

An Chartlann Náisiúnta
National Archives

Reference Code:	2022/45/536
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.

British Irish
RIGHTS WATCH

DEPT. OF FOREIGN AFFAIRS

REC'D
18 FEB 1999
MINISTERS PRIVATE OFFICE
DEPT. OF FOREIGN AFFAIRS

Mary Browne
Anglo Irish Divis

THE DEATH OF SEAMUS LUDLOW

FEBRUARY 1999

©DFA/2022/45/536

This report has been prepared by British Irish RIGHTS WATCH, a non-governmental organisation that monitors the human rights dimension of the conflict and peace process in Northern Ireland. Its services are available to anyone whose human rights have been affected by the conflict, regardless of religious, political or community affiliation. This statement is intended to be an impartial account of the facts of Seamus Ludlow's case. Wherever possible those facts have been verified by reference to documentary evidence, and the source is indicated in the footnotes to this statement. Where information is based solely on our discussions with Seamus Ludlow's family, that fact is clearly indicated.

Seamus Ludlow was born in 1929. He lived just south of the border for 47 years, at Mountpleasant, Dundalk, County Louth with his mother and sister's family. At the time of events described in this statement he was unmarried and was a forestry worker. He was Catholic and according to his family had no connections with any paramilitary organisation.

On Saturday 1 May 1976 Seamus Ludlow had spent the evening drinking at various bars[1]. He left the Lisdoo Arms and was seen shortly after midnight outside a garage hitching a lift home, which was about two miles away[2]. Seamus Ludlow failed to return home. His sister, Mrs Nan Sharkey, began a search for her brother the following morning, 2 May 1976[3]. His body was found that day by a tourist around 3:00pm in a lane just half a mile from his home, at Culfore near Dundalk[4]. A post-mortem examination was carried out by Dr John Harbinson, the State Pathologist. According to the post-mortem report, the body was lying on top of a grassy bank beside the lane. The post-mortem report concluded that Seamus Ludlow died from shock and haemorrhage as a result of bullet wounds in his heart, right lung and liver. Three bullets were retrieved from Seamus Ludlow's clothing and body and handed to Detective Garda Niland[5]. The pathologist offered no opinion in the post–mortem report regarding the calibre of bullets that killed him. This report noted that Seamus Ludlow's shoes "looked remarkably clean in view of the muddy nature of the lane in which the body was found". This led the murder investigation team at Dundalk Gardai Station to conclude that Seamus Ludlow had been murdered elsewhere and dumped near his home[6].

As the body was found south of the Irish Border the investigation into the murder of Seamus Ludlow was conducted by the Irish Police, An Garda Siochana. The investigation was headed by Superintendent Dan Murphy (now deceased) from Dublin Castle, together with a team of thirty detectives from Dublin and Dundalk. Local newspapers reported soon after the killing that the Gardai were investigating the possibility that Seamus Ludlow had been mistaken by his murderers for a top republican living in the area and on the wanted list of the SAS and the outlawed loyalist paramilitary group the

---

1 *Sunday Tribune* 8 March 1998
2 *Sunday Press* 9 May 1976
3 *The Argus* 19 June 1998
4 *The Sunday Press* 9 May 1976
5 The post-mortem report dated 3 May 1976
6 *The Sunday Press* 9 May 1976

©DFA/2022/45/536

Ulster Volunteer Force[7]. However, after three weeks of investigating the murder the Gardai suspended their initial investigation without explanation[8]. A local Garda has recently informed the Ludlow family that he believed orders to halt the investigation into the murder came from Dublin[9]. No one has ever been charged with the murder of Seamus Ludlow.

According to family sources, an important line of enquiry was ignored by the Gardai namely, that Seamus Ludlow was a victim of British Army or loyalist killers intent on murdering a top Provisional IRA man. His family has also critised the Gardai failure to question in connection with the killing a group of eight SAS men found over the border shortly after Seamus Ludlow's murder.

More particularly, Seamus Ludlow's relatives have accused the Gardai of conducting an orchestrated and persistent smear campaign against the dead man by making unfounded allegations that he was murdered by the IRA for being an informer. His family has claimed that this theory was spread by both the Gardai in Dundalk and the investigating murder squad in Dublin without any supporting evidence. Two family members were told separately and by different members of the Gardai that Seamus Ludlow had been killed by the IRA for informing and that other family members had known about the planned killing beforehand. Seamus Ludlow's brother-in-law, Kevin Donegan (now deceased), contacted the Gardai regularly after the murder to find out about the progress of the investigation. According to his son Michael Donegan, he was consistently told that Seamus Ludlow had been killed by the IRA and that members of his family had colluded with them. The IRA denied any responsibility for the murder of Seamus Ludlow shortly after his death[10].

It has also been alleged by the dead man's family that the British Army took an interest in the investigations conducted by the Gardai. The day after Seamus Ludlow's funeral, a British Army patrol called to Kevin Donegan's home, which was north of the border. According to his son Michael Donegan, he was informed that they had been sent by the Northern Irish police force, the Royal Ulster Constabulary, to find out about the line of enquiry being pursued by the Gardai. Kevin Donegan refused to speak to them but later went to Forkhill barracks to talk with the RUC. However, no police were present, only army personnel. He was airlifted to Bessbrook army base where a British Army officer questioned him for over an hour on the Gardai investigations. The family has stated that no member of the RUC has ever questioned them about the case or shown any interest in it [11].

An inquest into the death of Seamus Ludlow was held at County Louth on 19 August 1976 and conducted by Coroner Dr Thomas Edward Scully. Copies of three typed depositions by the State Pathologist, Sergeant Gannon and Kevin Ludlow presented at the inquest have been obtained. The latter two depositions are formal identifications. No other original documents which are

---

7 *The Independent* and *Sunday World* 16 May 1976
8 *The Argus* 19 June 1998
9 *Sunday Tribune* 15 March 1998
10 *The Irish Times* 4 May 1976
11 *Sunday Tribune* 15 March 1998

©DFA/2022/45/536

likely to be relevant to an inquest, such as a formal findings or verdict, directions to register the death, ballistics or forensic reports have been seen. The deposition of Kevin Ludlow is unsigned and undated, he did not attend the inquest. At the bottom of the deposition a hand written note by the Coroner states :

> " not in attendance away on holiday – just back Working in Newry. Could not be contacted".

A member of the Gardai called to Kevin Ludlow's home 45 minutes before the inquest began. He was at work and could not be contacted in time. In fact no member of Seamus Ludlow's family attended the inquest. According to family sources, the Gardai deliberately ensured that no member of the family or its legal representative was present at the inquest. The family complained that no attempt was made to inform or contact Seamus Ludlow's sister, Mrs Nan Sharkey, with whom he had lived. This was admitted by Detective Sergeant Gannon in a letter to Mrs Sharkey's solicitors dated 16 January 1997 :

> "In relation to the inquest, I wish to state that a member attached to Dundalk Station, had, at the time, been given the task of notifying witnesses and family of the inquest, but it appears he overlooked your client. I only became aware of this on the date of the inquest and did everything I could to correct the situation."

Seamus Ludlow's family have also alleged that Detective Sergeant Gannon falsely represented himself as the family's representative at the inquest[12].

A local newspaper, *The Dundalk Democrat*, reported the inquest at the time. No reference was made to any ballistics report. It reported that the only evidence offered to the inquest by the Gardai was the pathologists's evidence. The jury returned a verdict in accordance with the medical evidence, that death was due to gunshot wounds.

Most family members only recently saw the three inquest depositions mentioned above, and none of them had seen the pathologist's report until British Irish RIGHTS WATCH obtained a copy[13].

For 20 years Seamus Ludlow's murder remained unsolved. Approximately three years ago new evidence regarding the murder was brought to his family's attention by an investigative journalist, Joe Tiernan[14]. According to family sources, they were informed by Joe Tiernan that loyalist paramilitaries from Northern Ireland had murdered Seamus Ludlow, not the IRA. They were also told that the Gardai knew of this all along. Joe Tiernan revealed to the family that the source of this information was a retired detective. As a result of this new evidence his family sent a file to the Garda Commissioner, who at the time was Patrick Culligan, and requested that the case be re-opened. This was done on 16 May 1996. Chief Superintendent Ted Murphy, from the

---

12 *The Argus* June 19 1998
13 From Monsignor Raymond Murray
14 *The Argus* June 19 1998

©DFA/2022/45/536

Garda Drug Squad, was appointed to head the inquiry into the original investigation. According to Seamus Ludlow's family, Chief Superintendent Murphy has since admitted openly to the family that crucial evidence identifying the killers of Seamus Ludlow had been available to the Gardai all along. This evidence was in the original investigation file when he began his inquiry and he could offer the family no explanation as to why the Gardai had acted as they had.

This appears to have been confirmed by reports in the *Sunday Tribune* that the family were informed by a senior detective that the identities of Seamus Ludlow's murderers were known to the Gardai not long after his death. It was known that they were members of the loyalist murder gang from Northern Ireland, the Red Hand Commando, a member of which was giving information to the authorities.[15] The Red Hand Commando was an off-shoot of the Ulster Volunteer Force. About 3 years after the murder, the suspects' names were given to a member of the Seamus Ludlow murder squad, Detective Chief Superintendent John Courtney, by the RUC. He along with a colleague had travelled across the border to the RUC's headquarters in Belfast, where he was given the names of at least 3 prime suspects responsible for Seamus Ludlow's murder. This information was passed to his superiors and placed on a file with other sensitive information given by the RUC, but was never acted upon by the Gardai.[16] As part of the inquiry into the original investigation, Detective Chief Superintendent Courtney (now retired) has been interviewed.[17] Seamus Ludlow's family were informed in November 1998 that the Gardai investigation led by Detective Superintendent Ted Murphy was now complete and a file has been handed to the Gardai Commissioner.[18]

The names of these suspects were uncovered as a result of an investigation conducted by a Dublin Sunday paper, the Sunday Tribune. One of the suspects, Paul Hosking, a 41 year old from Newtownards in Northern Ireland provided this paper with an in-depth interview regarding the events which led to Seamus Ludlow's murder on 1 May 1976.[19] He also provided RUC Special Branch officers with the same account of events over 10 years ago in 1987 and again more recently, between 17 and 20 February 1998. This latter interview was given to the RUC following his arrest, along with 3 former Red Hand Commando members.

According to Paul Hosking, on the 1 May 1976 he was drinking in his local bar in Comber with a few friends. By chance, he met up with three other men who he knew socially. These three men were known to be members of the Red Hand Commando, two of whom were also members of the Ulster Defence Regiment (UDR). One was a captain in the UDR, the second was also an officer. The third man was from Bangor and nicknamed "Mambo". The pub was deserted, so Paul Hosking spent the afternoon with them. He noticed that the UDR men were armed.

---

15 *Sunday Tribune* 15 March 1998
16 *The Sunday World* 27 September 1998
17 *Sunday Independent* 20 September 1998
18 Letter to BIRW dated 26 November 1998
19 *Sunday Tribune* 8 March 1998

©DFA/2022/45/536

Paul Hosking together with the three men moved on to another pub. They drove the second UDR officer's car, a two-door yellow Datsun. Paul Hosking was in the rear passenger seat with the UDR captain and Mambo was in the front passenger seat. These seating arrangements did not change over the period in question. This pub was also quiet so the UDR captain made a suggestion. According to Paul Hosking, he

> "... mentioned that there were supposed to be IRA checks along the Border. It was information obviously from the UDR that they were doing something on the Border. He said do you fancy going down to spy on them? I said great, it was like an adventure."

They were waved through a permanent British Army check point after the driver showed his UDR pass. They spent about an hour in a pub in Omeath where Paul Hosking watched a football match on his own away from the others. It was after closing time when they left the pub. Paul Hosking said that by then he was quite drunk as he had consumed around 13 or 14 pints that day. They then drove south towards Dundalk where they came across a man thumbing a lift. The car stopped and they let the man into the back of the car. After a short time the man told pointed out to them where he lived. According to Paul Hosking :

> "We went on down anyway and I remember him reversing up a wee lane. Mambo got out and pulled the seat back and I got out, I went over the hedge near the front of the car. I was standing having a pee and the next I heard was banging. I swung round and there was this guy Mambo sort of half in the car and he was shooting in the car. All I remember then is your man Mambo pulling him out and [another man] was pushing him out. The guy fell on the floor so they got out and picked him up and threw him on to a hedge I think it was. Then your man shouted get in. I was standing there shocked, I was horrified. My first thought was that they were going to do the same thing to me because I had seen what they had done. I was horrified. I got in the back and the whole way back I just stared out of the window".

The car crossed the border into Northern Ireland and dropped Paul Hosking and the UDR captain off at Killyleagh. The captain then drove him home to Comber. Paul Hosking said that he was threatened by Mambo, who said that if he could get away with it he could kill a Protestant too. Two days later he was approached by the UDR captain who warned him that unless he joined the Red Hand Commando he would be killed because of what he had seen. Paul Hosking had been a low level member of the Ulster Defence Association during the Ulster Workers Strike in 1974. He asked the UDA to intervene on his behalf. After this he did not hear about the murder until eleven years later. Paul Hosking said he did not contact the police because of fears for his own safety and that of his family.

In 1978 Paul Hosking went to live in Scotland. He returned to live in Comber in 1986. While attending a family funeral he was told by a relative who was a member of the RUC that the Special Branch wanted to see him about

©DFA/2022/45/536

"something serious". Along with this relative as a witness, he met a Special Branch officer in a pub in Newtownards in January or February 1987. According to Paul Hosking this officer "seemed to know all the story". The officer told Paul Hosking that he knew he had been there but hadn't been involved. He was asked to provide his own account of events after which, the officer said, "Forget it, its political".

Once again Paul Hosking did not hear anything more about the murder until 17 February 1998 when along with three other men he was arrested. He said he first remarks to the CID were "Why are you coming to look for me now? I told the Special Branch this ... and you're looking for me now". He told the CID the full account of the murder of Seamus Ludlow. Newspaper sources have speculated that the RUC Special Branch chose to ignore Paul Hosking's evidence in 1987 because they were protecting an informer amongst the three Red Hand Commando members, possibly the trigger man himself, Mambo. It has also been suggested that this cover-up began just after the murder itself was committed.[20]

The RUC have confirmed that four men were held at Castlereagh Holding Centre and questioned in connection with the Ludlow murder. They were released without charge.[21] A police investigation file relating to the death of Seamus Ludlow was prepared and forwarded to the Director for Public Prosecutions for Northern Ireland on 23 October 1998. The Director for Public Prosecutions has confirmed that the contents of this file will be considered .[22]

Seamus Ludlow's family are now calling for an independent public inquiry into the murder of their relative. They are demanding that the killers of Seamus Ludlow are caught and that the actions of the Gardai and the RUC in their conduct of the murder investigation are examined and accounted for. British Irish RIGHTS WATCH supports their call. In particular, the family want the following questions answered :

1. Why did the intial Gardai investigation into the murder suddenly stop after three weeks?
2. Why did the British Army take such an interest in the conduct of the Gardai investigations?
3. Why were the family excluded from the inquest on 19 August 1976 and who was responsible for this exclusion?
4. Were any ballistics or forensic reports presented at the inquest?
5. Exactly what information did the Gardai hold about the murder and for how long was this information held?
6. Why was the information passed to Detective Chief Superintendent Courtney by the RUC in 1979 never acted upon?
7. Who was primarily responsible for the decision not to act upon this information?
8. Exactly what information did the Gardai hold about Seamus Ludlow's

---

20 *Sunday Tribune* 8 March 1998

21 Letter to BIRW from Detective Superintendent Molloy dated 11 September 1998

22 Letter to BIRW from Director of Public Prosecutions for Northern Ireland dated 26 October 1998

©DFA/2022/45/536

murderers and how long was this information held?
9. Will the Gardai publicly apologise for and retract the allegation made that Seamus Ludlow was an IRA informer?
10. What are the results of the current Gardai inquiry into their original investigation of the murder and what subsequent action will be taken?
11. Why did the RUC Special Branch take no action following Paul Hosking's statement given in 1987 regarding the identity of the killers?
12. Were the RUC trying to protect an informer amongst the murderers of Seamus Ludlow?
13. Will charges be brought against the suspects arrested in February 1998 by the Northern Irish Director of Public Prosecutions and if so when?
14. Will the Gardai and RUC be held accountable for their actions?

FEBRUARY 1999

©DFA/2022/45/536