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Saturday, July 5, 2008

## Inquest finds British army to blame for rioter's death

GEORGE JACKSON

THE FIRST "legacy inquest" dealing with controversial deaths from the Troubles in Northern Ireland ended in Derry yesterday with the jury unanimously finding that the British army was responsible for the death of a rioter in Derry almost 12 years ago.

Dermot McShane (35), a machine operator from Hollymount Park in the Waterside area of the city, was crushed to death when an army Saxon vehicle struck a wooden hoarding he was sheltering behind during Drumcree-related rioting on July 13th, 1996.

During the disturbances, which were centred in the Little James' Street area of Derry, the police fired 946 baton rounds and 1,200 petrol bombs were thrown by rioters.

Police, military and civilian witnesses told the jury that the rioting was the worst ever experienced in Derry throughout the Troubles.

In their findings, the jury said there was confusion and a breakdown of communication between army and RUC personnel, resulting in a situation where procedures were not followed.

"The RUC gave direct orders to military personnel, no top cover was used during the driving of the Saxon. The Saxon did not give a warning to the crowd and the barrier was punched through rather than pushed through.

"Another contributory cause was Mr McShane's presence on the rioters' front line," the jury forewoman told coroner Brian Sherrard. She added that there was also confusion among RUC officers due to limited planning, team briefings and personnel numbers.

"The military was ultimately in charge of the Saxon involved in the incident . . . the military Saxon driving procedures were not adhered to as top cover was not in place during the advance. The result of these factors was that the hoarding was inappropriately removed," she said.

"Mr McShane, whilst under the influence of alcohol, was involved in the rioting . . . others who had a role in Mr McShane's death were the

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other rioters who contributed to the intensity of the night and in particular those who abandoned Mr McShane in a drunken state behind the hoarding while the Saxon advanced."

After the jury's unanimous findings, a brother-in-law of Mr McShane, Peter Gillen, said the family were relieved that the hearings had ended and they were happy with the findings.

Offering his condolences to the McShane family, the coroner said the victim had lost his life in particularly terrible circumstances.

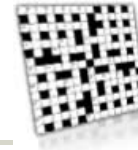
The establishment of legacy inquests followed a campaign by human rights organisations in the North to re-open a number of unresolved inquests, regarded until now as too politically sensitive to deal with.

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