

PRESS RELEASE

- 1 The family of John Francis (known as Sean) Ruddy, shot dead in Hill Street, Newry, by the British Army on October 23rd 1971, has today published a report into his death carried out by the Historical Enquiries Team.
- 2 The HET has found that “Sean’s death was a tragedy which should not have happened. He did not deserve to lose his life in that way”.
- 3 The Ruddy Family warmly welcomes the report which vindicates the view they have held since Sean’s death, that his death was an unlawful killing.
- 4 The report shows that the British Army set up a covert operation that went badly wrong resulting in the death of three men: Sean Ruddy, Robert Anderson and Thomas McLaughlin. All three were running along Hill Street whilst, unbeknown to them, British soldiers were positioned two floors above them on the roof of a Woolworth’s store.
- 5 The British Army’s version of events is that they had strong intelligence that an attack was to be mounted on a bank in Newry. The alleged attack was to have been made by an explosive device or incendiary.
- 6 The British soldier in charge of the position on the Woolworth’s roof (referred to in the inquest documents as “Soldier ‘A’”) confirmed that he had “not told any of the men with me the exact nature of our duties or the suspicion as to the manner of attack upon the bank or the persons involved”.
- 7 The British soldier in charge said he saw only three people acting suspiciously at the bank (now First Trust Bank, Hill Street, Newry) even though the two others were also close by (lodging money in the night safe). He observed the men for “10 seconds” and “formed the opinion that they were together trying to place some object into the night safe opening of the bank”.

Soldier ‘A’ alleged that he shouted “Halt” to the men. No civilian witnesses who were on Hill Street at the time, and who the RUC subsequently interviewed, said they heard any such warning shout. Soldier ‘A’ also claimed there was noise coming from a dance being held in a hotel in Marcus Street .

- 8 Soldier 'A' confirmed he saw nothing in the hands of the men who had run off in the direction of the soldiers position on the roof. All three men were shot dead. Sean Ruddy was shot in the back.
- 9 Soldier 'B', who gave evidence at the inquest, was also on the roof of Woolworths. He stated that he saw a scuffle between five men at the bank. Two men, he said, coming from a nearby bar with the night's takings, were involved in a scuffle with the three men subsequently shot.
- 10 The HET found that the three men shot dead, who had been drinking all day, had become involved in "an unplanned crime at the very time and place the security forces were expecting a Provisional IRA terrorist attack to take place".
- 11 The HET contacted all of the soldiers involved in the shooting but all declined to make a statement.
- 12 Major Wilson, the soldier who was in charge of the operation and who had received the intelligence about the alleged IRA attack on the bank, now lives in the USA. Despite repeated requests by the HET, he did not agree to be interviewed.
- 13 The British Army rules at that time on the use of firearms were set out in a document known as the Yellow Card (See Appendix 1)

The Ruddy Family state that **both** the inquest documentation **and** the HET report clearly show the British Army's shooting dead of Sean Ruddy was **outside** the terms of the Yellow Card and was therefore **unlawful**.

- 14 A secret document uncovered by advisors to the Ruddy family obtained under the 30year rule suggests that even as far back as the 11th November 1971 the Ministry of Defence had concerns about the legality of the Soldier's action in firing at the men. This document is appended herewith at Appendix 2.
- 15 The soldiers' account of the operation is contradictory. Soldier 'A' stated that the nearest foot patrol was four to five minutes away. Soldier 'B' stated that, shortly after the shooting, a patrol arrived followed by a military landrover ambulance. Civilian witnesses stated that soldiers arrived quickly on the scene.

The HET traced a company sergeant from the Second Battalion Light Infantry Regiment. He admitted that he was aware of Major Wilson's information and plans. He stated that "there would be other patrols in the area but would be kept out of sight". His role was to head an arrest team. This clearly raises the question as to why it was necessary to shoot the men if an arrest team was in place.

- 16 The family are reminded of the words of the late Lord Justice McGonigle who sat in the Court of Appeal hearing case brought by Mrs Olive McLaughlin on behalf of her husband who was one of those unlawfully killed. Lord Justice McGonigle in his Judgement stated as follows:

He stated how human negligence was based on "a failure to take reasonable care for the safety of the men engaged in that robbery in that

- (1) The scene for the counter action was set by Soldier 'X' regardless of the fact that the likely result would be what did occur, and
- (2) No regard was had to any attempt to reduce the risk of serious injury to the robbers by, for example, establishing fixed ground positions or backup ground patrols which might have enabled an arrest rather than a killing to result, or by the use of a loud hailer coupled with a clear indication of who was challenging and where the challenge came from to enhance the possibility that the men challenged would stop instead of trying to escape by running away".

- 17 The family submit:

1. This was an ill conceived and badly planned operation by the British Army
2. That no proper contingency plans were in place
3. That the decision to shoot was based on a ten second viewing which turned out to be totally inaccurate
4. The British Army's planning of its operation meant that no other outcome was considered and the shooting dead of the three men was inevitable as indicated in the words of Lord Justice McGonigle.

- 18 The family would like to place on record their thanks to Mr Brendan McAllister, Victims Commissioner, for all his support throughout the period of investigation by the HET. They would also like to acknowledge the support provided by the Pat Finucane Centre, and in particular Mr Alan Brecknell, and finally, the family solicitor, Mr Rory McShane for all his advice and guidance throughout the period of the enquiry.