigate the whole case thoroughly, to establish the truth and (unclear) the whitewash that Entwhistle was.

Presenter: Apart from Latimer's confession, which many argue should have been judged inadmissible, the only other evidence against him is Witness A's alleged sighting of him in Lonsdale

Street wearing a tartan cap. Witness A refused to talk to us but in a remarkable interview with Irish Radio she told a story that has never been told in Court. She believes the police lied to her about the events on the night of Carrolls' murder in 1983.

Witness A interviewed by Brendan Wright, "This Week", RTE

... directly after the killing. The detective at one stage told me they already knew who the murderer was and I asked him who it was and he 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 recognised him because she only lived around the corner. Now that turns out that is not true. That was very unfair, that statement. I mean why should the detective tell me a story like that or they, men in that position should know better if it is not the truth as I feel now that the police have been lying to me.

Wright: Do you think they are not telling the truth?

Witness A: At this stage, no they are not telling the truth. I think they have tricked me. I'd say there's tricks, dirty tricks Department. I've been to hell and back if you like. Just for a reason I believe that the police have made a blunder and I think its up to them to come with the 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.

Presenter: In August Witness A spoke to Fr. Patrick Buckley, a Roman Catholic priest. According to Fr. Buckley she made further retractions of her original evidence. He said "her conscience was troubled because she knew Latimer to be innocent of murder". Buckley then states "Witness A said that the man in Lonsdale Street was either Neil Latimer or someone who looked like Neil Latimer". Buckley also claimed that Witness A and her family had received favours from the RUC in Armagh in return for not retracting her evidence. Witness A's confusion about the events surrounding her original statement to the police raises serious doubts about her credibility as a witness. The fact that she now denies her alleged confessions to Fr. Buckley has increased cause for an independent inquiry into the whole affair. We wrote to the RUC Chief Constable Sir Hugh Annesley on two separate occasions, asking the RUC to participate in this programme but they refused. They also refused to give any written answers to questions we put to them about this case. They said "the matter is in the hands of the Director of Public Prosecutions and it would not be proper for us to comment further". Ironically, many in the nationalist community find themselves in the unusual position of supporting the police in this case, preferring to believe in the guilt of the UDR men rather than call for any further enquiries.

Fr. Faul: I thought the decision of the Appeal Court was a very good judgement, an excellent judgement. It picked out the truth and the right of the matter from the falsehood. In other words it supported the evidence of Witness A, it maintained the guilt of Neil Latimer, it maintained the part the UDR played in the murder of Adrian Carroll and at the same time it exonerated three of the accused who were in jail because they had not obtained their legal and human rights

while they were in custody in Castlereagh and therefore they were legally and technically innocent and were released.

Presenter: While Latimer remains in prison the police files are closed and many believe that the real killer remains free.

Statement, former Commander, UVF

He is pretty well known by the Security Forces. He has been involved in a lot of killings, not just in one area but in every area of the province. He is what they call a travelling gunman. I tried to bring this to the notice of the police and the army but they didn't want to know. I was told to shut my mouth. Somewhere along the line somebody has got to hear the truth and it has got to come out.

Noel Bell: It wouldn't be feasible for us to track down the killer of Adrian Carroll and hand him over to the authorities. Its just life wouldn't be worth living for ourselves or for our families, cos we could be here today and gone tomorrow. It's just as simple as that. Thats the way things work over in this country.

Presenter: The climate of fear and reprisal in Northern Ireland makes it difficult to establish what really happened in Armagh in 1983. It demands an independent inquiry determined to seek out the truth. But this high profile Protestant mis-carriage of justice has opened up an unprecedented debate within the community.

Friend of Jim Hegan: There is no justice in this country. Jim, there's none. When you think what you'se have been

through and what Neil is going through now, there definitely is none.

Jim Hegan: There is other blokes in prison who were convicted of crimes and they were not fortunate enough to be in contact with MP's and Churchmen like in our own case and other people of influence who pushed our case that we would have justice.

Another friend: Well I have sympathy with the nationalist side now. They were always saying that the police were harassing them up in Castlereagh and putting them down for things they didn't do. But now I can believe that this has been going on for years.

Another friend: I think it's very difficult for people from the Protestant community to gain support in cases like this for a lot of people think if they stand up and speak against the police or the Government, there's views that they're talking treason and you know its very hard to get people motivated and to speak out.

Another friend: You know I find this is very very difficult to stand up and be truthful from the heart how I feel because I'm condemning those policemen who perjured in this case but yet I'm upholder of my police force as well.

Another friend: You know I was probably naive and I think a lot of people in this country are too. I felt well who is going to sign a confession saying they committed the murder and that they didn't do it, I mean I believe that's the way a lot of people look at it. But now that I've looked at your case and several others, I mean we know what goes on in Castlereagh and its time we all stood up, shouted and got it stopped.

Another friend: I think you see that's one of the keys to the whole situation, the question of what goes on in Castlereagh and I think that's why you have to say that in some senses the judgement, even though Neil is left inside, in some senses the judgement is very helpful to us, the cause of improving the system of justice in Northern Ireland because it does put the spotlight on Castlereagh.

Another friend: I think really in order to break this vicious circle that we are travelling in that we need people with imagination and with courage to take political decisions to say we will return to proper law and after all isn't it true that the people will only respect the law when the law respects the people.

Another friend: It could be your child tomorrow. It could be my child tomorrow and I'm determined to fight on that Neil one day will be free and his name cleared and I feel that when Neil's name is cleared all the rest (unclear).

Presenter: Whilst Neil Latimer remains in prison the system of justice which lost the confidence of the nationalist community many years ago, is starting to be held in reasonable doubt by many of those previously loyal to the Crown.

Noel Bell: I do sympathise with the Carroll family, because okay, we have suffered a great injustice but they have suffered a number of injustices over the years and okay fair enough maybe they believe we murdered Adrian Carroll but I can say to them that we didn't. We had nothing whatsoever to do with that murder or any other murder in Armagh and whether they want to believe it, who am I to change their mind, but I would sympathise with them in the predicament because they

faced an injustice. Adrian Carroll will never get his
injustice reversed. We will, maybe, in time.

Presenter\Narrator : Ian McElhinny