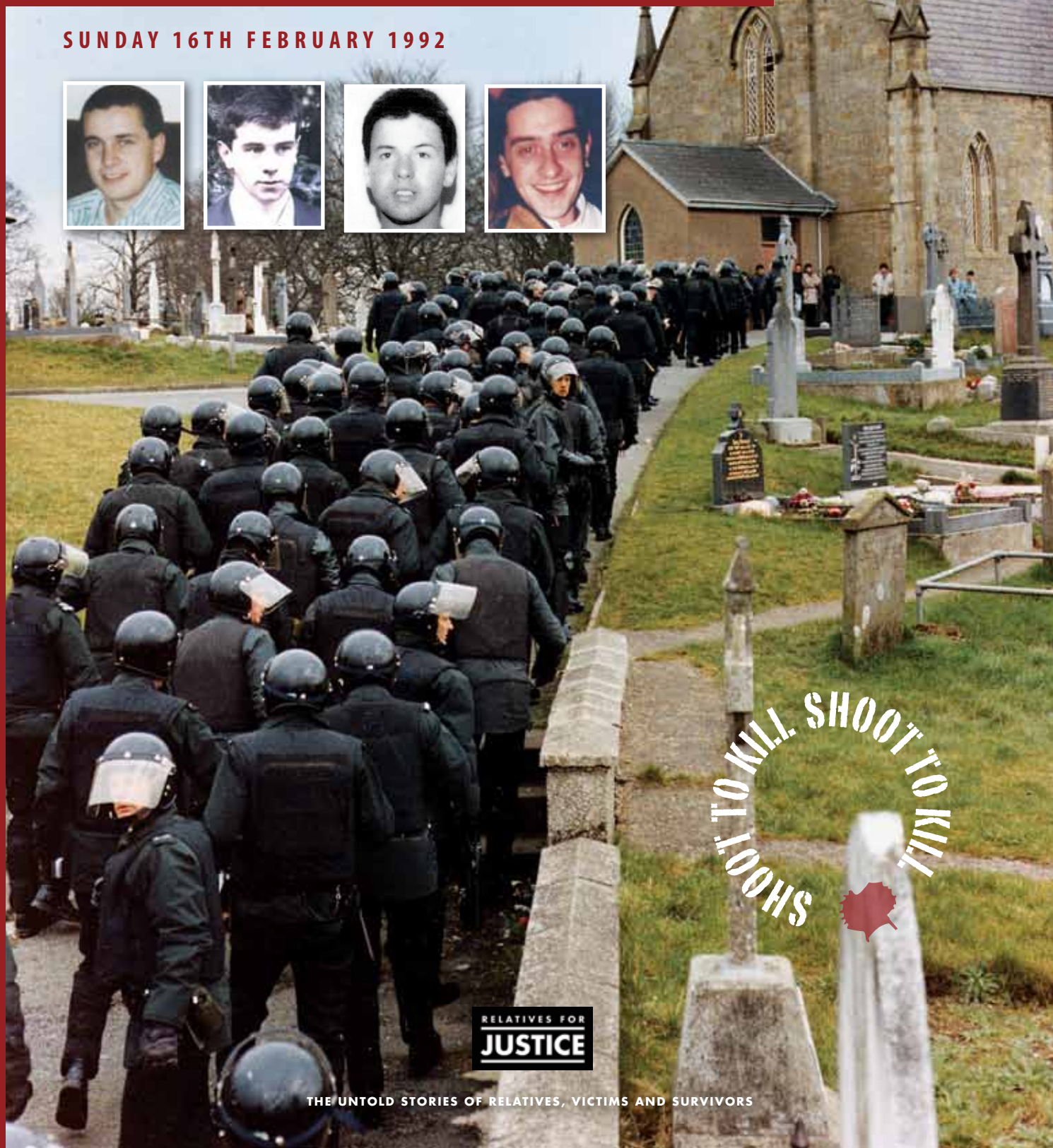


# AMBUSH, ASSASSINATION AND IMPUNITY

The Killings of Kevin Barry O'Donnell, Patrick Vincent, Peter Clancy and Sean O'Farrell

SUNDAY 16TH FEBRUARY 1992



SHOOT TO KILL. SHOOT TO KILL.

RELATIVES FOR  
**JUSTICE**

THE UNTOLD STORIES OF RELATIVES, VICTIMS AND SURVIVORS

# AMBUSH, ASSASSINATION AND IMPUNITY

The Killings of Peter Clancy, Sean Farrell, Kevin Barry O'Donnell and Patrick Vincent



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PETER CLANCY, SEAN FARRELL, KEVIN BARRY O'DONNELL, PATRICK VINCENT PETER CLANCY, SEAN FARRELL, KEVIN BARRY O'DONNELL, PATRICK VINCENT  
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Sunday 16 February 1992

# Contents

<b>Introduction</b>	<b>3</b>
<b>The Harassment of Kevin Barry O'Donnell and Sean O'Farrell</b>	<b>4</b>
<b>Clonoe 16th February 1992</b>	<b>4</b>
<b>The Funerals</b>	<b>8</b>
<b>Pre-Meditated and Pre-Planned</b>	<b>10</b>
<b>Belfast High Court finds shooting "unjustified"</b>	<b>12</b>
<b>Who sanctioned the killings in Clonoe?</b>	<b>14</b>
<b>Shoot-To-Kill Policy</b>	<b>16</b>
<b>International Intervention</b>	<b>22</b>
<b>HUMAN RIGHTS New opportunities</b>	<b>23</b>
<b>International standards</b>	<b>23</b>
<b>Families Developing Article 2 Standards</b>	<b>25</b>
<b>Inquests</b>	<b>25</b>
<b>The Right to Legal Representation</b>	<b>27</b>
<b>Conclusion</b>	<b>27</b>
<b>Key Points</b>	<b>28</b>
<b>The Families make the Following Calls</b>	<b>29</b>
<b>Biographies of Deceased</b>	<b>30</b>
<b>Acknowledgements</b>	<b>32</b>

## The Killings of Peter Clancy, Sean Farrell, Kevin Barry O'Donnell and Patrick Vincent



Inter-American Court of Human Rights judgement on Plan De Sanchez Massacre in Guatemala.



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Report commissioned by the surviving families of  
Peter Clancy, Kevin Barry O'Donnell, Sean O'Farrell and Patrick Vincent.





## The Killings of Peter Clancy, Sean Farrell, Kevin Barry O'Donnell and Patrick Vincent





Sunday 16 February 1992

south Coalisland had apparently been cleared over six hours before the shooting of all regular 'security force' patrols and movements.

However, when the IRA men reached the Church car park at approximately 10:45 p.m. they had no opportunity to follow their plan of disposing of the weapons and leaving in getaway cars. Members of the British army, which according to newspaper articles belonged to the SAS and 14<sup>th</sup> Intelligence Company<sup>6</sup>, were lying in wait behind the hedges, which at the time framed the parameter of the car park area. According to statements from these British army units they had been in place from approximately 7pm on the evening of February 16<sup>th</sup> 1992.



When the IRA men arrived at the car park the SAS opened fire before the lorry stopped. Witnesses described the shooting as sustained gunfire. It was said that the shooting went on for a long time and that there had been tracer bullets lighting the sky. A total of 514 spent cartridges were later to be recovered at the scene, all of which were declared to be belonging to the British soldiers' weapons.

The SAS soldiers gave no warnings and therefore left the IRA men no chance to surrender. This belief has been fuelled by the evasive behaviour of British 'Security Minister' at the time, Brian Mawhinney, who answered the question of whether the IRA men were actually given the chance to surrender only by referring to the extent of the weaponry removed from the scene<sup>7</sup> as well as claiming that the IRA men had been on a "murder mission". In addition villagers heard the first shots within seconds of the lorry arriving at the church<sup>8</sup>.

Patrick Vincent who had been the driver was shot 5 times in the cab of the lorry. Peter Clancy and Kevin Barry O'Donnell who had been on the back of the lorry were shot ten and two times respectively and their bodies were found on the ground close beside the lorry. Kevin Barry O'Donnell had a screwdriver in his hand as he was dismantling the machine gun as the lorry entered the carpark. Peter Clancy's body was found next to the lorry feet away from Barry O'Donnell in the church ground.

6 The Sunday Times, 23 February 1992, Liam Clarke and Michael Prescott, 'It started with a hit and run attack on an RUC fortress. Its bloody end came when the IRA stumbled...Inside the 'killing zone'.

7 The Irish News, February 18, 1992, Liz MacPherson, 'Mawhinney defends soldiers, but says a full investigation will be carried out'.

8 See *supra* note 26.



## The Killings of Peter Clancy, Sean Farrell, Kevin Barry O'Donnell and Patrick Vincent

[illegible]





## The Killings of Peter Clancy, Sean Farrell, Kevin Barry O'Donnell and Patrick Vincent







## The Killings of Peter Clancy, Sean Farrell, Kevin Barry O'Donnell and Patrick Vincent



The RUC carried out an investigation into these killings and a decision was reached that there would be no prosecutions. That decision was made on October 15, 1992 even though some of the British soldiers involved in the shooting that night did not make statements until December 1992.

This incident has raised many questions of the legality of the operation of the state forces. The issue of the existence of a shoot-to-kill policy employed by the British state was brought up again and given further attention.

It has become apparent that state forces had exact knowledge of the IRA plan to attack the RUC station and then drive to the church car park in order to dismantle the gun and get away to safe places.

The obvious question would therefore be why the state made no attempt to arrest the IRA men. Members of the families claim that it was common knowledge that IRA operations like this one would usually have the following pattern. After dismantling the machine gun the IRA would have discharged the weapons into the boot of one car - get themselves into other cars and drive off. As there are only two ways out of the car park state forces could have erected roadblocks and checkpoints on these roads stopping and arresting the men. Because the guns were usually hidden in one car in order to be brought to an arms dump, the RUC/British army would not have faced a risk by arresting the IRA unit after they had finished their operation. Two occasions existed when the men were unarmed and could have been arrested prior to making the attack or at any time during the dismantling and disposing of the weapons. Ideally the entire incident could and should have been avoided.

The deployment of SAS soldiers, noted solely for their ambush and execution methods rather than effectively securing and making arrests in accordance with international standards, adds to the concern that the aim of this operation had indeed been to kill the IRA men and not to arrest them.

This view seems to be confirmed by the fact that several car teams (a-h) were in position by 8 p.m. and told by C/S 40 (SAS operational codes on material obtained by the families) to hold off until the IRA men had reached the car park of the Clonoe Chapel and then move along designated routes towards the target location as soon as contact was initiated by the ground team.

Concerns are also raised by the fact that an ammunition magazine was found under the body of Sean O'Farrell. Sean had fled some 100 yards before he was shot dead. This would suggest that although already shot and injured and running for his life during the ambush Sean had time to lift up and run with the magazine. This incident has raised the question of whether the magazine was planted there to 'justify' the killing of Sean O'Farrell at a different location. A key question for any inquest is whether or not Sean was shot whilst on the ground.

Documents disclosed at a preliminary inquest hearing clearly demonstrate that the authorities had prior knowledge of the planned IRA attack. This included the gun to be used and that it had been moved for this purpose from a different location in the county, including of its whereabouts, prior to the attack on Coalisland RUC station.

The documents that the authors have seen clearly demonstrate that whilst this information was in intelligence reports and briefing documents that in addition the SAS were also planning their operation 36 hrs in advance of the killings.

Linked to these intelligence documents of 12<sup>th</sup> February 1992 and some 4 days before the killings it states, "intelligence indicates that Coalisland PIRA have carried out recces of Coalisland RUC Station and some sort of attack may be imminent". The document further comments that "Divisional authorities appraised".

Hand written intelligence documents from 15<sup>th</sup> February, the day before the attack, identify Kevin Barry



[illegible]





## The Killings of Peter Clancy, Sean Farrell, Kevin Barry O'Donnell and Patrick Vincent

The process by which the SAS are normally deployed involves the British military, RUC and the British Secretary of State for the north of Ireland.

Under the umbrella of the Task Coordinating Group (TCG) this collective of military, security, policing, and political are tasked with the decisions to deploy covert operations involving the RUC Special Branch, the British army's 14<sup>th</sup> Intelligence Unit, the Force Research Unit (FRU), the SAS and other specialist covert operations pertaining to the conflict.

14

A further observation is that despite the roaming of nationalist and republican areas by loyalist death squads and the numerous sectarian and political assassinations carried out by these same gangs there was never any deployment of the SAS or covert operations that prevented their ability to operate freely despite even the notoriety of these killers. In 1991 the IRA killed 17 civilians and in 1992 they killed 18 civilians. By contrast loyalist paramilitaries killed 49 civilians in 1991 and 39 in 1992. Not that we are advocating that the SAS should have been deployed against loyalists but whilst the British government position was that it was “countering terrorism” and claiming to do everything to prevent attacks they stand exposed in their one-sided military approach concerning only one combatant force. For many families bereaved by loyalists and state actions and for many observers of the conflict the reality was that the intelligence and the apparatus of the British military and political establishment was deployed in assisting, arming, controlling and directing loyalism rather than combatting it.

Indeed in one instance in which loyalists killed a 76 year-old pensioner, Roseanne Mallon, at her home on the outskirts of Dungannon, County Tyrone, it was later revealed that a British army undercover unit observed the attack and yet did not intervene<sup>19</sup>.

It was also disclosed that this covert unit was part of a number of covert units secreted around the Mallon home, which was at the time of the attack subject to a major surveillance operation that had been in place for weeks. It was also disclosed that the covert operation had recorded and transmitted footage to their command at Mahon Barracks, Portadown, of the Mallon home. On the night of the attack the covert operation reported suspicious activity, the gunmen, then the shooting and were instructed 'not to react'. They had earlier been instructed to switch off their covert cameras<sup>20</sup>. Other recorded footage, vital to the murder investigation, was withheld and then allegedly destroyed.

Members of the Mallon family had been threatened by the RUC and in particular that the Special Branch would have members of their family murdered by loyalists<sup>21</sup>.

This pattern of threat by the RUC to republicans was widespread and many relatives of republicans, including republican activists, were targeted and killed west of the Bann in the bordering counties of east Tyrone, south Derry and north Armagh.

18 Northern Ireland Office

19 Disclosures by the MoD from civil action taken by the Mallon family in respect of the killing

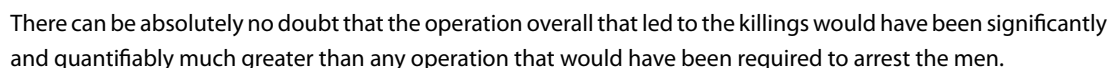
20 Further disclosures pertaining to civil action

21 Details of these threats on file with lawyer Martin Donaghy, RFJ and Amnesty International





## The Killings of Peter Clancy, Sean Farrell, Kevin Barry O'Donnell and Patrick Vincent



Noting threats to the men by the RUC and in particular to Barry O'Donnell and Sean O'Farrell the families feel that if the SAS had not killed the men then loyalists would have been used.

## Shoot-To-Kill Policy

16

These policies, including that of impunity, are borne out in the statistical data of the approximately 370<sup>26</sup> people killed directly by the state during the course of the conflict in Ireland and the resulting non-prosecutions in all but a handful of cases. 79<sup>27</sup> of those killed directly by the state were children. The vast majority of those killed overall were unarmed civilians, and of those killed that were combatants to the conflict many were also killed whilst unarmed and their deaths occurred with great controversy. In situations where combatants were armed conflicting accounts exist and deliberate misinformation clouded the facts and it would suggest that many of the killings could well have been avoided. In addition the planning and ferocity of the many state ambushes clearly suggest that the intent was to kill outright and therefore in direct violation of Article 2 - The Right to Life - of the European Convention on Human Rights. This ferocity too was evident at Clonoe.

In response to public outcry concerning shoot-to-kill allegations John Stalker<sup>28</sup>, the then Deputy Chief Constable of Greater Manchester, was appointed by the British government to investigate three incidents that in the space of matter of weeks in late 1982 had claimed six lives. Prosecutions were initiated as a result of Stalker's

27 Applying the United Nations definition of children.

28 John Stalker was appointed to investigate allegations of shoot-to-kill following the shooting dead of 6 unarmed men in 3 separate incidents within a 12-week period in 1982. He was forced off the investigation through a series of allegations and smears about his reputation when it became clear he was intent on conducting the investigation as opposed to a cosmetic exercise. He was also obstructed by the RUC. Colin Sampson replaced him. The details of their findings have yet to be made public. The allegations against Stalker and which led to his removal from the investigation were later proved bogus.



## The Killings of Peter Clancy, Sean Farrell, Kevin Barry O'Donnell and Patrick Vincent





## The Killings of Peter Clancy, Sean Farrell, Kevin Barry O'Donnell and Patrick Vincent

20



Sunday 16 February 1992

<b>Peter Ryan</b>	03/06/1991	British Army
<b>Tony Doris</b>	03/06/1991	British Army
<b>Barry O'Donnell</b>	16/02/1992	British Army
<b>Sean O'Farrell</b>	16/02/1992	British Army
<b>Peter Clancy</b>	16/02/1992	British Army
<b>Patrick Vincent</b>	16/02/1992	British Army
<b>Peter McBride</b>	4/9/1992	British Army

It is absolutely certain that once a decision was taken to deploy the SAS then the deaths of these four men were certain.

From the available disclosures in these killings it is abundantly clear that ample opportunity existed to make safe and effective arrests within the rule of law and without the loss of life. The decision to deploy the SAS as part of a much wider covert and intelligence operation was sanctioned at the highest political, military and policing levels in the north at the time and the outcome of this deployment would have been patently inevitable.

The deceased were under surveillance well in advance of any planned attack and intelligence documents also reveal the movement of weapons, reconnaissance missions by the deceased, and precise details of a planned IRA operation. At no point during this considerable period is mention made or consideration given to preventing an attack or arresting the men.

Some of the men were stopped in the hours leading up to the IRA operation and unusually let go adding to the view that they were intentionally led to their deaths.

For families faced with a state engaged in military actions, with total control of the legal apparatus, even asking questions about the legitimacy of these actions was virtually impossible. The voices of the bereaved were largely ignored outside of their immediate community.

However that does not mean to say that the actions went unchallenged.

In its annual report to the United Nations Human Rights Committee in 1993 International Human Rights NGO Human Rights Watch raised the killings at Clonoe and stated that “Questions were raised as to whether the men could have been arrested, rather than killed”<sup>33</sup>.

However at that time remedy seemed very far away.

## The Killings of Peter Clancy, Sean Farrell, Kevin Barry O'Donnell and Patrick Vincent







## The Killings of Peter Clancy, Sean Farrell, Kevin Barry O'Donnell and Patrick Vincent

[illegible]



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## Key Points:

- At least 4 days prior knowledge existed that could have prevented any attack on Coalisland RUC station;
- This included knowledge of the principal weapon to be used and specifically its movement for the purpose of an attack;
- That the SAS were deployed at least 36 hours in advance of an attack;
- That an out of bounds cordon was created during this period;
- That at several times prior to the attack the men were covertly observed unarmed and yet no interventions were made;
- That no efforts were made to arrest the four men;
- That no warnings were given just prior to the SAS ambush;
- That the force used was excessive and unreasonable;
- That misinformation concerning the killings was disseminated claiming there had been a gun-battle which was untrue;
- There were no shots fired by the four men;
- That a recent ruling at Belfast High Court determined that the shooting of one man who survived the SAS ambush was 'unjustified' further stating that evidence provided by the lead SAS soldier, known as 'soldier A', was 'utterly implausible';
- That despite not being in possession of all of the statements from the SAS soldiers present that night and involved in the killings the DPP decided not to prosecute any of the soldiers;
- That after 20 years there has yet to be an inquest into these killings.



## The Killings of Peter Clancy, Sean Farrell, Kevin Barry O'Donnell and Patrick Vincent



Patrick is fondly remembered by his brother Paul and sister Anne as working on cars in the garage he built out back of the house, and playing with the dog which would always have been around the house. His younger sister Marian has different memories because she was only four when he died. She remembers him playing football with her and spending time with her. Patrick's death came as a big shock to the Vincent family as they were completely oblivious to his involvement in the Republican Movement. Patrick is buried in a family plot in Edendork Chapel.

**Kevin Barry O' Donnell** was born on the 24th March 1970. He was the third in a family of seven, having three brothers and three sisters. Christened Kevin Barry on an Easter Sunday by his parents, Jim and Celine, he was known as Barry to family and friends. Barry, an avid reader, was interested in nature and this was evident in his choice of career. While he was studying in England, Barry was arrested in May 1990 and charged with possession with intent. After 70 months in Brixton prison, he was released and deported. He endured constant harassment and death threats from the R.U.C., British army and the U.D.R. on a daily basis and despite it all, he remained a dedicated volunteer fighting for a united Ireland.

Barry was a popular lad who enjoyed a pint or two and the craic with his many friends and comrades. Barry was a fluent Irish speaker and enjoyed Gaelic football supporting his county team, Tyrone and also had played as a youth for his local teams. The last family occasion, and the proudest time for Barry was the christening of his son, Ruairí who was born a month before he died.





## The Killings of Peter Clancy, Sean Farrell, Kevin Barry O'Donnell and Patrick Vincent

