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One British Ex-Soldier to Be Prosecuted in 'Bloody Sunday' Shootings

Families of the victims gathered on Thursday in Londonderry, Northern Ireland, before the announcement on whether to charge British soldiers involved in the "Bloody Sunday" events. Clodagh Kilcoyne/Reuters

By Ed O'Loughlin

March 14, 2019

DUBLIN — Officials in Northern Ireland said on Thursday that one former British soldier would be prosecuted on murder charges in connection with the massacre of unarmed civilians by British forces nearly 50 years ago in Londonderry, an event that came to be known as Bloody Sunday. The former soldier, identified only as "Soldier F," will be charged in the killings of James Wray and William McKinney, and with the attempted murder of four others. Eighteen others, including 16 former British soldiers and two nationalist gunmen said to have fired shots that day, will not be prosecuted, the officials said, on the grounds that there was insufficient evidence to provide a reasonable chance of conviction.

The massacre on Jan. 30, 1972, became one of the main flash points in the Troubles, [the 30-year struggle over the status of Northern Ireland](#) that claimed at least 3,500 lives.

[\[The Troubles still cast a shadow over Northern Ireland.\]](#)

The announcement in Londonderry on Thursday by the Public Prosecution Service of Northern Ireland was greeted with dismay by many of the victims' families, some of whom said they would mount a legal challenge.

Kate Nash, who was 23 when her 19-year-old brother, William Nash, was killed and her father, Alex, injured, said she was "very, very saddened" by the decision.

"So many of these families, I can't tell you how disappointed we are," she said. "But whatever can be done for our loved ones, we will do it. After 47 years, the struggle goes on."

Darragh Macken, a lawyer for the Nash family, said the prosecutors' decision may be challenged in the High Court in Belfast. He said he believed there was sufficient independent evidence to prosecute more soldiers and others, including graphic testimony of their guilt, and that many could be charged with perjury over attempts to cover up their roles in the killings.

Stephen Herron, the director of public prosecutions for Northern Ireland, said in a statement on Thursday that the decision to try only Soldier F was based on a lack of admissible evidence to prosecute more of the soldiers. Some of the suspects could still face perjury charges.



Protesters running from tear gas during the clashes in Northern Ireland in 1972.

PL Gould/Images Press, via Getty Images

"This in no way diminishes any finding by the Bloody Sunday inquiry that those killed or injured were not posing a threat to any of the soldiers," Mr. Herron said.

Thirteen people were [killed in Londonderry, Northern Ireland, in 1972](#) when British soldiers opened fire after unrest broke out at a protest march. Within weeks of the shootings, the British prime minister imposed direct British rule, which lasted until the 1998 Good Friday peace agreement set out complex power-sharing arrangements for Northern Ireland.

At the time, the soldiers said that they had been responding to gunfire and nail bombs thrown by nationalist militants who were using the protest march as cover. An official inquiry that year led by a former army officer, Lord Widgery, largely exonerated the soldiers and attributed the killings to armed protesters, who the report said had provoked the attack. That inquiry came to be seen as a whitewash. A second investigation began in April 1998 under a different British jurist, [Lord Saville](#). Twelve years later, his inquiry found that none of the victims had posed any threat to the soldiers, who had "lost control" and fired without warning. Some of those killed or wounded, the report found, were either fleeing or trying to help other victims.

The report also found that some of the soldiers had lied to hide their actions, that their commanders had disobeyed standing orders by sending them into the area that day, that five of the soldiers had opened fire knowing that their targets posed no threat and that two other soldiers had fired without being sure.

After the release of the report, the British prime minister at the time, David Cameron, [offered a formal apology](#) on Britain's behalf. He said that the inquiry had left no doubt that soldiers had fired first and that the killings were "both unjustified and unjustifiable."

John Kelly, whose brother Michael was killed in 1972, said on Thursday at a [news conference](#) in Londonderry's town hall that the decision to prosecute just one former soldier was a "terrible disappointment" for the victims' families.

"The full cost of Bloody Sunday cannot be measured just in terms of those who suffered that day," he said, "but must also be measured in terms of those who suffered because of that terrible day."

Mr. Kelly added: "But we got one soldier, Soldier F, and he was responsible for the murder of five individuals out there. So their victory is our victory."

A British soldier dragging a protester on Jan. 30, 1972. Within weeks of the shootings, the British prime minister imposed direct British rule, which lasted until the 1998 Good Friday peace agreement. Thopson/Agence France-Presse — Getty Images

A moment of silence was held in the chamber, filled with relatives of the victims and officials.

The question of whether to prosecute so-called legacy crimes in Northern Ireland remains a complicated political question in Britain and in the Republic of Ireland. Many relatives of victims of both sides of the conflict continue to press for the crimes to be investigated and punished.

But some defenders of the British security forces argue that those efforts are weighted unfairly against the army and police force, which kept detailed records and archives, as opposed to the illegal nationalist and loyalist organizations, which did not.

Karen Bradley, the British cabinet official responsible for Northern Ireland, caused outrage last week when she said in the House of Commons that the killings by security forces “were not crimes.”

“They were people acting under orders and under instruction and fulfilling their duty in a dignified and appropriate way,” she said. Faced with widespread condemnation, [Ms. Bradley apologized](#) and retracted her comments.

Last month, Northern Ireland’s department of justice announced a fund of 55 million pounds, about \$72 million, to investigate 52 legacy cases involving 92 deaths. The majority of those cases involve killings said to have been carried out by the military or police forces, but [the Conflict Archive on the Internet](#), a database run by the University of Ulster, estimates that only 10 percent of deaths during the Troubles were caused by the security forces.

Denis Bradley, a former vice chairman of the Northern Ireland policing board, who was present during the 1972 shootings, told Irish state television that he questioned the finding that there was not sufficient evidence to prosecute “when deaths took place that day in front of a quarter of the town’s citizens, including myself.”

Ms. Nash said that Jan. 30, 1972, was the saddest day of her life. “They took me to the hospital, and my father was there in the bed with his wounds,” she recalled. “I asked him how he was, and he said to me, ‘Where’s your brother?’ He didn’t know he was dead.”

She added: “But my father was very brave. He went out in a hail of bullets to try and save his son.”

On Thursday, the British defense secretary, Gavin Williamson, said, “We are indebted to those soldiers who served with courage and distinction to bring peace to Northern Ireland.”

He added that the government would provide “full legal and pastoral support to the individual affected by today’s decision” — meaning the government would pay Soldier F’s legal costs.

Iliana Magra contributed reporting from London.

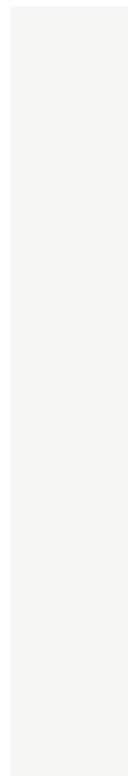
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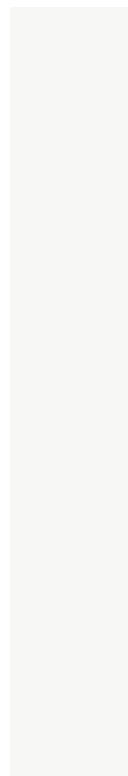
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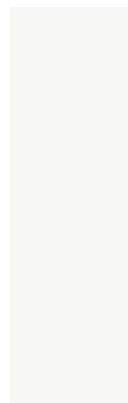
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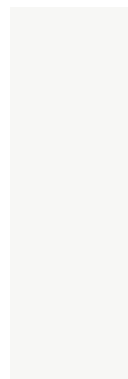
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