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## Family questions delay of report into shooting

(Allison Morris, [Irish News](#))

The family of a Co Armagh man, shot dead by police three years ago, have questioned why a Police Ombudsman report into his shooting has not been published.

Neil McConville was shot dead by police in April 2003, on the Crumlin Road in Upper Ballinderry, Lisburn.

The 21-year-old from Bleary in Craigavon was shot three times.

David Somers, a passenger in the car, was hit once.

The Police Ombudsman's report, which is expected to show up a number of significant failings in the police operation, has been completed but so far withheld from the family.

A spokesman for Nuala O'Loan's office says the report cannot be published ahead of ongoing legal proceedings against the surviving passenger of the car.

"We have completed the report but are unable to publish until the completion of related criminal proceedings. We have forwarded our findings to the chief constable," he said.

However the deceased man's uncle Barry McConville questioned why the report was not being published.

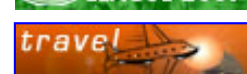
"This is the first time Nuala O'Loan's office has had to put their necks on the line with regards to a PSNI shooting," Mr McConville said.

"It is easy for her office to criticise the actions of the RUC and Ronnie Flanagan as the old guard but a different matter when it comes to the new police service.

"Neil's death was the first shooting by police since the change over from the RUC and as a family we are aware of the significance of that."

On the day of the shooting Neil McConville had been to Craigavon hospital to visit his partner who had given birth to a baby girl just three days previously.

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He used his mobile phone to call a friend to ask for a lift. He said goodbye to his mother Collette and said he would see her back at the hospital later that evening.

It is believed that David Somers, a friend of the deceased, picked him up outside the hospital.

The car carrying the two men is known to have made at least two stops before the shooting.

Once in a garage on the outskirts of west Belfast and a second stop by the side of the road.

At around 7pm the car was rammed by police vehicles bringing it to a stop. Armed officers approached the car and smashed the windows.

It has been reported that the car rolled backwards striking a police officer, at which point another officer opened up with an MP-5 automatic machine gun.

It has also been reported that a shotgun was found in the car.

Mr McConville was shot three times. One of the bullets that passed through his body struck Somers injuring his arm.

He was pronounced dead at Lagan Valley Hospital at 8.07pm.

It is known that the car the two men were travelling in was being followed by a police helicopter on the day of the shooting.

David Somers had been under police surveillance for upwards of six months.

The mens' movements were being monitored as part of a joint PSNI, British army covert surveillance operation.

The injured passenger Mr Somers has been interviewed by the ombudsman's office and is believed to have expressed fears about his own safety to investigators.

The report is expected to reveal that Mr Somers had been driving the car for most of the day and had only switched places with the dead man shortly before when they stopped at a service station.

Because of the roof on the garage forecourt, Mr Somers told investigators he believed the helicopter had not seen the two men switch places and it is claimed armed officers seemed

surprised when they discovered the identity of the dead man.

"Neil was floating on air that day, he had just become father to his little girl and was over the moon," said his mother Collette.

"When he was younger he had been in trouble and fallen in with a bad crowd, but he had grown up a lot.

'the birth of his little girl was something he had been looking forward to but he never got the chance to be a father to her.

"We have been disappointed with our treatment by the ombudsman's office from the start.

"As a family, before we just can move on, we need to see the findings of this report and it's recommendations until them we have no peace to grieve," she said.

February 7, 2007

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