



PETER GALLAGHER

Murdered, 24 March 1993

REPORT COMPILED FOR THE GALLAGHER FAMILY BY RELATIVES FOR JUSTICE



The untold stories of Relatives, Victims and Survivors



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This report has been compiled by Relatives for Justice (RFJ) on behalf of the Gallagher family as a full account of available information on what happened to their loved one. It provides a narrative for the family and an analysis of the wider context in which the murder occurred. It highlights outstanding questions that require answers, ultimately from the British state. The report challenges the self-serving and partial "official" British narrative of their role acting as neutral peace-keepers between opposing communities. The compelling indications of collusion between loyalists and British state intelligence personnel in the RUC and the British army show the real role of Britain during the conflict. The information in this report formed the substance of a complaint to the Police Ombudsman. This has been accepted by the Police Ombudsman as meriting investigation.



While waiting for a legally-compliant investigation or examination of the evidence by the Police Ombudsman, this publication gives expression to the Gallagher family's sentiments and views concerning what happened to Peter. RFJ seeks to provide a voice for families and their loved ones in their continuing pursuit of truth and justice.

The report is also about remembering Peter, his life so cruelly cut short and the impact of his loss on his family.

1. The attack and its aftermath

Peter Gallagher was murdered on 24th March 1993. He was 44 years old, married, with seven children aged between seven and nineteen years, and one grandchild. Were he still alive today, he would have been the proud grandfather of 17 grandchildren.

Though from Toomebridge, Co. Antrim, he was shot as he arrived at his place of work in Belfast. The Westlink Enterprise Centre is situated in

Distillery Street on the Falls Road side of the Westlink motorway that cleaves Belfast. Having parked his blue Isuzu van - which he had only been using for the previous couple of days - shortly before 8am on his last morning, he was opening a gate to allow dumper trucks to be accessed by fellow workers in a nearby Housing Executive construction site.

Peter was shot by a single gunman who was hiding in nearby bushes behind the fence that bordered the motorway. Peter was hit in the back and the legs a number of times; though taken by ambulance to hospital, he was nevertheless pronounced dead on arrival. The post mortem examination concluded that Peter was killed by the cumulative effects of 12 or 14 bullet wounds and fragments. It was also clear from the "varying paths" of the bullets and fragments that "some had struck him as or after he collapsed".¹

It was a pitiless attack.

The gunman, according to immediate reports (but also later accounts which seem to have relied on loyalist sources²) made his escape in the same way as he arrived to carry out the attack; on a purple mountain-bike³, along the path next to the Westlink motorway.

The bicycle was found abandoned some one hundred metres from the scene near the Roden Street footbridge over the motorway. This footbridge connects to the staunchly loyalist Village area on the other side of the roadway. The assumption is that the assailant dropped the bicycle at the bottom of the steps/ramp up to the footbridge and made his way across to an area where he felt safe and secure.

A Browning 9mm pistol - which forensics later confirmed as the murder weapon - was also found.

- 1 John R Press, Consultant Pathologist, **Report of Autopsy**, 24th March 1993, Opinion, p. 7.
- 2 See, for example, Peter Taylor, **Loyalists**, Bloomsbury, 2000; David Lister and Hugh Jordan, **Mad Dog; the Rise and Fall of Johnny Adair and 'C Company'**, Mainstream Publishing, 2003.
- 3 Henry McDonald and Jim Cusack, **UDA: Inside the Heart of Loyalist Terror**, Penguin, 2005, pp.240-241.



Satellite image of murder location and escape route



Bernie and the children at the Patrick's wedding in 2014

2. Peter Gallagher - family memories and the impact of his murder

Married to Bernadette, Peter was a great father to their seven children, Shauna, Seamus, Declan, Patricia, Ruairi, Patrick and Cahal. Peter's dad, Willie Gallagher, was postman in Toome for 25 years. In those days, being a postman entailed more than simply delivering the mail. Willie's bicycle was a welcome site for many living in the district as it would

bring groceries and other essentials from the town at a time when few people had cars. Many were the stories of the errands he would carry out and the help he would be for people. Peter's eldest brother, Francie, recalls someone telling him of seeing a strange sight one day which looked like an armoured bike going along the road. He realised eventually that it was Willie the Postman cycling with a galvanised zinc bath hooked over his head; the only way he could manage

to get it to its proud new owner!

The family home was in the grounds of the Sacred Heart Chapel, Cargin, and Willie acted as sexton and caretaker of the church. The house Peter and his full- and half-siblings grew up in has now been demolished and the site has been added to the graveyard where Peter is buried. Peter's family home can be seen in the photograph, overleaf, at the bottom right hand side. Peter's grave is in the same cemetery in the top right quadrant.



Photograph of Chapel and cemetery at Cargin



Painting of the chapel at Cargin

Willie's first two wives died leaving him with two sons, Patsy and Tommy and one step-daughter, Pat (who lives in England). Peter, born in 1949, was the third of five brothers, the product of Willie's third marriage. They were born in the following sequence: Francie, John, then Peter, Kevin (who died last year) and finally Gerry. John and Gerry now live in England, though they are frequent visitors back home to Toome.



Photo of the Gallagher children: Tommy at the back and, in front from left, Francie, Kevin, Gerry and Peter. This excellent photo was taken by Paddy McLarnon, a local character who had an early interest in photography.



Moneynick Primary School, Peter is 6th from the right, second row from the front

Peter got on well with his two older half-brothers and his step-sister. Both Patsy and Tommy passed away before Peter's untimely death. Tommy lived on his own and when he died, Peter insisted he and Bernie would wake him from their house and this is what happened. Francie remembers the neighbours and the undertaker saying what a great deed this was, that only someone with a compassionate and caring heart like Peter's would take on this task. Indeed, many are the stories of Peter as a big-hearted and soft guy.

Perhaps proximity to the chapel growing up instilled a basic spirituality in Peter: he wasn't outwardly religious but, nevertheless, made sure the children attended Holy Hour each Sunday evening. Seamus also remembers his father taking him to the Novena and noting that Peter knew all the hymns. Even today, Peter's widow, expresses surprise at this; she remembers Peter – like herself – not having much interest in religion.

Peter was a Toome man through and through, known and liked by everyone in the area. He hadn't



a sectarian bone in his body despite the community and economic divisions so prevalent; he never had any problems with or from the number of Protestant employers he worked for down the years. Bernie will always be grateful to two Protestant men who had worked with Peter in the pipeworks. "They came and shook my hand after Peter's murder saying they were sorry for my loss and that they had great respect for him."

He was always an organiser. When the local flute band, the Roddy McCorley (named for a local United Irishman executed in Toomebridge in 1800 for his role in the rising in 1798), was established, it was Peter who journeyed over to Scotland to pick up the flutes donated by Scottish friends who visited Toome regularly. (A couple of the children played flute in the band, while Seamus acknowledges he was able for the cymbals!)

Peter also had a great sense of fun. A year before he was murdered, a charity football match was organised to raise money for good causes. Peter volunteered to be the referee; but he said he would do the job on a bicycle as he wouldn't otherwise be able to keep up with the play! In honour of him, the Erin's Own GAA club at Cargin have a dedicated Peter Gallagher Memorial Cup, awarded to the winners of an annual charity challenge match. Many people say that Peter's son Seamus, is very like him: evidenced by the fact that Seamus refereed a charity football match in 2008, also on a bike!

An image of Peter appeared in **Families, Friends and Neighbours: An Irish Photobiography**, by Oistín Mac Bride. The photograph was taken by the author. An accompanying text gives a flavour of Peter's personality and dependability: "Peter was one of those people who was just 'always there' for marches, pickets, electioneering, paper and ticket selling. He was a core member of the party in Toomebridge and South Derry who could always be relied on."⁴

No doubt because of his political activism and consistent attendance at events, he was harassed on occasion by the UDR. Francie remembers a time when Peter and Bernie were stopped on the bridge at Toome and one of them hit Bernie with a rifle



Image from *Families, Friends and Neighbours: An Irish Photobiography* - Peter at protest against strip searching

butt. But Francie also remembers Peter phoning him the month before he was murdered after Tim Parry and Jonathan Ball were killed by an IRA bomb in Warrington, England. Peter was badly affected by that and told Francie he thought the IRA campaign was going too far.

Seamus remembers his father taking him to the civil rights marches in Coalisland and Dungannon. His father particularly admired Kevin Agnew's speeches, the republican solicitor in whose house the Civil Rights Association is said to have been born. Peter also went to Bodenstown each year for the annual republican commemoration of Wolfe Tone and the United Irishmen.



Peter at a republican commemoration

⁴ Oistín Mac Bride, **Families, Friends and Neighbours: An Irish Photobiography**, Beyond the Pale Publications, 2001, p. 114.



Peter's coffin being carried at his funeral



Members of the Gallagher family gather at the graveside

Bernie and Peter met at a dance in Randalstown, Co Antrim. Bernie is from just outside Bellaghy, in County Derry, where she was reared by foster parents, great people who brought her up with good values. She also kept good relations with her birth mother in Castlerock, which meant that the children had two maternal grannies.

Both Peter and Bernie liked country and western music and also went to the bingo twice a week. Bernie remembers that Peter was lucky at the bingo and once won £2000 at the prize draw in 1991. This was a great event because money was always tight. Peter was a labourer but could always find work, though it was not well paid. He did what he could to get money into the house. He worked for farmers; he had a milk run and manoeuvring those milk churns certainly gave him a good solid build; he worked in the dog food factory years ago; Seamus can also remember driving to Larne with his daddy when he was a young fella, to pick up two tractors and bring them back to Toome. Managing such large machinery was no bother to Peter.

He also did the door or managed the carpark down at O'Neill's Arms, the main hotel in the town, when concerts were on or during busy times. The

four times the Wolfe Tones visited Toome, Peter would have got money from helping out with security. He always carried out these tasks with a bit of humour. His brother, Francie, remembers parking at the hotel one time when his brother was organising the traffic. Someone wanted to park in a particular space and Peter told him, no, he had to park over there. The man parked where he was told and as he was leaving the carpark, another car drove into the spot the first man had initially selected. When he gave out to Peter why this car was allowed to park, and he wasn't, Peter told him: "All the white cars are over there!" That was the way he had of organising things to his satisfaction. He enjoyed pulling people's legs when so inclined, says Francie.

Bernie said the extra money from his various jobs would be left to her for the groceries before he went out to his regular work on the Monday morning. He was a hard worker for little money. So, when he won the local prize draw, it was only natural that he gave Bernie half of the money and they were able to get things for the house and the children that they could only have dreamed of before.



The loss of Peter was a grievous blow to the family. Seamus, who was 19 had to become the breadwinner and had to be the daddy for the other boys. Cahal was only seven when Peter was killed. None of the family got any counselling or were aware of what support might have been available. None of that was known at the time; you just had to get on with it.

Francie remembers he was in the early morning production meeting at the factory in which he worked, a meeting which could never be interrupted. Someone from HR came to the door and said: "Frank there's an important phonecall for you." It was his sister-in-law, Patricia (Gerry's wife, now deceased) from England who told him the awful news: "Frank, your brother Peter's been shot dead in Belfast."

It was Francie who identified Peter's body at the mortuary in Foster Green and took possession of the only items Peter had on him when he was shot: a pipe and three 5p pieces. There was some comfort that they were able to bring Peter back home for the wake that evening: a relief to get back amongst his own. But, says Francie, the feeling of loss never goes away.

Last year, for the 25th anniversary of his murder, a plaque was put up in Distillery Street, Belfast, by local people living in the area where he was shot. This gesture has been really very much appreciated by the family. Bernie, though not very mobile, was so pleased she made the effort to attend and was very moved by the warmth of the welcome the family received.

Still the loss of Peter remains raw. It helped that he was so well-thought of in the area. People did a collection for the family and there was a function at the local GAA club where Peter had been a valued supporter.

In the end, Bernie - in a wise insight - says: "The way we coped was that we always talked about Peter and remembered him in our conversations with each other". He remains in their hearts: a fine husband, a good father and a painful loss.



Plaque in distillery Street

3. Who killed Peter: context, motive and identity?

As outlined in section 1, it was immediately clear from the approach and escape of the murderer - along with the geography of the Westlink motorway as a separating border between predominantly Catholic and Protestant areas - that this was likely a sectarian attack by a loyalist on a perceived Catholic. The attack was not immediately claimed by any loyalist group, however.

Later that day, Sinn Féin released a statement in the name of the party's south Antrim representative, Henry Cushinan, describing Peter as a "valued member" of Sinn Féin in Toomebridge and "a decent man who would be sorely missed".⁵

Peter had been a regular seller of the republican movement's newspaper, **An Phoblacht/Republican News** and assisted Sinn Féin during elections. Former hunger striker, Pat McGeown, who knew the victim personally, is quoted in the same news report in **The Irish News** the following morning.⁶

⁵ Shane Glynn, **The Irish News**, 25th March 1993.

⁶ *Ibid.*



He set the murder in a wider context; pointing out that 12 party members including three councillors had been assassinated by loyalists over the previous four years (see table below). These are the years when the career of Brian Nelson as an agent of British military intelligence was at its height; when his handlers were supplying the UDA/UFF with extensive information about republican suspects.⁷



John Stevens led three inquiries into collusion between state forces and loyalists

As if mirroring the classical formula of collusion, rumours built that the RUC may have seen Peter Gallagher as a republican to target. It later emerged, for example, that the RUC had been driving round taking photographs of republicans in Toomebridge

The murder of Peter Gallagher in sequence with other loyalist killings/attacks on republicans and uninvolved Catholics

• Murder: Cyril Murray	8 July 1992
• Attack: Dockers' Club	14 September 1992
• Murder: Gerard O'Hara	27 September 1992
• Attack: bookmakers in North Belfast	14 November 1992
• Murder: Malachy Carey	13 December 1992
• Murder: Tony Butler	14 January 1993
• Murder: Robert Shaw	16 March 1993
• Attack: Joe Austen's house	March 1993
• Attack: Gerard McGuigan's house	23 March 1993
• Murder: Peter Gallagher	24 March 1993
• Murder: James McKenna, James Kelly, Noel Kane, Gerry Dalrymple	25 March 1993
• Murder: Damien Walsh	25 March 1993

⁷ <https://www.irishtimes.com/culture/books/secretcy-and-northern-ireland-s-dirty-war-the-murder-of-pat-finucane-1.2796750>

and surroundings some six months before Peter was murdered; he had been photographed in this way. Security montages which included images of Peter Gallagher standing next to a republican ex-prisoner were later found around Ballykinlar, a British army camp in Co. Down. It was the wide dissemination of these security montages into the hands of loyalist paramilitaries which provoked the Stevens Inquiries⁸ into the matter of collusion between state security agencies and loyalists. The documentation (security montages) first appeared when, in 1989, loyalists claimed that Loughlin Maginn, an earlier victim of their armed campaign, was a republican.⁹

He was shot dead by the UDA/UFF on Friday 25th August 1989. When challenged by journalists to prove Loughlin Maginn was in the IRA despite his family's denials, loyalists began producing hundreds of RUC and British army security photomontages, clearly obtained illegally. Given this background, it is hardly surprising that Peter's relatives, friends and colleagues began to question whether his murder fell into this category.

Notwithstanding this intense period of loyalist violence targeting republicans (with state assistance¹⁰) in a more focussed way than loyalists had shown themselves capable of heretofore, as Peter Taylor concluded in his book on loyalism, the majority of loyalist victims from this period were still random Catholics.¹¹ And certain features of Peter Gallagher's murder suggest that this may also be true on this occasion. The sectarian geography of the assassin's route, from loyalist enclave to republican area is a general feature of many loyalist killings. The fact that Peter could not really be associated with the van he was driving as he only took it over in the previous couple of days prevents him being easily identified by his vehicle (unless, of course, the killer had very up to date intelligence). The fact that it was not always Peter who opened up the unit in the complex (indeed, this was to be his last day doing so) and that he had only been undertaking

⁸ Full text of final Stevens Inquiry can be found at <https://www.theguardian.com/politics/2003/apr/18/uk.northernireland1>

⁹ The Loughlin Maginn case is mentioned in the **Irish Times** article (*supra* footnote 6). See also <http://cain.ulst.ac.uk/issues/collusion/chron.htm>

¹⁰ In the de Silva report into the murder of solicitor Pat Finucane, intelligence sources are quoted saying that in the mid to late 1980s, 85% of the UDA's information came from official sources. This was even before the recruitment of Brian Nelson.

¹¹ *Op cit*, p. 213.



this duty over the previous few days also suggest opportunism rather than forward planning. All these factors conceivably suggest a more random level of targeting.

In any event, it was only after it became clear through media reports that Peter Gallagher had republican connections and had been involved in political activity on behalf of Sinn Féin that his murder was claimed by the UDA/UFF. At the inquest into Peter's death, an RUC detective-inspector said: "I cannot be absolutely certain but we believe the statement was a follow-on to media coverage of the incident."¹² This suggests that, once it was possible - by sheer coincidence - to place this murder in the context of the UDA/UFF campaign against republicans, that organisation was anxious to claim it.

Whatever about the proximate motivation behind the murder, published accounts of the killing are consistent with the initial news reports that the assassin came from and went back to the Village area. The most complete account is in the book by



Stephen McKeag

Lister and Jordan¹³, where the killer is identified as Stephen McKeag, nicknamed 'Top Gun', supposedly the most prolific gunman associated with Johnny Adair's C-Company (UDA/UFF) on the Shankill Road.¹⁴

According to this account, the *modus operandi*, travelling on his own to the target was unusual and suggested a level of impudent nerve boosted his notoriety in loyalist circles. The use of a bicycle as transport is similarly viewed as a daring option. Quite how shooting someone in the back from a concealed position, while your victim is unable to take any steps to save himself or prevent the attack, is an action that deserves to be respected is hard to fathom.

12 Chris Thornton, Brian Feeney, David McKittrick, Seamus Kelters, *Lost Lives, The Stories of the Men, Women, and Children who Died as a Result of the NI Troubles*, entry No. 3384.

13 *Op cit*, p. 110-111.

14 McKeag's notoriety and significance in the early 1990s emerges also from the book written by McDonald and Cusack, with its Foreword devoted to a summary of his career and multiple references to his activities in the rest of the book, *supra footnote 3*.

On the other hand, McKeag - if it was indeed he that carried out the cowardly attack - was not from the Village area and thus, must have either stayed there overnight for the early attack or travelled across the town early in the morning. In either case, this suggests more planning than is acknowledged by the officer's statement at the inquest.

However, if this was a completely solo operation, it is striking that it was claimed by the UDA/UFF when it became clear that a republican had been murdered. This retrospective endorsement suggests more strategic oversight of and involvement in one individual's actions, which we comment on below. Certainly, the tone of the comments by those interviewed in the Lister & Jordan account indicate an organisational and community sanction. It follows that Peter Gallagher's family - supported by RFJ - feel that the murder should therefore be viewed as of a piece with the UDA/UFF violence of the period: replete with collusion, riddled with state agents¹⁵ and facilitated through multiple contacts with British state officials who viewed nationalists as expendable in their over-riding desire to defeat the IRA and, more generally, the nationalist desire for Irish unity.

4. Complaint to the Police Ombudsman

The Police Ombudsman has been asked to investigate Peter's murder in the context of collusion, now widely acknowledged to have taken place between the UDA/UFF and individuals in RUC Special Branch. The UDA had only finally been banned some seven months earlier in August 1992, despite the ferocious level of violence it inflicted on the Catholic community, through its risible cover name, the UFF.

The fact that photographs of Peter Gallagher, taken by members of the RUC ended up on security photomontages makes the RUC complicit in making him a target. The fact that he was murdered with a weapon that, in all likelihood, was part of the shipment brought in with British army intelligence and British security service connivance which the RUC failed to secure makes the RUC complicit in his murder. The failure of the RUC to provide the victim's family with any information as to the progress of the

15 See below, sections 5.4. and 5.5.



investigation displays the contempt which the RUC had for the victim and his family; this failure is, in addition, a breach of the procedural requirements of Article 2 of the European Convention on Human Rights which call for family involvement in the investigation.

The importance of Article 2 is that it is the international law framework for the protection of life. This means that, when life is taken, the state must act and behave in ways laid down by the European Court of Human Rights' (ECtHR) interpretation of Article 2. The Court has, over the course of a number of cases arising from the conflict in the north of Ireland, from Turkey and from the Soviet Union, spelt out in some detail what are a state's obligations. These include the need for a prompt, thorough and independent investigation into the death along with close liaison with the victim's relatives. These standards become even more crucial where the state is or may have been directly or indirectly involved in the killing. Ground-breaking cases taken to the ECtHR from the north of Ireland include the killings of Patrick Shanahan and solicitor Pat Finucane, both loyalist killings where UK state collusion with loyalists was a significant element under-pinning any proper investigation.

The Police Ombudsman seeks to carry out investigations according to these criteria and assess previous investigations by the RUC into controversial conflict-related murders against these standards.

The combination of alleged collusion by state agencies with UDA personnel involved in the murder and/or connected to the murderer, the provenance of the weapon used, and the lack of any attempt to keep the family apprised of progress in the investigation together form the substance of the complaint which the Gallagher family and Relatives for Justice have lodged with the Police Ombudsman. The Ombudsman has accepted the complaint as falling within its remit and will now investigate the circumstances of Peter's murder over the coming period.

This report will now outline the detail of the complaint.

5. Elements of the Gallagher family's complaint to the Ombudsman

5.1 Failure to provide information to the victim's family

As is normal in these cases, no information was provided to Peter Gallagher's widow regarding arrests if any, lines of inquiry, or other information relevant to the case. Such contact and liaison should be an integral part of any investigation which complies with the procedural requirements of Article 2 of the European Convention of Human Rights. Article 2 is breached when a victim's family interest and concerns are not taken into account, and the family are not kept up to date with the progress of the investigation.

Identification of the killer in published material is an added blow to the feelings and interest of the family. No official has ever discussed this with the family or provided guidance as to the provenance or intelligence background of such claims.

Peter's son, Seamus, met two police officers from Grosvenor Road Barracks, Belfast two or three weeks after his father's murder. It was the middle of May. He met them with Fr Paddy O'Neill in the parochial house. They asked Seamus if he knew of anyone who had a grudge against his father. Seamus says he found that hard to credit as the murder had already been claimed by the UDA/UFF. It didn't suggest a very credible investigation was under way.

In preparation for the inquest, Bernie - Peter's widow - had to go down to the barracks in Toome and meet a police officer who wanted to get details of the family, numbers of children, names and ages and so forth.

Apart from these two occasions, there has been no contact with the police, no update of information, no progress report; nothing.

5.2 Turning a blind eye to loyalist violence

The career of Stevie McKeag appears to be well-known in loyalist and journalistic circles. The accounts in the books we have examined suggest he



was lionised in loyalist communities because of the number of sectarian killings in which he had been involved. Given the number of informers supposed to have been involved in loyalist paramilitary groups¹⁶, it seems inconceivable, therefore, that intelligence was not available from an early stage concerning the activities of Steven McKeag and his associates in C-Company. Moreover, it has also been claimed¹⁷ that John White was an informer for RUC Special Branch from the time he was released from prison in 1992. White was reported to have been deeply associated with C-Company at the time of Peter Gallagher's murder; indeed, his notoriety¹⁸ would have put him in a senior position in the Shankill UDA/UFF and with considerable influence over Adair and his associates. It may, indeed, have been White who saw the opportunity to claim Peter's murder as part of the loyalist anti-republican campaign.



John White and Johnny Adair in 2002

John White, of course, also had previous experience in arms importation and questionable interactions with RUC members. In May 1972, he was charged in London with conspiring to obtain firearms, along with an RUC officer, Robert Martin Lusty, and the then chair of the "15,000 strong Ulster Defence Association", Charles Harding Smith.¹⁹ Though the

RUC officer ultimately had the charges dropped, the magistrate was clearly less than impressed as he refused a request by the RUC man for an award of costs.²⁰ No explanation for this change of approach was offered by the Director of Public Prosecutions; however, the patterns of later collusion were clearly being laid down.

Turning back to C-Company and the early 1990s, we say that there must certainly be considerable intelligence information about McKeag and his actions, including the murder of Peter Gallagher. The Gallagher family wish the Police Ombudsman to access this information from Special Branch files and other intelligence material relating to C-Company and John White in order to assess whether the RUC had prior knowledge of the murder.²¹

Furthermore, the Gallagher family - supported by RFJ - believe that the follow up investigation may have been hampered by Special Branch who were seeking to protect their informer, John White, and any other C Company-related sources of intelligence. If this is indeed the case, the question of institutional independence from the RUC in the investigation becomes a more urgent issue in Article 2 terms.

Finally, as the various loyalist sources who have been quoted in written accounts of the period suggest that Peter Gallagher's murder was an early action by McKeag - and, supposedly, his first republican killing - Peter Gallagher's family wish to know what efforts were made to disrupt his activities. Could more vigorous police action have prevented his ability to carry out the attack which killed Peter? Could appropriate police action have prevented further killings by McKeag? Or did it suit the RUC to allow the vicious loyalist campaign to continue as it was a lower priority than fighting the IRA in particular and republicans more generally. This is what happened in relation to the UVF unit in Co Down that carried out the Loughinisland attack already investigated by the Police Ombudsman. As Dr Maguire said on the occasion of the launch of the public statement arising out of that investigation: "Had this [UVF] unit been subject to sustained investigation they may have been arrested,

16 We comment below on the possibility that he himself may have been in the pay of Special Branch.

17 <https://www.belfasttelegraph.co.uk/incoming/loyalist-white-a-police-informer-28108844.html>

18 Sentenced in 1978 for the brutal murder in June 1973 of Senator Paddy Wilson and Irene Andrews in North Belfast. Both victims were repeatedly hacked and stabbed to death.

19 'R.U.C. Man in London Arms Case; suspended from East Belfast station pro tem', *The Irish News*, 02.05.1972 and 'UDA Chief on arms plot charge', *Belfast Telegraph*, 02.05.1972.

20 'Suspended RUC man cleared in arms case', *The Irish News*, 02.06.1972.

21 Below we comment in more detail on allegations that Adair and McKeag may also have links to state security agencies.



brought to justice and not have been involved in the Loughinisland attack, of which they were suspected.²²

In like manner, Peter Gallagher's family and RFJ have asked the Ombudsman to examine whether more robust investigation of McKeag's actions might have spared other families from his and his colleagues' murderous activities.

5.3 Importation of South African weapons

The pistol used to murder Peter Gallagher had been used in an attack on the home of Sinn Féin councillor, Gerard McGuigan, the previous morning. This is a direct link to the campaign against republicans facilitated by information supplied from police, military and intelligence sources. This weapon, therefore, links the attack on Peter to this wider campaign of political assassination, irrespective of whether the assassin operated opportunistically on the day in question. It contradicts absolutely the claim of the RUC inspector at the inquest into Peter Gallagher's death.²³

The weapon was a 9mm Browning pistol. There were 90 such weapons in the arms shipment to loyalists that reached the north of Ireland in January 1988.



Loyalist weapons obtained with the connivance of British intelligence

22 <https://policeombudsman.org/Investigation-Reports/Historical-Reports/The-murders-at-the-Heights-Bar-in-Loughinisland-Po>

23 *Supra*, footnote 11.

The Police Ombudsman examined the importation of these loyalist weapons in his report into the shooting at the Heights Bar, Loughinisland.²⁴ RFJ's own report into collusion was the first time that the impact of the south African weapons on loyalist violence was comprehensively documented.²⁵ Journalist, Barry McCaffrey, has stated that the shipment consisted of: "a consignment of 200 AK47 assault rifles, 90 Browning pistols, 500 fragmentation grenades, 30,000 rounds of ammunition and 12 RPG rocket launchers."²⁶ While the UDA share of these weapons was intercepted, McCaffrey goes on to state: "[h]owever the Ulster Resistance weapons were never recovered and some, including rocket launchers, were later passed onto Johnny Adair's 'C' Company."²⁷ Following this chain of events, it seems reasonable to suppose that the weapon used to murder Peter Gallagher was part of the same shipment.

The Gallagher family - and RFJ - has asked the Police Ombudsman to examine if this is the case and to determine whether RUC failures in respect of the weapons shipment therefore contributed to Peter's death.

5.4 Collusion: agents in C-Company - Johnny Adair and the FRU

As well as the allegation mentioned above in the McDonald & Cusack account of the UDA²⁸ regarding John White being in the pay of Special Branch, these authors raise the possibility that British military intelligence (in the form of the Force Research Unit) was close to Johnny Adair and C-Company on the Shankill Road in the 1990s. They quote former Special Branch officers pointing the finger at the then head of FRU in Belfast (a more senior officer than the notorious Brigadier Kerr²⁹ who "ran" Brian Nelson).

24 <https://policeombudsman.org/PONI/files/17/17aea3d1-c4c6-4f02-8ebc-4eb39af9b168.pdf>, pp. 19 – 62.

25 See, <https://relativesforjustice.com/collusion-report-1990-1994/>

26 Barry McCaffrey, *Irish News*, 7 October 2007.

27 *Ibid.*

28 *Supra* at footnote 3, UDA: *Inside the Heart of Loyalist Terror*.

29 Gordon Kerr was responsible for the FRU during the period when Brian Nelson had been recruited by that security unit to become head of intelligence in the UDA on the Shankill Road, and for the organisation more generally. It was Kerr



Brigadier Gordon Kerr

They also allege that the Stevens Enquiry “found Adair’s fingerprints on at least twelve top-secret military intelligence dossiers”. Further, a Special Branch officer told them, concerning links between FRU and C-Company: “Everybody thinks the collusion went allegedly as far as Kerr. It went much higher than that inside the [British] army.”³⁰ These are striking allegations that should be investigated in relation to C-Company, Johnny Adair and his primary assassin, Steven McKeag. For this reason, the Police Ombudsman has been asked to examine the Stevens Inquiry material as well as whatever intelligence is held by the PSNI in relation to these matters. Even though the Police Ombudsman has no role in investigating army actions, the Stevens Enquiry was a police inquiry and the documentation and findings of that enquiry are accessible by the Ombudsman’s office.

(identified in court only as “Colonel J”) who provided mitigating testimony at Nelson’s trial. On the basis that he was paid £200 a week by the British state, by the time he was incarcerated he had received an astonishing £89,600 (worth almost £200,000 in current values). It is not known how much he was paid during his imprisonment and up to his alleged death in 2003. Kerr’s career did not suffer from his involvement in such illegal activity: he became military attaché to the British embassy in Beijing, only retiring from the army in 1998. He was awarded an OBE in 1991 – before Nelson’s trial – and the Queen’s Commendation for Valuable Service in November 1996, by which time all relevant authorities would have been well-aware of his activities in Ireland.

30 *Op cit*, p.233.

5.5 Collusion: agents in C-Company - Steven McKeag and RUC Special Branch

RFJ has spoken to a man³¹ who worked in the Blue Star taxi depot at the junction of Falls Road and Donegal Road on 7th September 1993, six months after Peter was murdered, when there was an attack by three loyalist gunmen. As the loyalist gang tried to gain entry to the taxi depot office, this man and his colleagues were able to close the door and prevent them getting in. Deprived of their primary target, one of the gunmen fired into the butcher’s shop next door, wounding the owner, Brendan McAuley. The gang then went around the corner onto the front of the Falls Road and entered the hairdresser’s salon, where they shot the owner, Sean Hughes. He died at the scene. In order to access the hair-dressers they had to climb a stairway.

The man in the taxi depot gave a description of one of the gunmen to the police when they arrived at the scene. A female member of staff in the hairdresser also gave a description.



Sean Hughes

Both were asked to attend an identification parade to see if they could pick out the suspect. They both identified the same person despite the fact that he had changed his appearance: he had shaved his head, wore a celtic cross round his neck and a Celtic football jersey.³² This positive ID allowed the RUC to charge Stephen McKeag (for this was whom they had identified) with the murder of Sean Hughes.

Following this, the witness told RFJ, his house was

31 Though we do not name this man, we would be able to arrange for the Ombudsman to meet him to review his evidence. RFJ has a written account on file of his testimony.

32 In parenthesis, it is worth stating that it must be a matter for doubt whether a loyalist on the Shankill Road had Celtic accessories to hand such as those worn by McKeag in the line-up. One wonders therefore whether these were supplied by RUC Special Branch. It would not be the first time that suspects were assisted to change their appearance or otherwise undermine an ID parade.



searched by the RUC on a number of occasions. During one of these searches, significant damage was done to the interior of his house. The RUC carrying out the searches told him they were acting on information that he was hiding arms for terrorists. Needless to say, this was nonsense and nothing was found.

One of the CID officers investigating the murder of Sean Hughes was Kevin Sheehy³³. This officer told our civilian witness that he (Sheehy) believed the searches were instigated by Special Branch; as McKeag was their agent, the searches were an attempt to get the witness to withdraw his identification evidence. During this time, this man also received visits from the RUC to inform him of threats to his life that they had received from loyalists. As a result of this, he moved house.

“

When the case came to trial, remarkably, the judge rejected the identification evidence and McKeag walked free. McDonald & Cusack suggest the RUC officers in charge of the investigation were furious ...

When the case came to trial, remarkably, the judge³⁴ rejected the identification evidence and McKeag walked free. McDonald & Cusack suggest the RUC officers in charge of the investigation were furious³⁵. Both the conversation with Kevin Sheehy and the rejection of evidence by the judge point to the fact that Stephen McKeag was indeed in the pay of RUC Special Branch.

RFJ is aware from legal contacts that it was a practice to submit “satellite files” to a judge in circumstances where intelligence assets were involved. Documentation provided in this way was “intelligence” from Special Branch or MI5. Given

McKeag’s notorious reputation and the presence of two positive identifications it seems that some special intervention with the judge may have taken place. In Kevin Sheehy’s account of his life in the RUC, he relates the general practice of providing sensitive information to the Director of Public Prosecutions “in a separate file. This might refer to the involvement of an informant, details on intelligence, or previous convictions. The Director of Public Prosecutions decided how much of this data could be disclosed to the court and to defence counsel.”³⁶ This indicates the routine use of such “satellite files”.

A striking factor in relation to the murder of Sean Hughes was the apparent confidence of the loyalist attack squad that they had sufficient time to give attention to three separate premises including climbing a staircase after having discharged a weapon. And still they had time to make good their escape. This is suggestive of levels of co-operation with police or British army seen in other cases where there was security pullback to facilitate an attack. It is certainly clear there was no RUC surveillance in operation for such a brazen attack to take place and the assailants to retire in safety. It is the kind of protection suggestive of care for a paid agent. RFJ is aware of many cases where “out of bound orders” (OBOs) were in place to prevent the disruption of loyalist attacks.

Peter’s family have requested the Police Ombudsman to examine this possibility of McKeag being a paid agent of the British state. They wish this to be examined in detail and feel that, as McKeag is now dead and cannot therefore have any Article 2 rights³⁷, his status as an agent should be put into the public domain. If the accounts of his involvement in the number of incidents is as documented in the published material, there can surely be absolutely no public interest in hiding the fact that the so-called forces of law and order saw him as a suitable individual to work on their behalf and be paid from the public purse.

33 Kevin Sheehy writes about this case in his memoirs on his time as a police officer, see p. 127, **More Questions than Answers: Reflections on a life in the RUC**, Gill & McMillan, 2008.

34 RFJ has not to date been able to establish which judge sat for this trial.

35 *Op cit.*, p. 2.

36 *Op cit.*, p.145.

37 Policing authorities usually “neither confirm nor deny” whether a particular individual is a paid agent. This NCND doctrine is claimed on the basis that revealing the identity of informants could put their lives at risk. However, where the individual is dead, this Article 2 (right to life) argument is not relevant.



6. Conclusion: collusion was a factor in the murder of Peter Gallagher

The Ombudsman has been asked to consider Peter's assassination in the context of the growing evidence of collusion. The UDA in general and C-Company in particular boasted of the level of information they had (in Peter Taylor's BBC documentary "Loyalists", one man claimed that they had information on republicans up to and including "the colour of their socks") and were in the midst of a concerted campaign of attacks on republican targets as well as their more random attacks on Catholics.

There is no doubt that Peter was an easy target, so close to the Westlink that acted as a virtual interface to a loyalist area. However, the material we have provided suggests that the apparent lone killer and a number of individuals associated with

him may well have been in the pay of one or other secret national security agency. These shocking possibilities require a properly independent investigation which can reassure the family and the wider public: all relevant information must be put into the public domain, including where agents are involved in criminal activity and where their handlers connive in major human rights violations.

Peter Gallagher was a family man who loved his wife and his children, was committed to his local community and his republican comrades. He had no airs and graces but was a valued community man who brought a sense of fun and enjoyment to whatever he got involved in. He is sorely missed by those he left behind, who remember him as a man without a bitter bone in his body; he was simply seeking to improve the lives of his family, everybody he knew and the condition of the country as a whole.

March 2019





PETER GALLAGHER

**I think Wolfe Tone said it best:
“Many suffer so that someday all Irish people may
know justice and peace.”**

Peter's grandson, Caolan, reflects on the loss of his grandfather



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