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Title: Report [?by S Donlon, Department of Foreign Affairs], on several killings in the New Lodge area of Belfast on 3-4 February 1973, and on the conduct of a local informal inquiry into the deaths.

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New Lodge Area Deaths 3/4 Feb. 1973

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Mr. Mac St...

1. I spent some hours in Belfast on 6 February examining the evidence which has been assembled by an informal local team set up by the St. Patrick's Parish Relief Committee to inquire into the above deaths. A number of solicitors and priests whom I know through previous collection of information for the Strasbourg case are participating in the inquiry and there was therefore no difficulty in getting access to the evidence which had been presented. This consisted of eye-witness statements, medical reports, ambulance log entries, forensic evidence and published and unpublished reports by journalists of their conversations with security forces. In addition, Mr. Tom Conaty gave me an account of the report which Mr. Whitelaw had given to his Advisory Commission at its meeting on 5 February. Messrs. Pascal O'Hare and J. Johnston, Solicitors were of particular assistance and I rely heavily on their assessments because I know them to be balanced in their approach to incidents of this type and to have a good knowledge of the area through their activity in local voluntary organisations.

2. Not surprisingly, there is considerable conflict between the evidence of security forces, as quoted by journalists, and that of local people. There are also serious conflicts within the evidence given by local people. Additional evidence, especially from people who were injured and who are now under guard in hospital, may later help to resolve some of the differences. At present, the following are the main facts established beyond reasonable doubt:

- i. At about 11.45 p.m. on 3 February shots were fired from an unidentified moving car at a group of people standing outside Lynch's bar at the junction of Antrim Road and the New Lodge Road.
- ii. Six men died of gunshot wounds in the general area of Antrim Road/New Lodge Road/Edlingham Street sometime between approx. 11.45 and 2.30 a.m. on 4 February.
- iii. Conflicting and apparently false information about the incident was given to journalists by British Army and RUC sources.
- iv. A solicitor participating in the local inquiry has been informed by the forensic expert called in by the RUC that tests to determine if those killed were armed at the time were carried out in only two cases. One, involving a body alleged by the local people to have been found outside Lynch's bar, gave a positive result. The second, involving a body generally agreed to have been found on Edlingham St., gave a negative result. Tests were not possible in the remaining cases because the individuals were clinically alive on arrival at the hospital and were immediately washed in preparation for surgery.
- v. Virtually all the eye-witness accounts to the local inquiry relate to the shooting from an unidentified car. These accounts and Mr. Whitelaw's (to his Advisory Commission) are substantially in agreement and indicate that shots were fired from an moving unidentified car at a group of people standing outside Lynch's bar. Whitelaw claims that these shots did not result in any death. Local people claim that this shooting resulted in the first two deaths. Their evidence to the informal inquiry is not convincing on this point and there are serious discrepancies, in particular about the location of bodies following the shooting. There are also discrepancies on the timing

- and on the direction in which the car was travelling.
- vi. The families of all six killed initially asked for traditional IRA funerals. For the next thirty-six hours, they were subjected to pressures from various sources to change their minds and finally three of the families agreed to "go without" the organised funerals. This information was given to me by the priest who had the responsibility of co-ordinating the funeral arrangements.
- vii. Initially the families of the six killed entrusted their legal affairs to [REDACTED]. However, by the evening of 5 February, the instructions had been withdrawn in five cases and transferred to [REDACTED].

3. While the facts outlined in vi) and vii) above merely suggest that all those killed were Provos. I have not seen sufficient evidence on which to draw directly any conclusion on the circumstances in which they were killed. I have, however, been given assessments by a number of people and the following were common features in these assessments:

- i) Following the shooting outside Lynch's bar, the local Provos. came out "to defend the area from attack". They immediately came into confrontation with the British Army which had rushed extra troops to the area following the shooting outside the bar. The confrontation continued for at least two hours and involved heavy firing on both sides.
- ii) At least one of those killed appeared to be considerably under the influence of alcohol and behaved recklessly in a situation of heavy gunfire.
- iii) There are many witnesses of the confrontation who have not come forward to give evidence at the informal inquiry, because the Provos. have passed the word around that they should not yet do so. If the timing of their coming forward with evidence to a locally organised inquiry can be influenced, there is no guarantee that the content of their evidence will not be similarly influenced.

[Handwritten signature]

7 February 1973