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Murder-trial Marine in Canadian race row

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

A former British soldier who stood trial for the murder of a father-of-one in south Armagh in 1990 has been the focus of a major race row in Canada.

Richard Elkington was a member of the Marine Commandos when he and another soldier opened fire on a car in Cullyhanna, killing Fergal Caraher (20) and seriously injuring his brother Miceal.

Elkington, then aged 23, and his co-accused were acquitted by then Lord Chief Justice Brian Hutton during a high-profile trial in 1993 which heard allegations of a shoot-to-kill policy by the British army in south Armagh.

On leaving the army Elkington spent several years as a police officer in the north of England before emigrating to Canada and joining the Peel County Police Service.

Now the former soldier has made Canadian legal history after being accused of 'racial profiling' and harassment of a black woman who was wrongfully accused of shoplifting.

Canadian-born Jacqueline Nassiah won \$20,000 (£9,800) compensation after the Englishman was found to have discriminated against her on the grounds of her race, including calling her a "f***** foreigner".

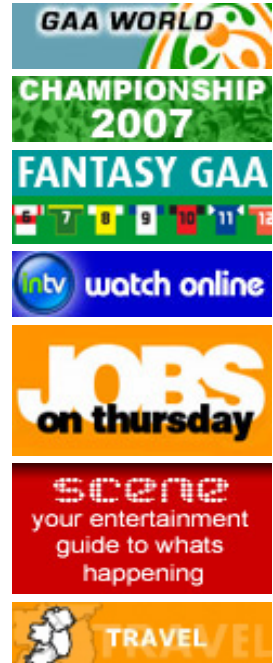
A judge also ruled that Elkington had unduly humiliated Ms Nassiah, assuming that because of her race she could not speak English.

The case caused massive controversy in Canada and was the first time a police officer had been found guilty of racial profiling during the course of his duties.

Elkington is now employed by the Greater Sudbury Police Service in the Ontario region.

Fergal Caraher's father Peter said that he was not surprised to hear that his son's killer had become involved in human rights abuses in Canada.

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"This stems from the legacy of a culture of impunity afforded to him whilst in Ireland regarding the fatal and deliberate shooting of my son Fergal and the wounding of my son Miceal," he said.

"Had Richard Elkington been properly held to account then this latest incident would not have occurred.

"It is my view that the people of Canada should reject this person who has absolutely no positive contribution to make other than that of racial and human rights abuse."

Miceal Caraher was convicted in 1998 for being part of the IRA 'super sniper' team that shot Stephen Restorick, the last soldier to die in Northern Ireland. Caraher was released under the Good Friday Agreement in 2000.

A spokesperson for the Greater Sudbury Police Service yesterday (Wednesday) said it was "not prepared to comment at this time".

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