



# PADDY MULVENNA AND JIM BRYSON

Shot by the British army, 31 August 1973

REPORT COMPILED FOR THE MULVENNA/BRYSON FAMILIES BY RELATIVES FOR JUSTICE



# PATRICK MULVENNA AND JAMES BRYSON

SHOT BY BRITISH ARMY FIRE ON FRIDAY 31 AUGUST 1973

## Foreword

The realities experienced by the Catholic peoples of Ballymurphy, West Belfast and, indeed, across the north of Ireland brought an inevitability of conflict. There had to be a response to the intensive attacks on the civilian population that claimed many lives, alongside the physical and psychological injuries and damage caused by state forces and their proxies within pseudo counter-gangs.



*James Bryson (left) and Patrick Mulvenna*

People witnessed British army brutality first-hand even when they were not the subject of such violence themselves: the destruction of property and homes; raids where theft too was commonplace; arrests and internment; the mass screening of the population; and, of course, the notoriety of torture too.

In his weekly column for the Andersonstown News, Gerry Adams recently wrote about coming across a note penned by his late mother describing a British army raid on the family home on 10th August, 1971. Furniture and personal belongings were either vandalised or stolen, internal fixtures broken, the gas meter robbed, food and clothes destroyed. Having evicted those in the house before setting about their destruction the British army fired shots in the air and laughed as they left. The culmination to these attacks

was the deliberate ramming of the outside walls of the house by heavy militarised armoured vehicles. The family home was rendered uninhabitable and had to be demolished. Reflecting on this, Gerry Adams wrote that his mother always said this was the home in which she had been happiest. This was also the family home of Frances Adams, who would later marry Patrick Mulvenna.

Nowhere was the conflict experienced more intensely than within the Ballymurphy community, which had already faced decades of deliberate structural violence in the policy and practice of the Stormont regime with inequality, discrimination and sectarianism endemic. Many of Ballymurphy's older generation had also experienced the unionist and loyalist sectarian pogroms (involving the notorious B Specials of the RUC) that occurred periodically since partition.

Faced with the very visible presence of the British army in their community - an armed and violent representation of what was experienced as manifestly wrong and unjust - it was inevitable that young men and women would make conscious choices to join the republican movement. Having witnessed family, neighbours and friends being shot and violated in various ways, many argued there was no choice. Hundreds flooded into the ranks of the IRA. Numbers were boosted further when Bloody Sunday occurred in Derry involving the same British and brutish Parachute regiment that, six months earlier, had deliberately shot and killed 10 unarmed civilians including the parish priest in Ballymurphy; an eleventh person died of a heart attack having been subjected to a mock execution.

It was to be in this crucible of conflict that Patrick Mulvenna and Jim Bryson joined the republican movement and were later killed.

The bereaved Mulvenna and Bryson families are proud of their loved ones. Just because their relatives were active republicans, Óglaigh, doesn't make them immune from the human hurt, pain, loss, trauma and the emotional hardships that the killings had. They still mourn their loss.



The path Jim and Paddy chose brought with it personal hardships and sacrifices: not least for their immediate families, some of which is referenced in this publication. Their choice brought with it risks of prison, life on the run, and, obviously, the real possibility of death.

Harms and hurts were inflicted and incurred by all sides and communities in the conflict and this report in no way diminishes from the wider impact on all those who suffered.

However, the British government cannot on one hand claim (as it does) to have acted lawfully, when clearly the evidence in this instance – and countless other incidents involving state forces – irrefutably contradicts the state’s official account. And the killings cannot be viewed in isolation to wider systemic military and “security” policies involving shoot-to-kill, summary execution and use of lethal force. The killings were unlawful. Impunity is no longer tenable and can no longer substitute for accountability.

Either the pretence ends, and the truth is told – which to date has never occurred in respect of the many hundreds of direct and indirect state killings – or the processes required legally and independently to establish the facts and the truth must be put in place.

## Introduction

At around 6.35pm on Friday, August 31, 1973 a shooting incident occurred in the centre of Ballymurphy, West Belfast, an area known as the Bullring. 19-year-old Patrick Mulvenna died of gunshot wounds at the scene. 25-year-old James Bryson was mortally wounded and died three weeks later, on 22 September 1973. A third man, James O’Rawe, was injured in the incident; he fled the scene but was found, wounded, in a house nearby and arrested. Frank Duffy, the fourth man in the car, was also arrested.

The circumstances of the shooting were unclear in the immediate aftermath. A confrontation between Provisional Irish Republican Army (IRA) and Official IRA members was initially blamed. By the time Jim died, the British army had claimed the shooting, but death notices still appeared in the *Irish News* blaming “enemies of Ireland”. Family members also claimed at

the inquest nearly two years later that Officials were responsible. However, it eventually became clear that the fatal shots were fired by a British soldier, a Lance Corporal in the Royal Green Jackets (RGJ) regiment, who was hiding in a covert two-man observation post in the roof space of a vacant flat over-looking the Bullring at No 6 Glenalina Road.

Over the years, various accounts have emerged from the military personnel involved and their commanders which suggest that, far from being a gun battle as initially claimed, the soldiers may have taken the opportunity to target – and assassinate – enemy personnel seen as a major threat to their objective: the defeat of their republican opponents.

Patrick Mulvenna (known as Paddy), James Bryson (known as Jim), Jim “Bimbo” O’Rawe and Frank Duffy were taking part in a Provisional IRA operation at the time of the shooting and with the exception of Jim Bryson (who was the driver) were visibly armed when they were shot at. Many questions have been and are still being raised by the families as to the veracity of the account provided by British military and governmental sources. The family are also challenging the wider official narrative that contributed to the deaths of their loved ones.

Suspicions about that narrative are bolstered by the fact that there had been previous attempts on Jim’s life by irregular units of the British army, now known to have been called the Military Reaction Force (MRF). Patrick’s father also asserted that family members were warned by members of the British army that Patrick was to be shot on sight. Indeed, other fatal shootings by British army personnel are known to have occurred because the soldiers involved thought they were shooting at Jim Bryson. The evidence for these assertions is outlined below.

Notwithstanding the local and family suspicions that the deaths may have been caused by a feud, there can be no doubt that the British forces will have been delighted that Jim and Paddy were no longer a threat to them. In a televised recording the soldier who carried out the shooting states that he could hear cheers (“a big hooray in the background”) erupting when he radioed who he had shot.

The British army soldiers’ self-serving accounts which are outlined below have not been tested in a proper inquest, in a properly independent police



investigation or at trial. Along with the various military accounts which have emerged, there can be little doubt that the soldier involved knowingly shot<sup>1</sup> to kill Jim and Paddy; he should be held to account for his actions.

### Purpose of RFJ family reports

This report has been compiled by Relatives for Justice on behalf of the families as a full account of available information on what happened to their loved ones. It provides a narrative for families and an analysis of the wider context in which these killings 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 troops acting as neutral peace-keepers between opposing communities. In the absence of a legally-compliant investigation or examination of the evidence, this publication addresses official lies and propaganda by giving expression to families’ sentiments and views concerning what happened to their loved ones. RFJ seek to provide a voice for families and their loved ones in their continuing pursuit of truth and justice.

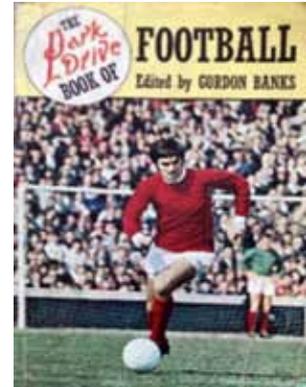
The report is also about remembering Paddy and Jim and their short lives.



Patrick (centre) and friends

### A tragically short life: Paddy Mulvenna

Paddy Mulvenna, was the eldest of a family of six. He was born in Ladbrook Drive, Ardoyne on the 5th February 1954. The family moved from north Belfast to Ballymurphy in June 1956 and Paddy attended St Kevin’s Primary School. He was an altar boy at St John’s



From left, Paddy and his brothers, Brendan, Michael, Desmond with Colette kneeling at the back

church on the Falls Road and attended secondary school at St Thomas’ on the Whiterock Road. Thereafter, Patrick then got a job as an apprentice joiner with his uncle in the Irish Bonding Company in the Short Strand. A big fan of Manchester United, he seems to have had particular admiration of George Best because of his Belfast roots and his remarkable footballing skills.

The war caught up to Patrick in 1969, when he joined Na Fianna Éireann and helped form the first Ballymurphy slua (company) for the republican movement. When the split happened in the IRA in 1970, he with some of his comrades formed the Provisional Fianna Slua in the area, leaving the Official IRA behind. At age 17 Patrick graduated from Na Fianna to the IRA. According to informed republican accounts, once internment without trial

1 Taylor, Peter. BBC Documentary, Families at War, Royal Green Jackets in Northern Ireland, Part 2.9 mins-14.36 mins



*The Mulvenna family in Bray in 1966*

was introduced, Paddy was to spend the rest of his life on the run.

The Mulvennas were a republican family with his father, sister and brothers all serving prison time. Paddy's father - also called Patrick - was arrested in June 1973 for possession of explosives. He had previously been interned without trial and was still on remand when his son was killed; he was refused bail to attend his son's funeral as he refused to recognize the court<sup>2</sup>. In contrast, Patrick's sister, Collette, was allowed out of Armagh goal to attend Patrick's funeral.

Patrick and Frances were married in Sacred Heart Chapel on the Oldpark Road on the 11th November 1972. Such was his profile by that time that the British army surrounded the Holy Cross Chapel, on the Crumlin Road, in an attempt to capture him on his wedding day. The actual venue had been kept a closely guarded secret. They had the reception in the Volunteer Saunders Club in Ardoyne before

making their way over the border for their honeymoon. The couple had one child - for the third generation there would be a Patrick in the family. He was born on the first anniversary of their wedding, nine weeks after his father had been shot dead.

Patrick was aged 19 when he died. He was OC of the Provisional IRA in Ballymurphy at the time of his death. A British army publication described



*Frances and Paddy cut their wedding cake*



*Patrick with his mother*

Patrick as beginning, "to acquire the same sort of charisma as Bryson by escaping the clutches of the army on two occasions and shooting several soldiers"<sup>3</sup>.

The report of his funeral in the *Irish Independent* described him as Captain Patrick Mulvenna. Two thousand people attended his funeral, which took place alongside that of 19-year-old IRA volunteer, Anne Marie Petticrew, who died the day after Paddy was shot dead, after suffering 90% burns in an explosion at a house in the Stranmillis area a fortnight earlier. The graveside oration was given by Maire Drumm who called for the people of Ireland "to pick up their guns and carry on the struggle"<sup>4</sup>.



*A cherished family image of Patrick's funeral with his face inset*



*Paddy's widow Frances and his mother*



*Patrick's first communion*

<sup>2</sup> The family note that around the same time, prominent loyalist, Gusty Spence, was allowed out of prison to attend a relative's wedding. Such discrimination was routine.

<sup>3</sup> Captain RGK Williamson, "The Bryson Incident", Royal Green Jackets Chronicle 1973, p. 120.

<sup>4</sup> "Volleys fired at funeral", *Irish Independent*, 5 September 1973



## A tragically short life: Jim Bryson

In an interview given by Jim’s sister, Jean McComb, in 2008<sup>5</sup> she talked about how Jim went to St Kevin’s Primary School and then to St Thomas’s Secondary School on the Whiterock Road. She draws a picture of Jim as an ordinary man who grew up in extraordinary times. He was - first and foremost - “a son, brother, husband and father”. She remembers him as “always being happy, playing outdoors in the fields and then on the mountain. A joker and prankster, he loved his mum and was into bands and girlfriends ... and had a passion for life.”



*The Bryson children with Jim at the front*

Jean recalls: “We were a really close family. Jim and our Teasy would try and outdo each other with jokes all the time.

“When he was a teenager him and his mates bought a few guitars and set up a group. They’d practice in the shed until my Da could take the racket no more and threw them out.

“When he left school he went into bricklaying with

my daddy and Bobby but he could turn his hand to anything. Him and Sheila had their home lovely and when young Jim was born you couldn’t have angered him.



*The old St Kevin’s primary school where Jim had his early education*

“He hated the cold weather especially winter on the building sites. He had this really ugly big tweed coat that he wore to work to keep warm. We all hated it but he wouldn’t part with it.

“Jim idolized our mum and was very protective of us all. I think that was just the type of person he was. When Jim was killed it really tore us apart. I think the fact that we had to watch it has made it worse. I still relive it every day, still have terrible nightmares.”

Jim married Sheila and they lived in Excise Street off the Grosvenor Road. They had one child who they named after his father.



*Jim and Sheila*

As happened with many young men of the time, the onset of the conflict was radically to change

5 DVD. Oglach Patrick Mulvenna and Oglach Jim Bryson. “Commemorating 35th Anniversary 1973-2008”. Remember Our Volunteers Committee 2008.



the direction of his life. The burnings and pogroms started the day after Jim and Sheila got married. The young family were in their turn to become part of the major population movement of the early years of conflict, living as they were in a relatively mixed area between the Grosvenor Road and Village areas. An analysis of the time<sup>6</sup> shows the way in which mixed housing in the Grosvenor area was almost completely segregated by 1972 through a combination of intimidation and the perennial fighting in the area. In Jim's case, according to Maureen Tolan<sup>7</sup>, the couple were burned out of their home; they subsequently moved to Ballymurphy.

The breakdown of the "honeymoon period" between republican/nationalist/Catholic residents and British army so often described in conflict-related literature was no more keenly felt than in Ballymurphy. Jim was to have a leading role in challenging the presence of the British army on the streets of Belfast. The situation escalated after the introduction of internment and Kate McGuinness formerly of "F" Company notes<sup>8</sup> that in Ballymurphy alone there were a couple of operations a day and "Jim was involved in most of them". In the same DVD, the well-known IRA volunteer from Ardoyne, Martin Meehan, recollected Jim saying to him, of his conflict with the British army: "It's not the person, it's the uniform".

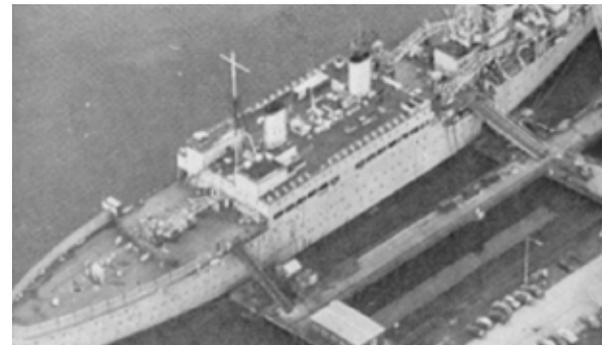
There is a great story of José "Chegüi" Torres former boxing world champion at light-heavyweight, meeting Jim Bryson in Ballymurphy. The story goes that Torres accompanied Muhammad Ali to Dublin for his fight against Al "Blue" Lewis in Croke Park in July 1972. One of the US journalists based in Belfast had brought Seamus Drumm to the fight where he met both Muhammad Ali and José. Seamus - introduced to the fighters as "a real revolutionary" from the north of Ireland - invited Torres to visit.<sup>9</sup>

He spent two days in the north where, among other people, he met Jim Bryson and had his photograph taken with him. Torres became a noted journalist and political activist for his Puerto Rican people and went

on to write biographies of Muhammad Ali and Mike Tyson. However, when he learned of Jim Bryson's death just over a year later, he described him as, "the toughest man he ever met".<sup>10</sup>



Former world champion José "Chegüi" Torres and Jim Bryson



The Maidstone, from which Jim escaped with six comrades

Jim joined the IRA following internment and the murder of 11 of his neighbours in what is known as the Ballymurphy Massacre. He was well known as an active member of the provisional republican movement and had a reputation as a fearless defender of his neighbourhood. He was particularly famous for having escaped on three occasions from arrest or custody. The first time was when he single-handedly fought free - without weapons - from a British army Saracen using only his fists. The second was in the celebrated escape<sup>11</sup> from the prison ship,

6 A Report on Population Movement in Belfast During August, 1971 by Community Relations Commission, available on CAIN website at <http://cain.ulst.ac.uk/issues/housing/docs/flight.htm>

7 Op cit, commemorative DVD.

8 Ibid.

9 See <http://easthamptonstar.com/Fiction/2015714/Baptism-Belfast>

10 Op cit, commemorative DVD.

11 [http://www.nuzhound.com/articles/Irelandclick/arts2002/mag\\_seven1-24-02.htm](http://www.nuzhound.com/articles/Irelandclick/arts2002/mag_seven1-24-02.htm)



The Maidstone. This was a temporary detention facility berthed in Belfast docks. The incident came to be known as the “Magnificent Seven” escape when Jim and six others managed to get off the boat, swim 600 yards through freezing water and make it to safety. The escape took place in the middle of winter (January 1972) and represented a major propaganda coup for the republican movement in the face of internment without trial.



*The magnificent seven. Jim is second from the left, wearing his trademark porkpie hat*

Jim was recaptured in September 1972 when a car he and his comrades were travelling in was rammed by a Saracen in the lower Falls area. A gunfight ensued - Joe Linton was shot and injured. Jim was arrested and charged with possession with a .45 revolver.



*An aerial image of Crumlin Road gaol*

The third escape occurred in February 1973, just six months before his death, when he and his co-accused, Malachy McCarey, produced a gun whilst being moved through the underground tunnel between the remand Crumlin Road gaol and the

Courthouse across the street. They forced the prison guards to take off their uniform which Jim and his comrade then put on. They walked out of the court building and whilst Malachy was arrested after being recognized leaving by the front entrance, Jim escaped after scaling a wall at the rear of the courthouse.<sup>12</sup>



*Underground tunnel between Crumlin Road gaol and courthouse*

Jim’s funeral on 25th September 1973, was described as one of the largest Republican funerals for a long time. His standing in the movement is made clear by the fact that the IRA Chief of Staff, Daithí O’Connaill, made the effort to attend, despite the dangers that his arrest would have held for the organization. Like Patrick, Jim was a staff captain in the IRA.<sup>13</sup>



*A photo, from the Belfast Telegraph, of Jim Bryson’s funeral, escorted by members of Cumann na mBan*

The fact that Daithí O’Connaill was able with relative ease to attend the funeral and disappear again “caused considerable embarrassment to the [British] Army” according the News Letter, in their report on the funeral. The Rev Ian Paisley is reported as saying that: “the ability of Mr O’Connell to come and

<sup>12</sup> *Belfast Graves*, published by The National Graves Association, April 1985, pp 114-115

<sup>13</sup> *Newsletter*, 26 September 1973.



go from Northern Ireland shows just how poor the security is. Or is it a fact that the British Government does not really have the will to defeat the IRA?”

## The families fight for truth

An application to have inquests into the deaths of Jim Bryson and Patrick Mulvenna re-opened was submitted to John Larkin, the Attorney General for the north of Ireland, in December 2013. Solicitors, Madden & Finucane, outlined the many questions that require answers and argued that the previous inquest was inadequate in relation to fact-finding. Issues identified included the fact that the soldiers responsible for the deaths did not attend the first inquest; the appropriate use of lethal force was not examined; the pathologist did not attend the inquest. The lawyers argued that there was no adequate police investigation into the deaths and that other witnesses were not called who could have given evidence. It was concluded that a fresh inquest would allow for the possibility that rumours and suspicions surrounding the deaths, which persist to this day, could be examined, and either confirmed or allayed. Ultimately a fresh inquest could examine claims that Jim Bryson and Patrick Mulvenna were the victims of a shoot-to-kill policy. The argument was made in the context of Article 2 of the *European Convention on Human Rights and Fundamental Freedoms*, the right to life. Cases - supported by RFJ - taken to the European Court of Human Rights in 2001<sup>14</sup> have successfully placed deaths caused by the British state and its agents in the spotlight of international human rights. In the view of the families, their lawyers and RFJ, the deaths of Paddy Mulvenna and Jim Bryson fit into this legal framework. John Larkin refused to order a new inquest.

For the past forty-five years the Bryson and Mulvenna families have campaigned to find the truth about what happened on that day. To the forefront have been Jim's sisters, Teresa Purdy and Jean McComb as well as Patrick's father and mother Paddy and Philomena. That fight has been carried on by the next generation.

## Ballymurphy - 600 houses squashed between the Springfield and Whiterock Roads

Ballymurphy estate came into being in the 1940s when it was built (using substandard materials) to address a deficit in Catholic housing. Later on, when Divis Flats were being built in the 60's, many of the inhabitants of the Pound Loney area of the lower Falls area were moved into the Ballymurphy area, one of them being a young Gerry Adams. The area covered a square mile and had approximately 12,000 people living in its environs. Poverty rates were high as was unemployment due to the levels of discrimination against the Catholic population barring them from available opportunities.

The events of August 1969 had an immediate and direct impact on the district as a significant number of those driven out from the burning of Bombay Street and other intimidation in the lower Falls were provided with food and shelter by the Ballymurphy residents. The area was also exposed to regular attack from neighbouring loyalist estates and from 1970 onwards was subjected to riot control techniques by the occupying British army involving CS gas, rubber bullets, snatch squads and general British army brutality; a daily feature of life in the district.



Young people became further radicalised by individual killings by state forces and their proxies. Examples include: the Ballymurphy Massacre, when the notorious Parachute Regiment killed eleven civilian residents between 9th and 11th August 1971 following the introduction of internment; and the Springhill Massacre on 9th July 1972 when six unarmed civilians were killed by the British army. A permanent heavy British army presence, with its attendant violence, was to be established which was to last until the late 1990's.<sup>15</sup>

By any standards, life in Ballymurphy was not normal.

<sup>14</sup> See, for example, <https://www.amnesty.org.uk/press-releases/united-kingdom-landmark-judgments-killings-northern-ireland>

<sup>15</sup> De Baroid, C. *Ballymurphy and the Irish War*. Aisling Publishers 1989.



## The state of hostilities in Ballymurphy in 1973

Ballymurphy in 1973 was the crucible of the conflict in the north of Ireland. All aspects of the war impacted on the community at the time. The most detailed account of what occurred in Ballymurphy can be found in Ciarán de Baróid's seminal, *Ballymurphy and the Irish War*.<sup>16</sup> The book outlines how the war between the IRA and the British army (and other state forces as well as other non-state actors) was intensifying. In addition, there were heightened tensions between the Official and Provisional wings of the IRA; a feud was ongoing at the time of the killings, one of many that were to be a significant feature of the conflict.

Finally, there had been a rapid expansion of loyalist activities as evidenced in the rise in membership and intensification of the activities of the pro-British Ulster Defence Association (UDA) and Ulster Volunteer Force (UVF). All three elements created a dangerous and at times chaotic situation in Ballymurphy. 1973 was one of the most violent years of the conflict; by the end of August of that year 201 people had lost their lives, 39 in West Belfast alone. These figures of course do not include numbers of injured and those attacks and operations that did not cause death or injury. There was heavy and intensive surveillance, intelligence-gathering and harassment of the population by British soldiers who - by that time - were seen as (and acted as) an occupying force by the Irish people.

Moreover, the British army was introducing new and more sophisticated monitoring of the population and oppositional combatant groups while deploying psychological and propaganda tools to de-stabilize what they saw as enemy communities. Brigadier Frank Kitson was deploying his theories,<sup>18</sup> learned in other anti-colonial struggles on the killing fields of the British empire in Kenya, Cyprus and Malaya, of counter gangs unrestrained by the rule of law. Undercover observation posts became routine and areas like Ballymurphy were subjected to heavy



Notorious military dissembler Brigadier General Frank Kitson

surveillance as the British army built up its intelligence on individuals of interest. House searches and routine screening of residents were allied to arbitrary detention without trial and repeated arrests and interrogations.

A deniable gang called the Military Reaction Force (MRF) was established using irregular uniforms or civilian clothing, essentially to carry out assassinations based on military intelligence. It has also become clear over the years that they had other tactics designed to try and confuse and seek to demoralize their opponents: they would use weapons favoured by the IRA in a bid to convince the media and local people that their actions were carried out by the IRA; there would be no claim of the actions in a bid to encourage suspicion, incite animosity and foster feuding between the two wings of the IRA.<sup>19</sup>

Kitson's regiment was the Royal Green Jackets (RGJ), the same regiment that was on tour in Ballymurphy when Paddy and Jim were killed and to which their killer belonged. The Brigadier's contribution to British military efforts, was honoured in 1980, "at the monarch's pleasure" with the Most Honourable Order of the Bath - an unfortunate endorsement of the illegal methods he championed.

The most complete analysis of the development of these new techniques can be found in *Britain's Military Strategy in Ireland* by French investigative journalist, Roger Faligot.<sup>20</sup> In the book, Faligot documents in detail the implementation of counter-

16 Ibid.

17 Hanley B and Millar S. *The Lost Revolution, The Story of the Official IRA and the Workers Party*, Penguin Ireland, 2009, p 192.

18 See, for example, Frank Kitson, *Low intensity operations: subversion, insurgency, peacekeeping*, Faber & Faber, 1971 and *Gangs and Counter Gangs*, Barrie and Rockliff, 1960.

19 <http://www.politics.ie/forum/history/218592-panorama-britains-secret-terror-force-bbc-one-thursday-21-november-21-00-a-160.html>

20 Roger Faligot, *Britain's Military Strategy in Ireland: The Kitson Experiment*, Brandon Book Publishers Ltd, 1983.



insurgency experience from other anti-liberation deployments: the deployment of special units; targeted assassinations; the use of psychological warfare and black propaganda; the control of populations through screening, auditory and visual surveillance - including covert observation posts. Indeed, Faligot refers to the incident in which Jim and Paddy were killed as an example of a specialised undercover tactic known as “Hot Lips”: this is defined as “hiding soldiers in empty buildings for a kill, as in the case of IRA leader Jim Bryson, in 1973”.<sup>21</sup>

The RGJ Chronicle makes explicit that a “Northern Ireland Training Team” was drafted in to provide expertise prior to the battalion beginning its tour on 26th July 1973. Further training was carried out on rifle ranges “to ensure that every Rifleman was able, in Northern Ireland conditions, to use his personal weapon skillfully, accurately and fast. Or simply, Shoot to Kill”.<sup>22</sup>

The conflict was marked by a variety of splits within republicanism that resulted in feuds of varying intensity. Around this time animosity between the Provisionals and Officials was extreme. The Officials had ceased offensive military actions in May 1972 and henceforth intended only defensive or retaliatory action against British forces and their former comrades in the Provisional IRA.<sup>23</sup> In the aftermath of this change in strategy, the Provisionals greatly increased in size and influence. The bitterness between the two organisations, however, provided fruitful opportunity to try and sow confusion and demoralization by the British army, seeking to exploit division in local communities as a way of undermining the Provisional IRA’s capacities. The Officials whilst ostensibly being on ceasefire were building intelligence on IRA volunteers and such was the level of animosity that execution threats were sent to both Jim and Patrick. Jim had been on the run in Dublin for some time and was asked to return to Belfast to sort out the animosities with the Officials. At this time the ranks of the Provisionals were seriously depleted through death,

imprisonment and volunteers forced to go on the run.

According to local sources who have spoken to RFJ, Jim set up a number of meetings with the local Official leadership to try and mediate an end to the hostilities as he wanted to concentrate on bringing the war to the British army. This attempt at mediation was unsuccessful in the short to medium term. Contributing to the poisonous relationship between Officials and Provisionals were peculiarly successful searches undertaken by the RGJ: apart from arms and explosives finds they also searched ventilation grills in the City Cemetery which “resulted in a mass of valuable Official IRA literature about the Provisionals” being found.<sup>24</sup>

This was the wider context within which the incident occurred that claimed the lives of Paddy and Jim. As a crowd gathered in the immediate aftermath of the shooting, some claimed that the Official IRA were responsible. It has been claimed that those close to the Official Republican movement even “gloated” over the deaths though “disappointed that they themselves had not killed them”.<sup>25</sup>

Indeed, some Officials even went so far as to claim the operation, a factor which suited the British army who, though having claimed the shooting in the immediate aftermath, did not seem to mind if local tensions were stoked between former comrades. Thus, Lieutenant-Colonel Mike Dewar acknowledged in his memoir of the conflict in 1985<sup>26</sup> that: “Ironically the Provisionals were convinced that Bryson had been eliminated by the Officials. It suited the [British] army to perpetuate the myth”.<sup>27</sup>

The intra-republican conflict intensified resulting in numerous assassination bids and fights between Provisional and Official remand prisoners in the Crumlin Road gaol. A further rumour suggested that, in the aftermath of the killings, details of an Official arms dump were handed over to the Royal Green Jacket regiment by the Provisionals, in some form of revenge. It was also rumoured that the Officials had supplied information as to Jim’s whereabouts prior

21 Ibid, p36.

22 *The Royal Green Jackets Chronicle*, Vol 8, 1973, “The 3rd Battalion Letter”, p 96.

23 [https://en.wikipedia.org/wiki/Official\\_Irish\\_Republican\\_Army#cite\\_note-8](https://en.wikipedia.org/wiki/Official_Irish_Republican_Army#cite_note-8)

24 *The Royal Green Jackets Chronicle*, op cit, p 103.

25 *Belfast Graves*, op cit, p114.

26 Mike Dewar, *The British Army in Northern Ireland*, Arms and Armour Press, 1985.

27 *Lost Lives*, Case 933, Patrick Mulvenna, page 390. *Lost Lives*, McKittrick D, Kelters S, Feeney B, Thornton C and McVea D. pub, Mainstream Publishing Company (Edinburgh) Ltd 2nd edition 2007.



to his shooting. The Kitson legacy of sowing dissent amongst state-opposition groups had taken root.<sup>28</sup>

The *Irish Independent* reported a security source on the morning of Jim's funeral who claimed that: "The Provisionals and Officials met in Dublin earlier this month and said later that the British Army had been responsible for the shooting. But the message does not seem to have got through to the rank and file."<sup>29</sup> The same paper reported the next day, however, that: "several well-known Official IRA men were in evidence in Ballymurphy and stood to attention as the coffin went by".<sup>30</sup>

On a wider front a power sharing executive had been established following talks at Sunningdale in March 1973. Devolved government was supposed to be followed by the establishment of a Council of Ireland based on the wider elements of the Sunningdale Agreement. Significant tension developed over the summer of 1973 within unionism and loyalism over these proposals. This further heightened the febrile mood in West Belfast during the hot summer months where large political stakes on the constitutional future of the island and the course of the war seemed to be entering a decisive phase. In the event, loyalist and unionist anxiety coalesced in the Ulster Workers Council strike of May 1974 and, ultimately led to the collapse of the Assembly. The remarkable – and credulous – view in British army circles was that the killing of Jim and Patrick helped pave the way for what was to become the Sunningdale agreement.<sup>31</sup>

## The inquest into the deaths

The inquest was held on 24th April, 1975 in respect of both deaths. The Coroner, Mr Elliot recorded his findings as an open verdict. This was the standard finding into all deaths where an ongoing investigation was in train. At that time, no other finding was possible. Patrick Mulvenna's cause of death was recorded as, "bullet wound of chest". Jim Bryson's death was recorded as, "bullet wound of head".

The evidence available to the inquest consisted of

depositions from members of Jim Bryson's family (who witnessed the incident or had other relevant information) and the soldiers, along with autopsy reports, some medical depositions outlining Jim's treatment in hospital and forensic evidence.

## Inquest testimony and personal recollections from Jim Bryson's family

What is striking is how many of Jim and Paddy's family were close (a matter of yards - see map on final page) to the events on that day. Jim lived at 83 Ballymurphy Road and Sheila his wife was in 39 Whitecliffe Parade at the time of the shootings. His mother, Teresa Bryson lived in number 89. Jim's sister, Teresa, lived at 2 Glenalina Pass, overlooking the Bullring where the covert OP was situated. She saw the soldier firing. Another sister, Jean, lived at 95 Ballymurphy Road and was at home with her husband, brother (Albert), mother, seven children, and Patrick's younger brother when the shooting started. All of them witnessed the shooting and its aftermath. The car was only yards away from their home when it was fired at and crashed into the front garden of number 99, two doors away. Jim Bryson's brother Albert recalled seeing Jim and Patrick in the car shortly before the incident. He had heard shooting about 20-30 minutes before the fatal confrontation. As that incident began, he heard a number of shots coming from the flats and went out of the house he was in to investigate. He was fired on as well but wasn't hit and he took cover, but not before seeing that the car Jim was driving had been hit and crashed into the railings at 99 Ballymurphy Road. Having taken cover in his sister's house, he emerged ten minutes later when he heard people expressing alarm, grief and panic. Albert saw that Jim had been shot in the head and saw Patrick lying on the ground - not in the car, as claimed by soldier A (see below). He subsequently saw Jim at the Royal Victoria Hospital (RVH) and noted his serious head injuries. He also saw the

28 Kitson, Frank, *Low Intensity Operations: Subversion, Insurgency and Peacekeeping*, Faber and Faber, 1971.

29 "Riddle remains over Bryson shooting", *Irish Independent*, 25 September 1973.

30 "O'Conaill attends Bryson's funeral", *Irish Independent*, 26 September 1973.

31 *The Royal Green Jackets Chronicle*, op. cit., "The Bryson Incident", p 124.



body of Patrick Mulvenna; and identified both men to the RUC.

Sheila Bryson, Jim's wife, recounted in her statement that earlier in the day prior to the shootings, Jim had shown her a letter he had received from the Official IRA threatening him with execution. When she last saw him alive but unconscious in the hospital after his wounds had been treated, she thought he was in relatively good health; however, his condition deteriorated suddenly. Sheila saw Jim just after he died in the RVH in Ward 21 at 1.00 am on 22nd September 1973. The family had not been permitted to see Jim on the day before he died, being denied access by British army personnel. This shocking fact has never been explained and raises questions as to why these individuals were in control of access to a gravely-ill patient; not to mention the inhumanity of keeping that patient's close family excluded.

Teresa Purdy, Jim's sister, gave a witnessed statement to RFJ in January 2013. Teresa lived at 2 Glenalina Pass overlooking the Bullring in the centre of Ballymurphy. She was standing at her living room window and saw the car that Jim was driving going past her house from the direction of Ballymurphy Road. Teresa heard a noise and saw roof tiles being dislodged. She believed the blond-haired man putting his head out of the roof was a soldier. She then heard several shots fired from the roof of the flats. By the time Teresa got to the crashed car, a crowd had gathered around it; when Teresa had pushed her way through the crowd she saw Jim in the car and Paddy lying on the doorstep of 97 Ballymurphy Road. Then, soldiers arrived, and Jim was put into the British army "six-wheeler" ambulance, lying on the floor. Father Des Wilson accompanied Patrick to the hospital. Teresa, her sister Jean and Sheila and her sister Chrissie went in the ambulance as it made its way to the hospital.

Jean McComb remembers being "at home with my seven children, young Michael Mulvenna, my mother, husband Davy and brother Albert when we heard the gunfire. We looked out and seen a car losing control and crashing into next door's garden.

"Davy went out to help but the Brits tried to shoot

him too and he had to come back in. When the shooting stopped we went out. Patrick was shot and Jim was sitting in the drivers seat with his head on the headrest.

"I thought he was knocked out as I couldn't see any blood. Me and Teasy, who had run down the street from her own house, were trying to get him to wake up. Poor Mrs Mulvenna and Jim's wife were also there. This all happened right outside our front door and a few yards away from my mums, Mrs Mulvenna's and Jim's own houses (see map at end of this report). We all heard the shooting and witnessed the aftermath. "We had to sit in the back of this Saracen with Brits who might have just shot Jim, Patrick and Bimbo. Then when he was in hospital there was always a Brit.

"In fairness, the Brits in the Saracen were very respectful, but it was hard to contain your anger and hatred when you had to pass the people who shot your brother everyday in order to see him."

### **The British army account of the killings based on depositions and statements used at the Inquest**

On the afternoon of Friday 31st August at around 4.15pm a Hillman Hunter car was taken from its owner in Kelly's Bar at the junction of the Whiterock and Springfield Roads.<sup>32</sup> Shortly before this at approximately 4.00pm two members of the British army from the 3rd Battalion Royal Green Jackets - a Lance Corporal (Soldier A) and a Private (Soldier B) were settling into a covert observation post (OP) in the attic of a vacant property at number 6 Glenalina Road, Ballymurphy. Soldier A had a self-loading rifle (SLR) and 40 rounds of 7.62 ammunition.<sup>33</sup>

At approximately 6.30pm the Hillman Hunter car made one circuit of the Bullring in Ballymurphy. According to Soldier A, there were four occupants in the car, three of whom were visibly armed. There was no reference to the driver, James Bryson, carrying arms. Soldier A stated that he identified three rifles poking out from the front passenger side and the two rear windows. One of these was

32 Deposition of car owner (name redacted) made to Belfast Coroners Court dated Thursday, April 24th 1975.

33 Copy of Statement made by Soldier A undated, signature of copier indecipherable.



a Garand and another was an Armalite. He was unable to identify the third. The car went out of sight and returned 5-6 minutes later according to Soldier A and about 10 minutes later according to Soldier B.<sup>34</sup>

Soldier B claimed, "he was not aware of any radio communications before the shooting started"<sup>35</sup> yet Major Rimmer who was the officer in command of Support Company, 3rd Battalion of the Green Jackets provides a different account. In a statement given to the HET he recalled Soldier A seeking advice when the setting up of the ambush was in train. Major Rimmer replied with "words to the effect, *"If they've got a gun and posing a threat, do what you need to do"* (italics in HET report).<sup>36</sup>

The difference between Major Rimmer's statement and that of Soldier B's did not invite comment from the HET.



*Spent cartridges recovered at covert OP by Ballymurphy residents*

The car returned, this time followed by a red van with two men in the front. The two vehicles stopped in the centre of the road at the junction of Ballymurphy Road and Whitecliff Parade. The six men got out of the two vehicles and the five-armed men were directed into ambush positions by the driver of the Hillman Hunter - James Bryson was not perceived to have been armed at this stage.

Soldier A in his statement claimed that he tried to widen the hole in the OP to enable him to "take

up a better firing position". In the process a slate was dislodged and crashed to the ground drawing attention to the OP. Soldier A fired four rounds; in RFJ's view, these shots clearly breach the "yellow card" rules of engagement supposed to regulate fire within the British army. Soldier B enlarged the hole in the roof, Soldier A peered out and, he claimed, two shots were fired in his direction by one of the IRA men. (It is significant that these shots were the first fired by the IRA personnel - in self-defence after they had been fired at from a concealed position.) Soldier A then fired three rounds at a gunman who was behind 39 Whitecliff Parade. No-one seems to have been injured by any of the shots fired thus far.

A few minutes later, when Soldier B had packed up his kit to vacate the OP, the car was seen driving out of Whitecliff Parade with four men in it and by the same driver. The driver was identified as a man wearing a black and white checked sports coat. According to Soldier A, one of the IRA men in the car then pointed a gun "in my general direction". Soldier A's response was to fire ten rounds after which he saw the car wobble and subsequently crash through the garden of 99 Ballymurphy Road.

RFJ and the families of the victims assume that the soldiers had been in communication with - and had received orders from - their base in Vere Forster School. They would not have been preparing to leave their OP without being certain that reinforcements were on their way. Records of these communications should be made available to any genuinely independent investigation. To date they never have been.

At this point, the two soldiers left the attic and made their way into the vacant flat below, in which they knocked out the glass from a window and took up a firing position. Two men with rifles ran from the alleyway between 95 and 97 Ballymurphy Road over to the crashed car and fired towards Soldier A. Soldier A fired three rounds and the man firing at Soldier A, threw up his hands and fell. Soldier A changed magazines and then fired three rounds at another man with a rifle who was

34 Deposition of Soldier B (name redacted) made to Belfast Coroners Court dated Thursday, April 24th 1975.

35 Historical Enquiries Team, Draft Review Summary Report Concerning the deaths of Patrick Mulvenna, Died on Friday, August 31, 1973 and James Bryson, Died on Saturday, September 22, 1973, released 5 August 2016, p 26.

36 Ibid, p 28.



*Ballymurphy with the Bullring visible in the centre of the estate*

located behind the car; this man apparently was hit and stumbled through the door of number 99 Ballymurphy Road. Soldier A then said he fired a further three rounds at another man outside the car but missed.

A Saracen then appeared on the scene having driven past the crashed car. Soldiers A and B left the flat and redirected the Saracen to the crashed car. A ten-man foot patrol of Royal Anglians also turned up commanded by a Captain Manner-Smith.<sup>37</sup>

There is no explanation as to why the Green Jackets and Royal Anglians were operating on the same “patch”. Soldier A went to the crashed car and claimed he saw Patrick Mulvenna in the back seat behind the driver. Witnesses however point out that Patrick was in the front passenger side of the car. Jim Bryson’s brother and sister directly contradict soldier A’s testimony on this point; they saw Paddy Mulvenna lying outside the car. He had a large chest wound and was clearly dying.

James Bryson, critically injured from a neck wound, was in the driver’s seat. There was a trail of blood leading to the door of 99 Ballymurphy Road which continued through the house and over a back garden wall. Returning to the crashed car Soldier A identified “James Emerson Bryson” after apparently consulting photo montages or “bingo cards” as they were called by British army personnel.<sup>38</sup> He was “breathing irregularly”. Shortly after, Soldier A went back to his base at Vere Foster school.

In a statement made to the inquest a Major Richard John Rimmer,<sup>39</sup> based at Vere Foster School, stated that he received a report from the OP at 6 Glenalina Road of a cream Hillman car with four armed men. This was different from the statement made by Soldier A who said there were three armed men. Rimmer alerted a “Standby Section” (presumably the ten-man foot patrol) who were sent to the area. It was reported to Rimmer that the occupants of the car were setting up an ambush. It is not clear what the detail of this report

37 Referenced in Statement made by Soldier A to Belfast Coroners Court dated Thursday 24th April 1975.

38 Peter Taylor interview.

39 Deposition of Major Richard John Rimmer of SP Coy, 3 Royal Green Jackets, BFPO 8011 to Belfast Coroners Court on Thursday, April 24th 1975.



was, who sent it, and what instructions, if any, were issued to deal with the unfolding situation. In his statement Rimmer states that the OP fired at the gunmen and fire was returned. Examining the records of these exchanges should be the task on any properly independent investigation. When he went to the scene at 18.50-18.55pm, Paddy Mulvenna appeared to be dead and Jim Bryson was described as “alive but unconscious”.

Major Rimmer searched the car, found a Garand rifle and ammunition clip of four live rounds; a loaded Webley .45 pistol; and an Armalite rifle with magazine. He went back to Vere Foster school where a Corporal Allen gave him a plastic bag with several .45 live rounds in it. Rimmer then took the arms and ammunition to TAC HQ Springfield Rd and gave them to a Capt C.H.A Hawker on Friday 31st August 1973, the day of the incident.

A Constable John Murphy made a deposition to the inquest to the effect that he searched Patrick Mulvenna’s clothing and had found 18 rounds of .223 ammunition.<sup>40</sup> He also attended the post mortem on the following day and received forensic samples from Dr Marshall the state pathologist. In the company of a Constable McIlroy from RUC Photography Branch, Constable Murphy noted there were 11 bullet holes or marks on the vehicle.

There are three statements from Soldier A among the inquest papers. The first is a copy of one that presumably was taken shortly after the incident although there is no date on it. The other two - dated 24th April 1975 - are for the inquest. There is variance between the first statement on the one hand, and statements 2 and 3 on the other. For example, James Bryson is described in one statement as directing the five IRA men to one place while in other statements he is placing them in various places; in the first statement one roof tile was removed, while in the other statements several tiles were removed. Of course, none of these statements were tested by way of cross examination.

Soldier B seems to have played little part in the proceedings, but he does note that prior to the start of the shooting, the car’s horn was being

sounded repeatedly – pointedly drawing attention to itself and the weapons carried by the occupants. This is a clear indication that those in the car had no idea that British soldiers were in the vicinity otherwise making such a noise would completely lack caution. Read another way, however, it lends credibility to the interpretation that the Provisional IRA unit was issuing a challenge to their Official IRA opponents. It tends to support the theory, however, that soldier A opened fire on a group of people who had no idea he was there; a further indication that he used unlawful force.

### The review of available material by the Historical Enquiries Team<sup>41</sup>

The Historical Enquiries Team (HET) was established in 2005 by then Chief Constable of the PSNI, Hugh Orde, to review all deaths that occurred during the conflict in and about the north of Ireland from the late 1960s through to 1998. The HET was eventually completely discredited and closed down in 2013. While no doubt initially established with a laudable intention to provide some information and - perhaps - a measure of comfort to relatives, it quickly became clear that the unit was incapable of providing a properly independent and impartial analysis of what took place during the conflict. Staffed and managed mostly by former British police officers, the approach they took to British army killings in particular was insufficiently sceptical and largely accepted the historical statements of soldiers who had killed people during the conflict.

In good faith, the Bryson and Mulvenna families engaged with the HET investigators who contacted them. Supported by RFJ, they had two meetings with HET personnel and were grateful for the – albeit limited and incomplete - new information that resulted.

For example, HET told the families Major Rimmer had confirmed that the army had more than one observation post (OP) in the Ballymurphy area. Moreover, soldiers who were in an OP on the Black

40 Deposition of Constable John Murphy made to Belfast Coroners Court dated Thursday 24th April 1975.

41 HET, op cit.



Mountain told HET that they had been watching the Ballymurphy area on the day of the incident and had observed Jim Bryson and Patrick Mulvenna outside Kelly's Bar on the Whiterock Road earlier that day.

At a meeting in December 2012, the HET informed the families that they had traced and interviewed both Soldiers A and B. Soldier A was interviewed in the presence of his solicitor and a prepared statement was given to the HET before the interview. Soldier B was interviewed by the HET at a police station in England. According to the HET, both their experience and recollections inside the observation post situated in the attic of 6 Glenalina Road were consistent with the statements they made at the time.

One problem facing new investigations is that, at the time when Paddy and Jim were killed, there was an agreement around the issue of fatalities caused by British soldiers, between the RUC Chief Constable and the GOC of the British army. This agreement - which lasted from 1970 to at least 1973 - gave the Royal Military Police (RMP) primary responsibility for interviewing members of the British army who had killed people. The RUC's responsibility would be confined to investigating civilian witnesses. Therefore, the RUC did not conduct any interviews with soldiers who were involved in the killings. Professor Patricia Lundy, who carried out research into the PSNI HET review processes and procedures in Royal Military Police Investigations, the so-called, 'RMP cases', states the following in her research paper:

'The role of the RMP officer seems simply to record the facts as described by the soldier, rather than to probe or question with a view to ascertaining whether the action had been justified or whether the soldiers' actions were lawful. The procedure appears to have been to question soldiers as witnesses, rather than to interrogate them as suspects, thereby dispensing with the need for formal cautions. The adequacy of RMP investigations was examined in the Saville Inquiry; the following

evidence from a military witness captures the statement taking process: "It was not a formal procedure. I always wore civilian clothing and the soldier was usually relaxed. We usually discussed the incident over sandwiches and tea"<sup>42</sup>

The RUC/RMP agreement was a significant usurpation of the police responsibility for the investigation of crime when the suspects were soldiers. The then Lord Chief Justice Lord Lowry criticised the agreement which he said curtailed the functions of the police investigation and undermined the workings of the criminal justice system:

'We learnt that from September 1970 an RUC Force Order was in operation whereby if an offence against the ordinary criminal law was alleged against the military personnel in Northern Ireland the interviewing of military witnesses and the alleged offender himself was conducted exclusively by the military investigation'<sup>43</sup>

Further criticism of the policy was expressed in the High Court in Belfast in *Thompson v Secretary of State*, 2003. The case involved the shooting of an unarmed woman, Kathleen Thompson in the rear garden of her home in Creggan, Derry, by a member of the Royal Green Jackets. Sir Brian Kerr, then Lord Chief Justice of the north of Ireland found as follows:

"... the soldier who effectively discharged the shot which caused the death of Mrs Thompson and those who were with him at the time were interviewed by a member of the Royal Military Police. I do not consider that this satisfied the duty imposed on the police at the time to properly investigate this fatal shooting. In my view, it was not open to them to delegate this critical responsibility to another agency such as the Royal Military Police. Quite apart from that however, the fact that each of the interviews cannot have lasted any more than half an hour; the fact that clear discrepancies appear in the statements made, discrepancies which have

42 Extract from, *Assessment of the HET Review Processes and Procedures in Royal Military Police Investigation Cases* by Dr Patricia Lundy

43 *In R v Foxford* [1974] NI 181 Lord Lowry

44 Kerr, J, *In the High Court of Justice in Northern Ireland, Queen's Bench Division (Judicial Review), In the matter of an Application by Mary Louise Thompson for Judicial Review*, 2004, NIQB 62.



not been the subject of further challenge or investigation, are sufficient to demonstrate the inadequacy of the investigation into the death of the deceased...By any standard it is clear that the investigation into the death of Mrs Thompson was not effective.”<sup>44</sup>

The HET report notes that the policy of Royal Military Police/Special Investigation Branch having primacy ended in September 1973, one month after Paddy and Jim were killed when the first Director of Public Prosecutions,<sup>45</sup> Barry Shaw, decided that any such cases involving the British army were to be passed directly to him for examination.

Given these criticisms, the HET should have approached the killing of Jim Bryson and Paddy Mulvenna with an open mind, ready to test, for the first time, soldier A’s evidence. Instead, the general flaws arising from the RMP information gathering system infect the HET review of the deaths of Paddy Mulvenna and Jim Bryson. Indeed, the HET report notes with approbation that the RUC Detective and his opposite number in the RMP: “clearly had a good working relationship”.<sup>46</sup>

To the contrary, such a close relationship is more likely to mean the account put together was completely untested and took at face value the soldiers’ account of what occurred; thus, HET personnel would have presumed that the firing had taken place according to regulations. They would certainly not have explored the prior existence of a plan to take out Jim Bryson and Paddy Mulvenna as part of a wider military strategy.

Accordingly, the HET report concludes that the killings did not come about as “a result of a planned military operation”. It offers as evidence that the two soldiers in the covert observation post, Soldiers A and B, were randomly selected and had, “no enhanced sniper skills”. Presumably, for the HET officers, the fact that the shooter went on to become a sniping instructor (see below) is merely a coincidence (Soldier B who apparently fired no shots was asked by HET whether he had a telescopic sight fitted to his rifle whereas Soldier A

did not have this question put to him) .

However, it is unclear why this is even presented as proof. A military operation could as easily involve taking opportunities as they arose. It was surely impossible to plan what IRA personnel in the area would do in the course of a given period. Having at least four covert OPs covering a small area suggests some level of military intention at the very least.

The soldiers thought that Jim and Paddy as well as Frank Duffy and James O’Rawe were preparing for an ambush (on whom is not clearly specified) and that the soldiers drew attention to themselves in a covert observation post thus causing “Soldier A to aim and fire at the gunmen”.

Despite the fact that the following of the “yellow card” procedures is in dispute the report states that, “Soldier A’s actions were in accordance with [British] army regulations. They were justified and proportionate at the point he assessed the actions of the gunmen pointing the weapons at his position as a genuine threat to life.”

The DPP directed there be no prosecution of Soldier A at the time, but on the basis of a flawed investigation. Unsurprisingly, therefore, the HET report concluded by stating,

*“There are no new lines of enquiry or investigative opportunities that could take the review forward in any meaningful way”.*

Notwithstanding this exoneration of the soldiers, the HET report goes on to state that “...there are some questions which remain unanswered and are likely to remain so”. The questions the report considers outstanding relate to the occupants of the red van that was being driven behind the Hillman Hunter during the early part of the incident (the red van was apparently found burnt out later); the uncertainty around who the intended target of the ambush was and the identity of the individual who fired at the OP.

The HET report also noted that the British army had received information from an anonymous source giving a description of Jim Bryson, what

45 The position of Director of Public Prosecutions was established in March 1972.

46 HET, op. cit., p 30.



he was wearing and where he would be later that evening.

For the families and for RFJ, the unanswered questions relate to the need for proper tested interviews:

- with soldier A as a murder suspect in relation to the sequence of shots and the position of Paddy's body;
- with soldier B as an accessory;
- with the personnel back at base and senior officers to examine the military orders given to OP personnel in general and on that day; and
- importantly, with senior officers and street level personnel to examine military objectives relating to IRA personnel in general and Jim Bryson and Paddy Mulvenna in particular.

The families have made it clear that they are completely underwhelmed by the review carried out by the HET. They feel the HET simply went through the motions with the inevitable outcome in favour of the British state and its armed forces.

While they are appreciative of the limited additional information provided they also feel it was minimal and wouldn't have been disclosed had it not been for the fact that the families, along with RFJ, had presented their own research to the HET and that this had to be acted on.

## Other accounts of what took place

The killings were widely reported in the press at the time given the profile of the people involved and the attendant initial controversy that it may have been feud-related. The day of the shootings and for some significant time after, rumours were circulating that the Official IRA were responsible. There were good reasons for local people to believe this. Tensions had been high in the area between the Officials and Provisionals. It was known that at least one member of the former had been sent to assassinate Jim that day.<sup>47</sup> Local reports say that the assassination attempt

was called off; it may have been aborted when the individual tasked with the shooting saw the car with Jim Bryson, Patrick Mulvenna and two others and decided the odds were too heavily stacked against him. It is unclear as to whether the Provisional team had been put together as a show of strength to counter Official IRA threats or it was driving around the area on the chance that an attack on the British occupying forces was possible.

Martin Dillon in his book, *The Trigger Men*, notes a connection between the Military Reaction Force and Jim Bryson in particular.<sup>48</sup> This becomes clear from another shooting, on the Whiterock Road on the morning of 15th April 1972, in which two brothers, Gerry and John Conway were injured and almost killed by three individuals who were undercover MRF. A car speeding up the Whiterock Road where the brothers were walking braked suddenly. Three individuals leapt out of the car ran towards the brothers and fired shots at them.

Thinking the attackers were loyalists, the brothers took cover but sustained relatively minor injuries. In the immediate aftermath of the shootings the undercover MRF personnel stayed at the scene while Saracens (armoured personnel carriers) and an ambulance arrived to ferry the brothers to hospital. Dillon notes that a uniformed officer told one of the attackers, "You've got the wrong bloody men". According to Dillon the MRF team had targeted Jim Bryson and Tommy "Toddler" Tolan, two of the Maidstone escapees from two months earlier. This was over a year before Jim Bryson and Patrick Mulvenna were actually killed. The incident is also referenced in a British army log where a Lieutenant Julian Antony Ball, a Sergeant and a Private in plain clothes pursued the brothers claiming that Jim Bryson had also been involved.<sup>49</sup> This incident is also referenced in Fr Raymond Murray's *The SAS in Ireland*.<sup>50</sup>

RFJ has spoken to the daughter of one of the Conway brothers. Her father told her that after the shooting, the brothers were taken to the hospital under custody; the whole way there, the soldiers were insisting that one of the brothers - who

47 Williamson, Captain R.G.K. "The Bryson Incident" in *The Royal Green Jackets Chronicle*, Vol 8, p 121.

48 Dillon, Martin. *The Trigger Men*, Mainstream Publishing, reprint 2008

49 Copy of British Army log held by RFJ, Lt Ball was a close associate of Robert Nairic

50 Murray, Raymond, *The SAS in Ireland*, Mercier Press, fifth reprint, 1993

51 De Bairóid, Ciarán, op.cit.



September 1972

2 OP SHERIDAN ON PATROL - Search operation in GIBSON and LEEBON ST.

3 OP TINE - Clandestine Op in 1 GIBSON St. Reported found an M1 Carbine, 22 Automatic Rifle, a 12 bore shotgun and 2 semi automatic pistols and 289 rnds of ammo.

5 Routine Searches by C Coy at 68 Little Distillery St found an M1 Carbine, 22 Automatic Rifle, a 12 bore shotgun and 2 semi automatic pistols and 289 rnds of ammo.

7 OP TOM PORCE - Recce Pl covert OP inserted into 51 FALLS RD. Reported James BRYSON in LEEBON ST. A hot pursuit by A Coy proved negative. OP remained in position.

Command of HQ Coy changed. Maj RF KITCHIN relieved Capt JS HOUGHIN, who left for Staff College.

at 1972

The bn assumed responsibility for the Lower Falls TACN at 1200 hrs. 2 Aug 72. 25 rounds were fired at an RUC mobile in the Lower Falls area and 7 RUC wounded.

9 Anniversary of Internment. Considerable rioting in Lower Falls. Thirteen major barriers erected, fired and removed by 2 B MULLEN. Nearly 70 rounds fired at snipers. 3 men wounded by splinters from AP bullets.

15 OP M. GIC MURPHY - Gordon and search in Leeson Street to capture BRYSON, [redacted] and [redacted], and explosives targetted for city centre. Nothing found.

16 Search of 11 Romanias at found

1 x M16 (Armalite)  
1 x 12 bore shotgun  
1 x Sten Mk 5  
and 532 rnds of ammo.

September 1972

Two force OP relieved by sect of recce. 2 RUC cars under comd.

In Col THURKE, CC Sea. arrived on a three day visit. Padre returned to Dunster to spend 3 wks with rear party.

11 In Col THURKE returned to UK  
Col show visited Bn.

12 C Coy provided cover for major RE project to level Grosvenor Rd football ground.

14 A routine patrol of A Coy intercepted and captured [redacted] [redacted] and [redacted] (wounded), all [redacted] after a gun battle and chase in LEEBON ST.

15 OP ARTHUR HODGINS Major cordon and search in LEEBON - GIBSON ST by 2 Coy 1500 and Tp 14/20 H under comd. No significant arrests made.

16 Small Protestant/Catholic skirmish on the peace line. Dispersed by Sp Coy.

Military logs show the level of interest in Jim Bryson

looked like Jim Bryson - was in fact the wanted man. It wasn't until they were admitted that the mistake was acknowledged.

Ciaran de Baróid captures the atmosphere in Ballymurphy in the summer of 1973.<sup>51</sup> He records that there was by any standards an extreme and sustained level of violence. There were intensive riots, hijackings, burnings and prolonged gun battles between republicans and the British army. These continued throughout July and August. Added into this mix was the feud between the Official and Provisional IRA. Activists and their teenage supporters were literally at war with each other resulting in the death threat to be carried out on Jim Bryson on 31st August. In the parlance of the conflict the dogs in the street knew what was about to happen and the district braced itself for trouble. According to the de Baróid account there was a twenty-minute gun battle between the four IRA men and what they thought were Officials but who turned out to be a patrol of the RGJ in the concealed observation post overlooking the Bullring. A British army account has been

given by a Captain R.G.K. Williamson who was the Intelligence Officer for 3rd Battalion RGJ.<sup>52</sup> He paints a rather more complicated picture than the self-serving accounts in the depositions of the military personnel, claiming there was a prolonged exchange of fire. He stated there were "three or sometimes four OPs overlooking different parts of the area". He claims that the IRA unit - comprising Jim Bryson, Patrick Mulvenna, "Bimbo" O'Rawe and Frank Duffy - was driving around the Bullring area and the men were spotted by the covert OP. Williamson claims that an Official IRA volunteer, who he names without providing any evidence, decided not to proceed with the assassination of Bryson once he saw the firepower he would have been up against.

The car, a Hillman Hunter, registration number 595 UZ, followed by a red van eventually stopped at the junction of the Ballymurphy Road and Whitecliff Parade and an ambush was in the process of being set up when the corporal in the OP dislodged a tile alerting the ambush group. According to Williamson, one of the IRA men

52 The Royal Green Jackets Chronicle, op. cit.



fired at the OP. This claim contradicts soldier A's remarks and may be an attempt to counter the suggestion that the Corporal fired in breach of the yellow card. Thus, he can then say that soldier A returned fire before enlarging the hole in the roof; at which point further fire was directed at him. In any event, Williamson says Soldier A returned fire without hitting anything and the car and the van disappeared. The car then re-appeared and according to Williamson, Paddy Mulvenna fired two shots at the OP. The Corporal fired at least seven shots, hitting O'Rawe and Jim Bryson, who was hit in the back of the neck. The two soldiers in the OP then jumped down from the attic and covered the car from about 200 yards. Other foot patrols from S Company then turned up and a gun battle continued. Paddy Mulvenna shot at the OP while Frank Duffy began to fire using an M1 carbine. When Paddy tried to escape the corporal shot and killed him. Paddy was shot in the back and died almost immediately,<sup>53</sup> Bimbo O'Rawe was hit and seriously injured.

Williamson notes that after the shootings the local reaction with respect to the British army was muted and claims that in the immediate aftermath of the shootings a person was heard to say, "The Stickies<sup>54</sup> done this". Although not true this idea was reinforced when death notices appeared describing the incident as being carried out by, "Enemies of Ireland", i.e. the Officials.

*The Royal Green Jackets in Northern Ireland* is a documentary made by Peter Taylor obtainable on Youtube which features the corporal (then a lance corporal) who killed James and Patrick and injured "Bimbo" O'Rawe.<sup>55</sup> The corporal is described as "a sniping instructor with another Green Jacket battalion". Pixilated to hide his identity, the corporal describes how he "got the first shot in" after kicking slates off the concealed OP located in an attic. The corporal admits the shootings and it is worth reporting the actual exchange between Taylor and the corporal:

**Taylor:** Did you issue a warning?

**Soldier:** No I was too far away, he was about 175 yards away.

**Taylor:** Shouldn't you have issued a warning before you opened fire?

**Soldier:** I should have done yeah... but because they were in a van and driving away with their weapons pointing at me, I was quite expecting to get, you know, a few shots back in return. So really, I fired in self-defence.

In RFJ's view, this is a clear confession that the individual fired in contravention of Yellow Card regulations. He was shooting to kill and shooting unlawfully; condemned by his own words.

The tone of the soldier's remarks is consistent with the fact that he saw it as a trophy kill. The death of Jim Bryson was seen as a particular feather in his cap and a battle honour in his regiment's trophy cabinet. Much to the family's horror, they became aware that a photograph of Jim, lying dead in the morgue with his head bandaged, was posted on the website of the Royal Green Jackets Association. This is symptomatic of British army photographs in other liberation struggles where pictures of dead opponents were routinely used to celebrate notable military operations.

### "Licensed to kill"

By a process of elimination and by cross-referencing accounts on websites and hardcopy it is difficult to escape the conclusion that Soldier A is a man whose name is known to us.

On the Memorial at Peninsula website (a website devoted to the activities of the Royal Green Jackets Regiment) in a post titled "Falling Plates" (now taken down), the following statement was made,

"An acclaimed Rifleman, who had been awarded the Military Medal for his contribution to anti-terrorism measures in a hearts and minds offensive whilst serving in the Northern Ireland province ... had been awarded the Military Medal for shooting Jim Bryson and Patrick Mulvenna, Bryson being a key player in

53 Police Report Concerning Death of Patrick Mulvenna. 6/9/73.

54 A colloquial name given to adherents of the Official IRA after the split with the Provisionals. The name arose from the choice of Easter lily badge worn to commemorate the 1916 rising. Official IRA members and supporters used a badge that stuck to clothing while Provisionals opted for a pin to fasten their badge.

55 <https://www.youtube.com/watch?v=h3DPNpyzUMg>



The man we believe is soldier A

the freedom Army, the IRA. He was Gazetted for his bravery award on 18th June 1974, Supplement page 46328 to The London Gazette page 7126.

In the Supplement to *The London Gazette*, 18th June 1974 the following item is listed:

“Awarded the Military Medal for Bravery “24068579 Lance Corporal (Acting Corporal), [Soldier A], The Royal Green Jackets”.

As well as Soldier A's award for killing Jim and Paddy, Captain (acting major) Richard John Rimmer, was “mentioned in despatches”.

Further interesting material has been garnered from the RGJ website, indicating the mindset of

the British soldiers operating in Ballymurphy at the time. In a commentary (entitled “Truth or Justice”)<sup>56</sup> on the television interview referred to earlier, the following appears:

“The Legend Himself talks about the incident that earned him the Military Medal for his brave act by shooting two IRA gunmen, in his own admission no warning was given to the two men”.

In further confirmation of the existence of a shoot-to-kill policy another posting (entitled “Military Reaction Force”<sup>57</sup> on the same website starkly outlines British military strategy at the time:

“The walls of the briefing room in our secret base in the heart of the Palace Barracks on the outskirts of Belfast were plastered with hundreds of mug shots of nasty-looking people including the big “players” like Gerry Adams, Martin McGuinness, Martin Meehan, Brendan “Darkie” Hughes, the Price sisters and James Bryson who were some of the most wanted people at that time.”

Continuing, the post states:

“During briefings phrases such as “deal with” and “eliminate” were used. We were given dossiers on the most dangerous people – and yes, we had a “shoot on sight list.”

The post concludes:

“We were effectively licensed to kill terrorists for that short time. We were a totally new concept, a prototype unit. We developed techniques which were, over the years, fine-tuned and streamlined and improved with the help of modern technology.”

The awards to the soldiers involved along with the mentality that emerges from these remarks all suggest that the unlawful fire on Jim and Paddy

56 Also on the RGJ website, *Memorial At Peninsula*.

57 See earlier outline of MRF tactics developed by Frank Kitson, pp 15-16



was a cause for celebration, a highlight of the tour of duty of this group of Royal Green Jacket soldiers; a further insult to their loss and the memory of their loved ones.

## The fatal shooting of Jimmy Bonner; another incident exposing the targeting of Jim Bryson

In the early hours of 25th June 1972, 15 months before the incident in which Jim and Paddy were shot, a young man called James Bonner was shot and killed by British soldiers as he drove up the Whiterock Road, after 4am that Sunday morning. He was driving the car, with two friends as passengers.

RFJ has spoken to one of the survivors. His account is that, as the car turned onto the Whiterock Road from Ballymurphy and was driving up towards the Springfield Road, it passed a British army patrol. Despite the soldiers' claim that they called on the car to stop, the occupants were not aware of such an instruction. Shots suddenly hit the car and intensive fire continued; it is known that every one of the nine soldiers in the patrol fired at the car, which had bullet holes all over it. Not surprisingly, it crashed into railings outside a launderette, adjacent to 193 Whiterock Road. Shaken, the passengers realised that Jimmy Bonner had been shot. Before they were able to do anything, they heard soldiers approaching the car shouting: "We've got Bryson." They pulled the two survivors from the car.

They were concerned for their safety as the soldiers appeared trigger-happy. They realised later that the car they were driving was the same make and similar colour to that owned by Jim Bryson; there was one digit which differed between the two number plates. A woman who lived in a neighbouring house put on her light and came out. The survivor to whom RFJ spoke feels that this woman saved his life; he was concerned that the soldiers may have wanted to finish off the eye-witnesses in the car. The survivor who spoke to RFJ concluded that the soldiers were watching for Jim Bryson's car and opened fire in the mistaken assumption that Jim was driving it. The fact that

there was general gunfire from all members of the army patrol indicates that they were determined to kill everyone in it.

It is worth remembering that this is only two months after the shooting of the Conway brothers in the MRF attack, which seems to have been a mistaken attempt on the life of Jim Bryson.

On Saturday 18th December 1976, the *Irish Times* reported that a judge had ruled that, in the incident in which Jimmy Bonner was killed, "the force used by the army was far in excess of what was necessary".

## Conclusion

Between the fatal shooting of Jimmy Bonner and the incident involving the Conway brothers, it is clear that the British army was anxious to see Jim Bryson off the streets and they weren't too bothered how that happened.

Outstanding issues and questions for the families of Paddy Mulvenna and Jim Bryson include acknowledgement from the British state and the Ministry of Defence of their loss. They also seek the truth about the strategy employed by the British forces at the time, the instructions given to the British army who were clearly intent on killing Jim and Paddy, the operational instructions issued before and during the incident, the fact that "yellow card" procedures were not followed, the complete lack of an adequate independent investigation by the RMP and SIB, the lack of ability to test evidence at the inquest and the deliberate withholding of material facts by a high ranking officer of the British army.

The families, supported by RFJ, seek accountability, truth and justice to address some of the hurt experienced directly by the families. They believe this could more generally contribute to wider societal resolution of the impact of the conflict. The accountability relates to the activities of the soldier who killed their loved ones. However, it also relates to British policy to indemnify soldiers who kill. RFJ uncovered the minutes of a meeting in Stormont Castle in July 1972. At that meeting, senior military and political personnel along with high level civil servants, including Kenneth



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CONCLUSIONS of Morning Meeting  
held at Stormont Castle on  
Monday, 10 July 1972 at 11 30 am

PRESENT

The Rt Hon William Whitelaw MP  
Secretary of State for Northern Ireland

Lord Windlesham  
Mr Paul Channon MP  
Mr David Howell MP

GOC  
Deputy Chief Constable  
Mr F F Steele

*First page of minutes of Stormont Castle meeting, 10th July 1972*

- C. It would continue to be the Government's aim to keep the Provisionals isolated from the sympathy of the main body of the Catholic community.
- D. The GOC would see UDA leaders that afternoon and impress upon them that while their efforts as vigilantes in their own areas were acceptable, their presence in any riot or shooting situation would not be tolerated.
- E. Further detentions might be necessary.
- F. Those on the wanted list before the ceasefire would no longer be immune.
- G. More troops and materiel would be needed for the operations visualised.
- H. The UDR would have to be called out and used more widely than before.
- I. Plans were to be produced urgently for the containment of areas known to harbour bombers and gunmen.
- J. The Army should not be inhibited in its campaign by the threat of Court proceedings and should therefore be suitably indemnified.

*Decisions outline indemnification of soldiers (J) and the friendly relationship with loyalist groups*

Bloomfield, took a decision to indemnify their soldiers "so that they should not be inhibited" in their "campaign" (see item J in minutes on page 24).

Such high-level policy to reassure British soldiers allowed for policy and practice in regimental bases to reflect the lack of inhibition encouraged by the elites. RFJ is aware of a number of cases where individuals targeted by the British army were told

that they were on "shoot on sight" montages. At every regimental turnover, intelligence officers from the incoming troops would spend orientation time with departing colleagues to get briefings on high level targets. RFJ's view is that their briefings would include identification of who is categorized as "shoot on sight". As prominent republican activists in Ballymurphy, it would be no surprise if



Paddy and Jim were on such a list. During a recent interview with RFJ, a witness recalled how, when being held in a British army billet in what used to be the Belfast Central Hotel in Royal Avenue, he saw a montage of suspected IRA men, with an X on some of the photographs. Jim Bryson's image was one of the crossed-out photographs and was dead; this supports the assertion that a shoot-to-kill policy was operational at this time. Accountability requires that such information be disclosed so that families are given the truth concerning what happened to their loved ones.

In the chaotic and violent circumstances of the time, Jim Bryson and Paddy Mulvenna were two republican activists determined to fight on behalf of their community against what they saw as an oppressive occupation force. They were also clearly determined to take the fight to the enemy, which made them opponents of the Official IRA in the split which emerged over how to take the struggle forward.

By 1973, the British army, having failed to bring an end to the resistance it encountered in nationalist areas, was adapting its policies and practices learned in other end of empire conflicts around the world where it had developed counter insurgency measures. Whether through counter gangs such as the MRF in their attack on the Conway brothers, through the increasing use of covert surveillance, prying on the target population in covert spy positions, saturating enemy areas with armed troops and patrolling, opening fire with deadly force when the opportunity of taking out desired targets emerged, encouraging antipathy and antagonism between former comrades and constructing self-serving narratives justifying the intentional killings of opponents while avoiding being held accountable in a court of law; all these elements are present in the tragic deaths of Paddy Mulvenna and Jim Bryson.

The massive attendance at their funerals testifies the esteem in which they were held, the loss

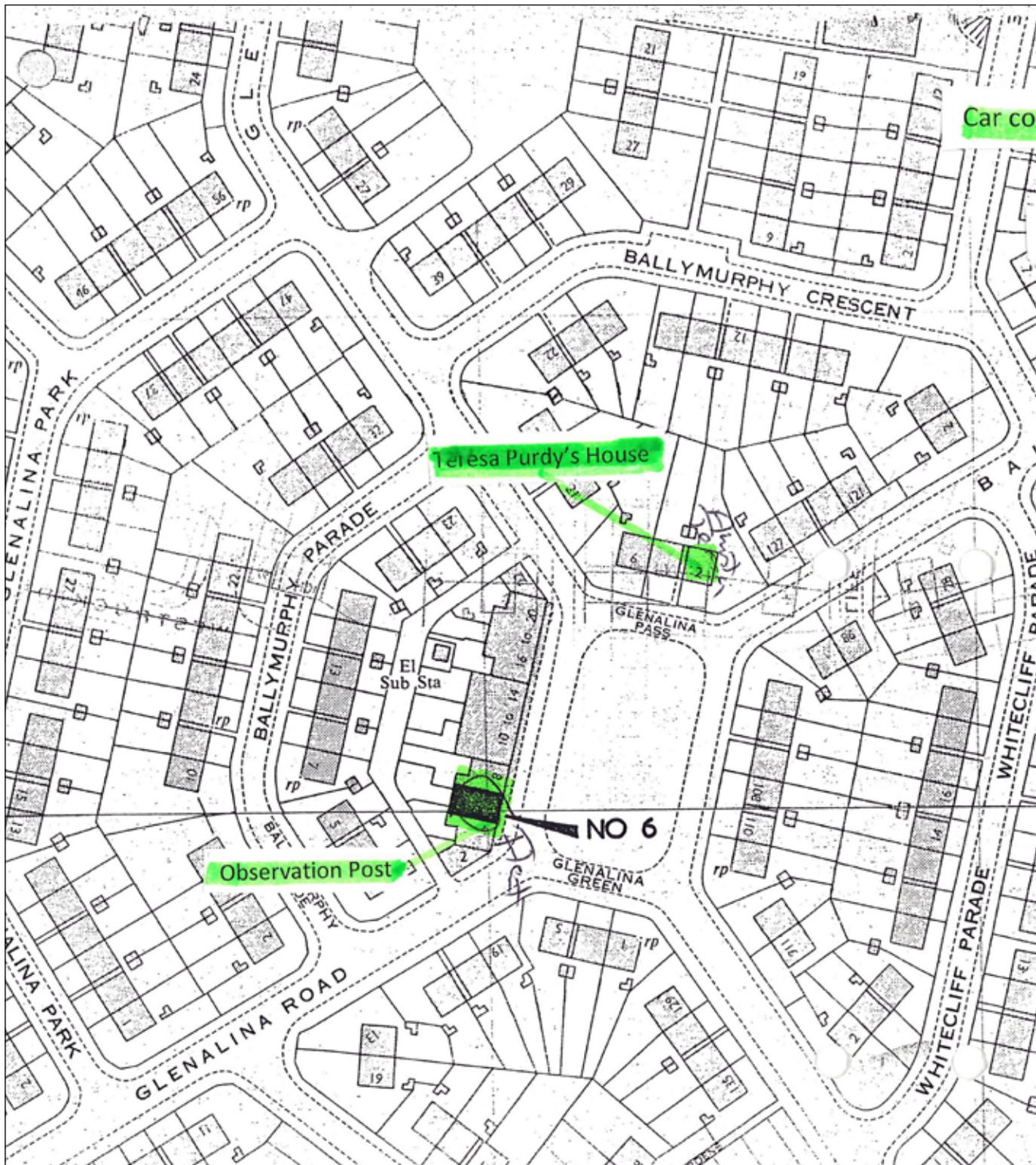
the community felt they had suffered and the blow to the republican struggle that their deaths represented. There can be no doubt that Paddy and Jim were very active republicans, charismatic members within the IRA, who were seen by the British military as a major threat. This only adds to the sense that the British - at policy and operational level - wanted to assassinate them and the legality of the circumstances were neither here nor there.

As a close comrade said: "Jim Bryson and Paddy Mulvenna were ordinary young men in an extraordinary situation; they played their part in dangerous times and paid the ultimate price for their commitment to their cause and the cause of their community."



*Left to right: Martin Walsh, Seamus Drumm, Jim Bryson and Paddy Mulvenna*

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Map of Ballymurphy illustrating proximity of some family members to the shootings





## PATRICK MULVENNA AND JAMES BRYSON

“Jim Bryson and Paddy Mulvenna were ordinary young men in an extraordinary situation.”

Close comrade



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