

EXTERNAL

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BLOODY SUNDAY - AMNESTY INTERNATIONAL CALLS FOR A NEW INQUIRY

Amnesty International is concerned that the "new" evidence¹ which has recently come to light concerning the Widgery Inquiry into the killing of 13 unarmed people and the wounding of 15 others, including one person who subsequently died, by British Army soldiers on Sunday 30 January 1972, known as Bloody Sunday, shows that the original findings of the Tribunal of Inquiry, chaired by Lord Widgery, were seriously flawed.

On 30 January during the Prime Minister's Question Time in Parliament, Prime Minister John Major answering questions made a statement asking that this new evidence be presented. He called on: "*anyone [who] has fresh evidence, fresh relevant evidence ... [to] send [it] to the proper authorities*". However, the "new" evidence has always been available to the authorities and was part of the documentation collected, and allegedly ignored, by the Widgery Inquiry. What is "new" is the discovery of this information and the placing of it in the public domain.

Eyewitness evidence, tape recordings of army radio transmissions, medical evidence and television coverage which have now been made public show conclusively that - contrary to Lord Widgery's findings - it was not only the Parachute Regiment that opened fire on unarmed demonstrators on Bloody Sunday, but that members of other regiments, including the Royal Anglian Regiment, may have been responsible for some of the shootings and possibly three of the killings.

¹. This "new" information has become available mainly through the disclosure of documents held in the Public Record Office previously closed to public scrutiny. However, not all relevant documentation has been disclosed.

Many of the 700 eyewitness statements² reported hearing shots being fired from the Walls. The tape-recordings show that soldiers on the Walls³ claimed responsibility for firing. Dr Raymond McLean, who attended the official post-mortem examinations, found that the trajectory line of bullets in three cases was downwards, at a 45 degree angle, indicating that the three were shot from above. Dr McLean stated that he offered his report to the Widgery tribunal but was told his evidence was not required. Archive film rebroadcast by Ulster TV showed Major General Robert Ford, the then Commander of Land Forces in Northern Ireland, admitting on the day after the killings that soldiers other than the Parachute Regiment had been firing. Amnesty International believes that if the Widgery Inquiry had thoroughly investigated all the available evidence, it would have reported on the involvement of other regiments.

Papers recently released by the Public Record Office show that soldiers who testified at the Tribunal of Inquiry made statements that were significantly at variance with their original statements to Ministry of Defence police a few hours after the incident. The later statements changed details in such a way as to present their actions in a better light, including where they had fired, how many rounds they had fired, the descriptions of people they had fired at and their actions, and of the threat they had faced when they had opened fire. The earlier statements were not made available to Counsel representing the interests of the deceased. Professor Dermot Walsh has produced a report⁴ analysing the two sets of statements and has concluded that:

"The nature and extent of these discrepancies are such that they not only render the soldiers evidence unreliable, but they also give grounds for charges of murder or attempted murder against some of the soldiers concerned. ... The Tribunal's approach to the Army evidence also raises some very profound questions about the legality of its own performance. The very fact that it ignored the fatal flaws in the soldiers' self-serving testimony and preferred it even to conflicting testimony from reliable and independent sources, raises the suspicion that the Tribunal was biased in favour of clearing the Army of any serious wrongdoings."

The suspicion that the Tribunal took certain decisions which conveyed the appearance of bias in favour of the Army is reinforced by documents released by the Public Record Office. A confidential memo of a meeting held between the Prime Minister, the Lord Chancellor and Lord Widgery before he embarked on the inquiry shows that the Prime Minister attempted to influence the approach of the Tribunal, when he reminded Lord Widgery that they were "*fighting not only a military war but [also] a propaganda war*".

Another document suggests that Lord Widgery willingly adopted a partial approach to the presentation of evidence concerning the deceased: the Tribunal Secretary records a statement by Lord Widgery as saying that he "*will pile up the case against the deceased, including the forensic coincidence and the willingness of local people to remove guns, but will conclude that he cannot find with certainty that anyone of the 13 was a gunman*".

²The documents released by the Public Record Office reveal the total disregard held by the Inquiry for the 700 eyewitness statements, which were collected at the time by the National Council for Civil Liberties and the Northern Ireland Civil Rights Association. These eyewitnesses were not called to give evidence, including those who had been shot and wounded. Furthermore, Lord Widgery himself read only a handful of those statements, about 10 to 15.

³ Don Mullan, Ed., *I witnessed Bloody Sunday: the truth*, January 1997. This book reproduces about 100 of these eye-witness statements.

⁴ This report was made public 30 January 1997.

On 30 January 1997 Sir Patrick Mayhew agreed with another MP's statement that it would "*be better to spend time and energies building new relations, rather than reliving past tragedies*", and stated, "*There is a very long and controversial history throughout the whole of Ireland, but we must not be governed by it.*" On 16 February 1996 *The Observer* quoted Sir Patrick Mayhew saying on BBC radio in Northern Ireland: "*An apology is for criminal wrongdoing and there is nothing in the Widgery report to support that and therefore it would be wrong. It would be unjust to those who took part in the tragic events. (...) But I want to say again what the Prime Minister said many years ago to [John] Hume, that this was a terrible tragedy and we've all got to learn the lessons from it*".

This apparent reticence to hold an inquiry into all the evidence already available fails to take into account the lasting damage to public confidence in the impartiality of the judiciary and the government that was inflicted by the flawed Widgery Inquiry.

Amnesty International recommendations to the UK authorities

In view of the seriousness of the evidence pointing to a cover-up at the highest levels, Amnesty International calls on the UK authorities:

- ☞ to quash the findings of the Widgery Tribunal,
- ☞ to instigate immediately a wide-ranging and impartial inquiry into the events leading up to that day, as well as the events on the day,
- ☞ to disclose all available evidence for public scrutiny.

A fresh inquiry, conducted openly and impartially, would go a long way towards healing the wounds inflicted by *Bloody Sunday*.