



# JIM DOHERTY

Shot on 8th October 1972, died 15th October 1972

REPORT COMPILED FOR THE DOHERTY FAMILY BY RELATIVES FOR JUSTICE



*The untold stories of Relatives, Victims and Survivors*



# THE DEATH OF JIM DOHERTY

SHOT ON 8TH OCTOBER 1972, DIED 15TH OCTOBER 1972

## Purpose of Family Reports

**This report has been compiled by Relatives for Justice (RFJ) on behalf of the Doherty family. From its origins, rooted in the work of the Association for Legal Justice (ALJ), the mantra of Relatives for Justice (RFJ) and its stalwarts Monsignor Raymond Murray and Clara Reilly - in response to human rights violations - was to document, document, & document.**

In more recent times families have first faced denial about deliberate state killings and collusion, then once that dam bursts they face continuous delay and then with the passage of time many of the bereaved have simply died decades after waiting on truth, justice and accountability. It is quite common to hear families say in reference to the state 'they're doing nothing other than just waiting on us all to die'.

In the absence of an effective, independent and human rights complaint investigative mechanism to address the legacy of the past RFJ are working alongside families to compile their own bespoke family reports into the deaths of their loved ones. We are acknowledging the impact of that the failure to put in place legacy mechanisms is having on families and thus heeding the advices of Raymond and Clara to once again document the facts.

Family reports form part of our overall holistic approach to supporting and empowering families and crucially providing a voice. Family reports seek to remember, capture and convey the unique human essence and individuality of the loved one killed, the special place they held in family, with close friends and community, the distinct and very much loved person they were and remain so for those left behind and the aching gap their absence continues to cause in addition to the grave injustice of their killings.

Reports aim to document in so far as possible the circumstances of killings examining and providing an analysis of the available forensic, ballistic and

eyewitness evidence including linked cases and thematic patterns. Reports also examine what the official response was, or in many instances was not, by applying and measuring these against legal obligations and human rights standards. For families reports provide a narrative account presenting their concerns and posing their questions, which require official response. They also raise wider public interest concerns.

For RFJ and families this work is about historical clarification and the recovery of historical memory. It is about challenging the oftentimes self-serving official version by the state when clearly irrefutable evidence that was deliberately ignored contests such accounts. It is hoped that this work and these reports will indeed stand the test of time enhancing the local and wider community understanding of what actually took place.

It is also hoped that once legacy mechanisms are finally implemented and operational that the reports will assist families in preparing for effective engagement. Family reports also provide a necessary confidence to articulate the circumstances of bereavement, and injury, and of each bereaved relatives' own particular needs form a process.

Family reports are probably most important in the sense of satisfaction and achievement they provide - not least to aging relatives and families - who for the first time are able to hold in one place - a family report - all the questions, concerns, thoughts, feelings, fears and views concerning the most unimaginable traumatic experiences of violent bereavement of a loved one.

Breaking a silence and giving voice to what were once unspeakable truths has in its own way also been cathartic within families and this has been an equally important journey.

Too many relatives have passed away waiting on a process and so this area of our work is so crucially important not least for an aging population of bereaved parents, spouses and siblings.

Most of all it is about providing a form of justice - doing justice to those killed - seeking to right wrong, correcting the historical narrative and remembering.



## Introduction

In the year six-year-old Jim Doherty died, 1972, the death toll was far higher than any other year in the conflict. One of the most horrific events of that year was in January when British army paratroopers shot dead 13 people during a civil rights march in Derry. This became known as 'Bloody Sunday' and it led to a wave of protest right across Ireland and the burning down of the British embassy in Dublin. The British government suspended the Stormont government in 1972 after its policies led to complete collapse of social order. British Conservative Party MP, Willie Whitelaw, was appointed as the first British secretary of state for the North of Ireland.



*One of the very last photographs of young Jim Doherty*

On June 22nd, 1972 the IRA announced they would call a ceasefire effective from midnight June 26th and on condition that British forces would need to reciprocate. The evening of the IRA announcement four men were shot in the Glen Road area of west Belfast. Following a *BBC Panorama* programme by investigative journalist John Ware and broadcast in November 2013, entitled 'Britain's Secret Terror Force', culpability for the shootings was finally established beyond doubt to the shadowy British army group Military Reaction Force (MRF). In the broadcast MRF soldiers said they were authorized to operate outside of the rule of law. Immediately after the broadcast the then Director of the Public Prosecution Service (PPS), Barra McGrory, released a public statement saying he had exercised his powers under Section 35(5) of the NI Justice Act 2002 asking the PSNI Chief Constable to investigate these soldiers, their actions, and those of their commanding officers. Consequently, and not without resistance and some initial difficulty, the PSNI finally announced on December 1st 2015 that eight shooting incidents in west and one in north Belfast by MRF were under investigation including the Glen Road shootings. Of these nine MRF shooting attacks two were fatal claiming the lives of 18-year-old Daniel Rooney and 44-year-old Patrick McVeigh. A further 15 shootings,

mostly of teenagers the youngest a 15-year-old boy, resulted in life changing injuries.<sup>1</sup>

The full extent of MRF activity in west Belfast was not limited to the nine incidents referred by the PPS. It is widely believed that MRF were involved in much more covert activity including 'no claim no blame' shootings and attacks. The very real possibility of MRF being involved in Jim Doherty's killing is a focus of this report.

On July 9th, 1972 the IRA, ceasefire ended.

Twelve days later the IRA exploded more than 20 bombs in Belfast causing the death of 9 people. This event became known as 'Bloody Friday' and was remembered as one of the worst days of violence. The death toll for the month of July alone was the highest in the conflict, reaching almost 100 deaths. In total 1972 saw nearly 500 people killed, 278 in Belfast alone; they included civilians, IRA Volunteers, British soldiers, RUC and loyalist paramilitaries. Also during 1972, 10,631 shooting incidents and 1,853 bombings were recorded.<sup>2</sup>

## Circumstances surrounding Jim's death

Jim Doherty was shot at 3.40pm on Sunday 8th October 1972. He died of his injuries a week later on the 15th October. He was playing with his brother and sister, Anne and Alex (they were 7 and 4 years old at the time) in the front garden of his home at Norglen Crescent, Turf Lodge, Belfast. No one has ever been arrested or convicted for the murder and no organization or state agency claimed responsibility for the killing.

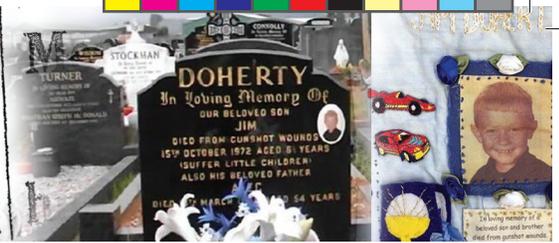
When in the front garden, Jim Doherty was seen by his sister Anne to have fallen over, presumably hitting his head. She ran into the house and alerted her parents that Jim was hurt. Jim was found by his mother on the ground. He was bleeding from his head. He was taken to the Royal Victoria Hospital by his mother and father and is noted (in a British army log) to have been admitted to hospital at 15:55. A bullet was recovered by medical staff from the child's

<sup>1</sup> <https://www.bbc.co.uk/news/uk-northern-ireland-34980462>

<sup>2</sup> Information compiled from the book, *Lost Lives*, which chronicles all conflict related deaths and the CAIN (Conflict Archive on the Internet) Website, maintained by Ulster University, which documents information on the conflict in and about the North of Ireland.



Yesterday also brought the death of four-year-old James Doherty, shot in the head a week ago near his home. He was found critically wounded near a wall where he had been playing close to his Norglen Crescent home in the Turf Lodge district. Both



# Boy aged 4 wounded by bullet

A FOUR-YEAR-OLD boy is still seriously ill in hospital after being shot in the head near his home in Norglen Crescent, Belfast, yesterday.

A British Army spokesman said a number of shots were

## CHILD FOUND WOUNDED A WEEK AGO, DIES

### 2 dead, 4 injured is week-end toll of City shootings

TWO men died and four others are in hospital as a result of week-end shootings in Belfast. And last night two soldiers were injured, one seriously, when a booby-trap bomb exploded in an empty house at Armagh.

Yesterday also brought the death of four-year-old James Doherty, shot in the head a week ago near his home. He was found critically wounded near a wall where he had been playing close to his Norglen Crescent home in the Turf Lodge district. Both wings of the I.R.A. later denied being responsible for the boy's death, and the Army and security forces were not involved in the shooting.

### Meeting called to support hunger strikers

About 200 people from the St. James's, Rodney and St. Katharine's area of Belfast,

How the Irish News reported Jim's shooting and death

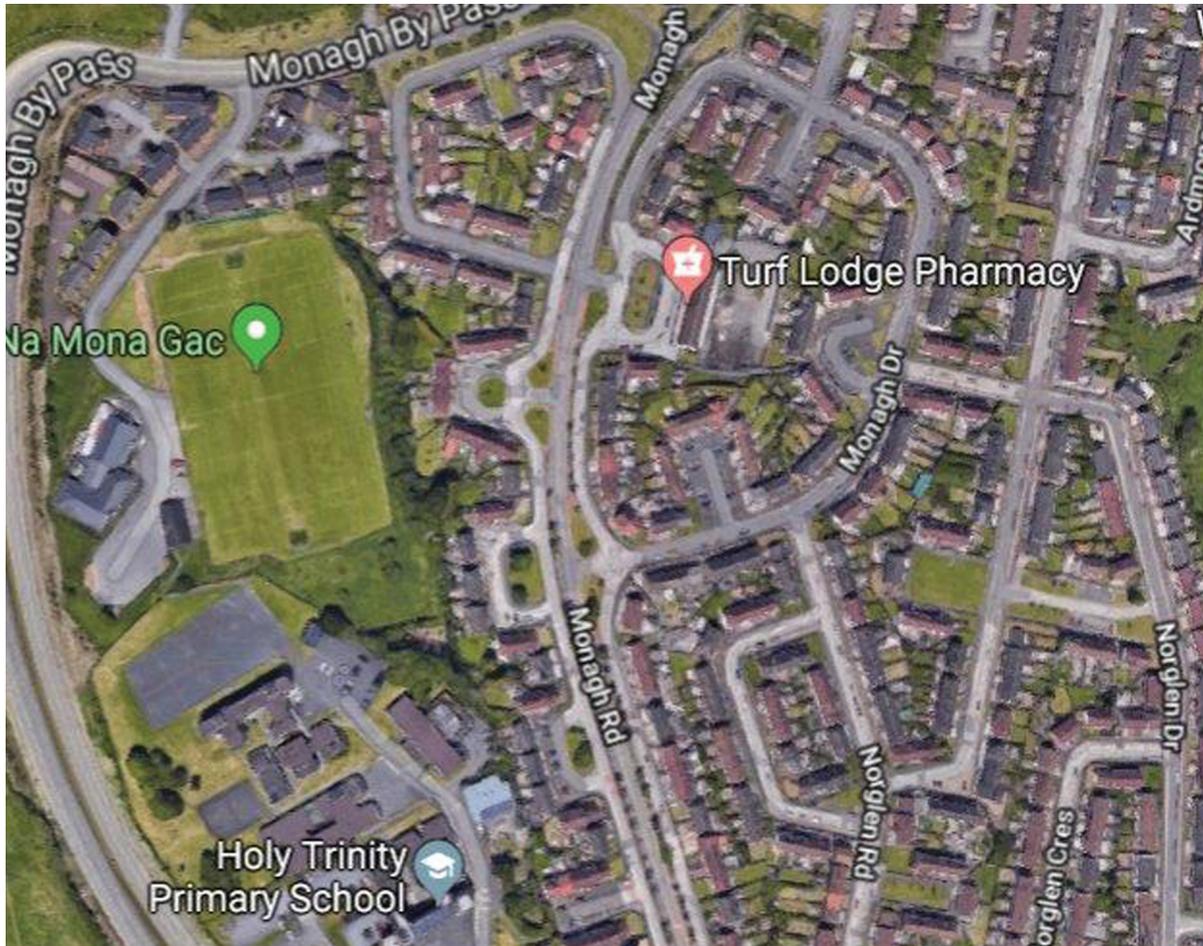
body. Police were then alerted to this fact. Jim's mother and father spoke to the surgeon inquiring about the bullet and were told two plain clothes RUC officers had taken it away for forensic and ballistic examination.

The RUC formed the opinion from the outset that the British army (who would have patrolled the Turf Lodge estate) was not responsible for the killing. They believed Jim Doherty was the unintended victim of unrelated paramilitary activity. It seems incredible to believe but the RUC made no effort to contact the Doherty family about the death of their son. Having heard nothing from them, the family went to Springfield Road RUC Barracks sometime after Jim's death to enquire about their son's murder and what investigation the police were carrying out. They were treated harshly by the RUC who told the family their son had been killed by a gun. In fact, an RUC officer placed a gun on the table in front of Mrs. Doherty and stated with blunt cruelty, "that's what killed your son". Understandably upset by this

behaviour, and dissatisfied, the family left. The Official and Provisional IRA denied any involvement in the incident. The Provisional IRA issued a statement which was covered in the *Irish News* on the 9th October 1972. It said, "We wish to state emphatically that we were in no way involved in this incident. No active service units were on duty at the time and no shots were fired by us."

### Family background

Jim's mother Rosena, but known as Ena, was originally from Beechmount, Belfast. Her family moved to Turf Lodge when the estate was first built in the late 1950s. The estate was built to house excess people from the overcrowded districts of the lower Falls. The area had formerly been occupied by the Turf Lodge Farm and so the name was retained for the new estate. Much of the original housing was of a low standard, consisting of blocks of flats and maisonettes; however, following a campaign by local women in the 1970s some of the lowest quality



Aerial view of Turf Lodge

housing stock was demolished and redeveloped.

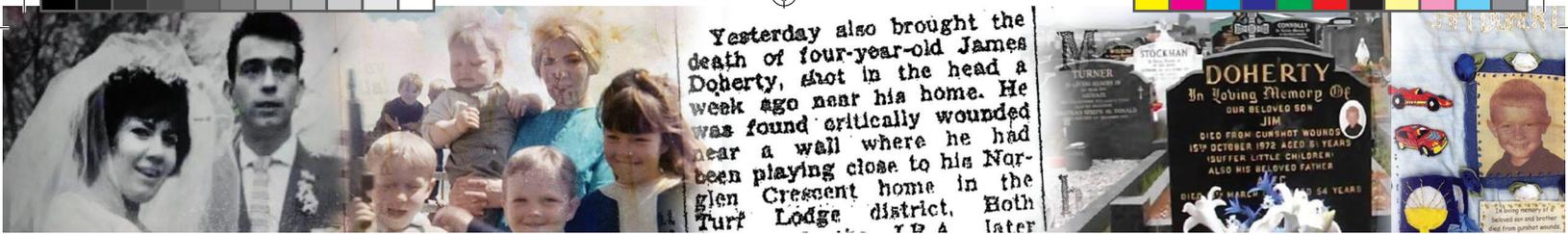
Jim's father Alex was from Baker Street, Falls Road, Belfast in the area known as the Pound Loney. Ena and Alex were married on the 28th December 1963 and after living with Ena's mother for a short period they were allocated a house in Norglen Crescent in Turf Lodge. They had four children, Anne, Jim, Alex and John. Anne, the oldest child, was 7 when her brother Jim was killed, Jim was the second oldest aged 6. Alex was 4 years old and John just 1 year old at the time of the incident. Ena worked as a dinner lady in Jim's school. After he was killed it became impossible for her to continue work in the school knowing that he would no longer be in it. Jim's father died 24 years after he lost his son on the 18th March 1996.

Ena recalls her memories of Jim and the impact his death has had on her,<sup>3</sup>

<sup>3</sup> This was a recording made as part of a joint project between RFJ and Prof Christian Davenport, called *In your own words*.

*'I was always worried about letting my children out to play when the British army or the police were in the area. At the time of his tragic death I had not seen them, so I let the children play in the front garden with the gate locked so that they could not get out on to the street. I had given Jim and Ann toy scissors to cut roses that I had growing out the front. Ann came running into the house to tell me Jim had been injured. At first, I thought he had fallen off a trellis that the roses were growing on and had hit his head on the ground. I wasn't sure how he had been injured, I thought maybe someone has thrown a stone and hit him in the head. After we had taken Jim to the hospital and discovered that he had been shot I heard that the police had been in Norglen Crescent knocking on people's doors making enquiries about the incident. The RUC never called to my door to ask me what had happened to my son. I was very angry with them.'*

*'Not knowing how Jim was murdered has been*



Ena and Alex on their wedding day



Ena and her four children, Anne, Jim, Alex and John  
 Inset: Baby Jim, born 25th December 1965

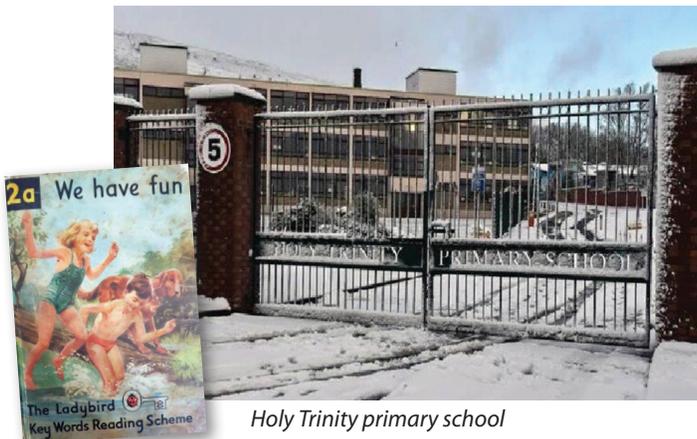


difficult to live with over the years. I was always hoping that someday I would find out the truth. When I met the HET [see following page] I recall the investigating officer, who was looking at the activity of British army the day Jim was killed, calling me to say, "I am rattling the army gates". The next time I got a call from the HET was to inform me that he had been moved off the case and that a new investigator would be put in charge.'

'Jim was a very happy child growing up and loved playing football and riding his bike. He also enjoyed playing with his toy cars. He had only started going to Holy Trinity primary school. I have some of his drawings and writings and a school book that he had in the school when he was killed. He has written down on one piece of paper that he "loved his mummy".'



Ena (2nd from right) with her daughter, grand-children and great-grand-children at commemoration for the 43rd anniversary of Jim's death



Holy Trinity primary school

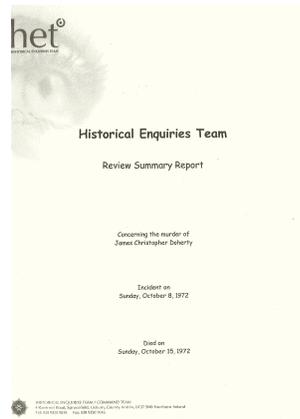
I remembered afterwards that Jim had cut some red roses that day with the toy scissors I had gave him. He would have been making his First Communion the following year in May 1973, and he was preparing for that in school and at home. If he had been alive today, he would probably be married and have a family. I now



*have 9 grandchildren and 7 great grandchildren, who I love very much, but I will always think of my wee son Jim and the life he could have had'.*

## The Historical Enquiries Team (HET) review of Jim Doherty's murder

The Historical Enquiries Team (HET) was established in 2006 by Hugh Orde, then Chief Constable of the PSNI. Its remit was to review all conflict related deaths and to produce a Review Summary report for families. Ena Doherty engaged with the HET when they contacted her to begin a review of the case in 2010. The report was given to the family in 2011.



Dave Cox headed up the HET

Whilst the HET provided some more information about the death of Jim and the fact that there was British army activity in Turf Lodge at the time of his death it still did not amount to a new investigation or establish who killed him. The HET examination of the RUC file refers to a witness as "neighbour's daughter", (aged 10 years old) who was playing with Jim Doherty. It claimed that she heard two noises that she identified as shots when she was with Jim in the front garden of his house. It also stated that as they walked along the garden path, she heard a crack, which did not sound like a shot. She then saw Jim fall back and hit his head on the bricks around the side of the garden. However, Ena's recollection of

this is different in that she believes the neighbour's daughter had been at the house earlier but not at the time of the incident. Unfortunately, there is no inquest file held by either the Courts and Tribunals Service or the Public Records Office into Jim's death, so records of any statements or depositions taken at the time are missing.

The HET state that Detective Constable Irwin was the officer in charge of the investigation. His evidence at the original inquest was that a .38 calibre bullet was removed from the child's body. The deceased's family understands, from speaking to the medical team that operated on Jim, that RUC officers took this item. HET enquiries reveal that it has since inexplicably disappeared. There is no indication of what happened to the bullet after it was recovered and there is no record to confirm that it was forensically or ballistically examined.

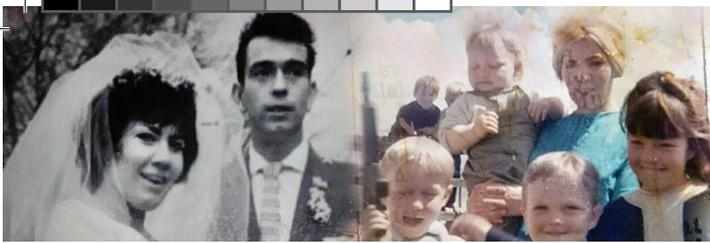
At the original inquest Detective Constable Irwin stated that there was no military presence or activity noted in the Turf Lodge area at the time of the shooting. However, investigations by HET reveal that the Royal Green Jackets, One Company, were in fact on patrol in Turf Lodge on 8th October 1972 and they noted gun shots in Turf Lodge in the minutes prior to Jim Doherty's shooting (namely, between 15:25 and 15:27). One entry from their incident log reads "15:25 - 6-7 shots in area of Gransha/Turf Lodge".

Further, their incident log entry for 16:55 reads "1100 colour and make not known Reg No (not disclosed) containing 3 men, one with gun last seen Kennedy Way heading towards M1". The HET report stated that the relevant car and its occupants "may have been connected to some of the earlier reports of shots being fired" and they are unable to exclude the possibility that the shots referred to in the log were connected to Jim Doherty's shooting.

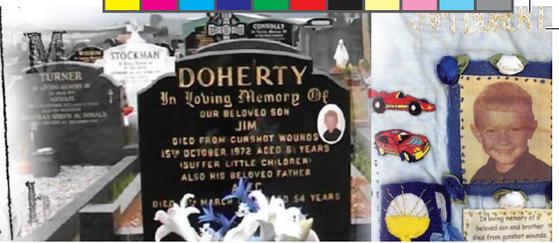
There is no record of static checkpoints on that afternoon; all acknowledged military patrols appear to have been mobile.

The HET Report characterizes the police investigation into Jim Doherty's death as "extremely basic" and states that "a child was shot to death while playing in their front garden and the matter was never effectively investigated".

The HET concluded their review of the case by stating,



Yesterday also brought the death of four-year-old James Doherty, shot in the head a week ago near his home. He was found critically wounded near a wall where he had been playing close to his Norglen Crescent home in the Turf Lodge district. Both



*'While members of the security forces were deployed in the Turf Lodge area, there is no evidence that they had any involvement in the shooting incident that led to Jim's death. Having assessed all the circumstances surrounding the shooting incident, the HET believes that it is extremely unlikely that loyalist terrorists were responsible for Jim's death.*

*The HET believes that Jim was the unintended victim of sporadic gunfire between, or by, republican terrorists who were operating in the vicinity of Norglen Crescent. It is likely that this involved an exchange of gunfire between terrorists groups, or terrorists who were engaged in test firing weapons.*

*There is no record of any intelligence or evidence to support unfounded open source allegations of collusion between loyalist paramilitaries and the security forces in Jim's death.*

*Jim was an innocent young boy who was killed in tragic circumstances while he was playing in the front garden of his home, with his siblings and a friend. Those responsible acted recklessly by discharging weapons in a residential area and endangering the lives of those living within the community. Ultimately their actions caused Jim's death.'*<sup>4</sup>

The Doherty family, supported by RFJ, are not content with the HET conclusions. In particular, we see no evidence that the investigators examined the possibility of special units of the British army being relevant. Nor do they seem to have been aware that some form of ballistic assessment was carried out as we report later. In our view, a new and properly independent investigation is required and the HET conclusion cannot be allowed to be the final official word on Jim's untimely death.

### Coroner's inquest

No medical evidence was made available to the coroner regarding Jim Doherty's injuries, any treatment provided to him, the cause of his death or certification of his death. The police file that was made available to HET investigators did not contain any medical evidence. Jim's mother's recollection of events is that no medical evidence was made

<sup>4</sup> HET report page 29

available to the coroner. Subsequent attempts to locate any relevant hospital records by RFJ, relating to Jim Doherty's admission, treatment and death have been unsuccessful.



Crumlin Road Courthouse, where the inquest into Jim's death was held

### Flawed RUC investigation into Jim's murder

The RUC carried out little or no investigation into the murder of Jim Doherty. The evidence of Detective Constable Irwin, wherein he stated that "enquiries revealed that there was no military presence or activity in the area at the time of the shooting," is inaccurate and misleading. This evidence is contradicted by the finding of the HET that the Royal Green Jackets, 1 Company, was in fact on patrol in Turf Lodge on the afternoon of 8th October 1972. This irregularity is compounded by the fact that they noted gun fire in the Turf Lodge area around the time of Jim Doherty's shooting. The relevant army personnel did not give evidence at the original inquest and were not available for cross-examination. There is no evidence that they were even questioned by the police.

The lack of an effective investigation by the police meant potential evidence was lost to police and the coroner. Leaving aside the information in respect to the military presence in the area and their observations about shooting and potential suspects, it appears that essential enquiries and a search for forensic and ballistic evidence that may have identified a suspect were not conducted. The HET found there was no record of any police investigations in the week between Jim being shot and his death on the 15th October.

Rosena Doherty informed the HET that the police attended Norglen Crescent after Jim had died and



British army in Turf Lodge, 1972

conducted house-to-house enquiries. However, the HET found no record in the case papers of the outcome of these enquiries. Nor could the HET find any records of the other tasks that would normally have been completed during a murder investigation such as crime scene investigation, making a photographic record and drawing of the scene and conducting a wider search of the area for spent bullets or cartridges.

In 2010 Ena, who had a long association with RFJ, requested help in renewing her attempts to find new information about her son's murder. She had frequently written letters to newspapers asking for people to come forward. On this occasion, RFJ took a statement from Ena which detailed once more the circumstances surrounding her son's death and the way the RUC treated her and Jim's father Alex when they sought answers about their son's murder. The following is Ena's statement,

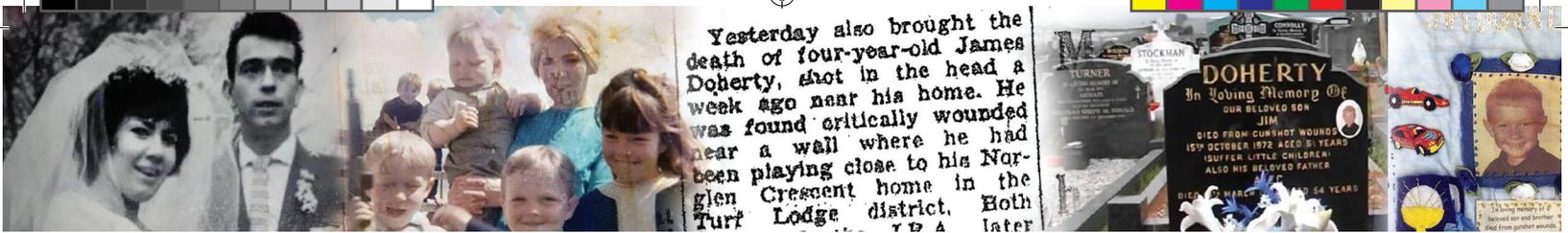
*'On 8th October 1972 I lived with my late husband, Alec and our four children, one girl and three boys in Norglen Crescent, Turf Lodge. At around 3.30pm on that day three of my children were playing in the front garden of our home while I fed the baby who was 18 months old. My 7-year-old daughter, Anne, burst in through the door screaming, "Our Jim fell, our Jim fell". I ran out and found my son Jim, aged 6, lying there covered in blood, especially on his head*

*and in his hair. I really thought he had fell and hit his head, I tried to get him to stand up, but his eyes were closed, and he was limp. My husband came out and carried Jim into his van and rushed him down to the Children's Hospital. I had Jim in my arms and I was hysterical. The doctors all came and kept asking me was he knocked down. I said he was playing in the garden where I had the gate locked to stop the children from getting out.'*

*We were all mystified as to what had happened. It was the screams of me that brought all the neighbours out, but nobody had seen anything. We stayed in the hospital and Jim was put on a life support machine. The doctors had told my husband that Jim had been shot in the head. We were all in a state of shock and couldn't believe what the doctors had told us, Jim remained on the life support machine for a week and we stayed with him all that time. The doctors told us that all the injuries were to the brain and if he had lived, he would have been in a permanent vegetative state.*

*A few hours after Jim was brought into hospital two of the family approached the doctors and asked for the bullet that had been lodged in Jim's head. They were informed that the RUC Special Branch had come and taken the bullet for forensic examination. The family were very angry about this.*

*Jim died on the 15th October 1972 at around 8.00am on the Sunday morning. After the funeral*



*we approached all branches of the Republican Movement to see who was involved. Leaflets had been put around the doors denying any responsibility from all the different republican organisations. I even wrote to the local papers pleading for anyone with information to come forward. We received no response at all.*

*Sometime after the funeral we went to Springfield Road Police Station to ask the police what they were doing about my son's murder. I will never forget how we were treated. We made a very brief statement and then I asked the question who shot my son? One of the Policemen had a gun in his hand and he threw it on the table and said, "your son was shot with a gun like that, have you ever seen one of these before?"*

*It was implied / insinuated that we somehow knew more than we were saying which was a total nonsense. We were upset at this and the casual disregard for us by the RUC concerning Jim's killing. My brother was angry at the way we were being treated and advised us to leave.*

*I never heard anything more from the police after taking the statement. No one ever visited us at our home to keep us up to date on the investigation. At the inquest the coroner indicated that he thought Jim had been shot by Republicans.*

*Over the years I kept wanting to know how my son had died and was not getting any answers. The search for the truth never left me. In 2008 a book was published called 'Killing for Britain', the author of the book was called John Black. My brother phoned me to say there was a story in the book that referred to a boy being shot in Turf Lodge and who died a week later in hospital. We got a copy of the book and were convinced that the case referred to was the killing of my young son Jim.*

*In the book the author states that a hit team of loyalists were in Turf Lodge for to kill a known IRA man who was not home at the time. The author describes an OOB (Out of Bounds call) was in place at the time. We believe this meant the RUC and British Army were forbidden from entering the area when a loyalist gang were carrying out an attack. In other words, the gang were given safe passage to travel to and from Turf Lodge to kill a republican.*

*According to the account in the book the car*

*the killers were in was driving away when it hit a pothole in the road and a gun was accidentally discharged. The author states that those in the car were unaware until later that a bullet had hit a young boy who died a week later.<sup>5</sup>*

## Claims in the book *Killing for Britain* by 'John Black'

*Killing for Britain* is a book supposedly written by a former UVF man who uses the pen name John Black.<sup>6</sup> He claims he was born and raised in north Belfast and joined the UVF in 1971. He says he was twice convicted of paramilitary offences and served time in Long Kesh. He said he wrote the book to expose the British Establishment's role in the murder of paramilitaries and civilians.

In the book he claims that he was working for the Military Reaction Force (MRF). MRF was a covert intelligence-gathering and counter-insurgency unit of the British army active in the North of Ireland, during the conflict. The unit was formed during the summer of 1971 and operated until early 1973. MRF teams operated in plain-clothes and civilian vehicles, equipped with pistols and sub-machine guns. They were nominally tasked with tracking down and arresting, or killing, suspected members of the IRA. The MRF also ran double agents within the paramilitary groups and ran several front companies to gather intelligence. At the beginning of October 1972, a week before Jim was shot, the IRA uncovered and attacked two of the MRF's front companies - a mobile laundry service and a massage parlour. This exposure contributed to the unit's dissolution.<sup>7</sup>

The MRF killed and wounded several unarmed Catholic civilians in drive by shootings. One former member of the unit has described it as a "legalised" death squad. It has also been accused of colluding with loyalist paramilitaries and carrying out false

5 Ena Doherty's statement taken by RFJ 10th May 2010

6 *Killing for Britain* was published in 2008 by Frontline Noir Publishing

7 On the 3rd October 1972 an undercover soldier was shot by the IRA in the Twinbrook estate on the outskirts of West Belfast. He was taking part in the Four-Square laundry operation in which the British army set up a bogus laundry company in an elaborate intelligence-gathering operation aimed at the IRA.



flag attacks.<sup>8</sup> The MRF was succeeded by the SRU (or 14 Intelligence) and, later, by the FRU.<sup>9</sup>

John Black claims in the book that the UVF were responsible for Jim Doherty's death and that they had been targeting a member of the Provisional IRA in Turf Lodge. The book states,

*'an OOB<sup>10</sup> was in place for Turf Lodge for an attack on a PIRA man who wasn't at home when the hit team arrived. As they were driving away a gun accidentally discharged when the car hit a hole in the road. The men were unaware that the bullet hit a young boy who tragically died a week later. The incident destroyed the man responsible and he stood down from operations. I heard he tried to take his life a number of times.'*<sup>11</sup>

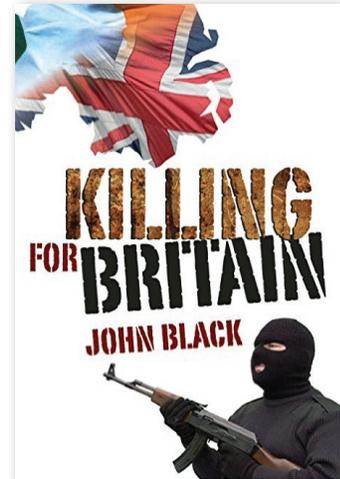
The HET report dismisses the claims made in the book and states that the HET had 'conducted enquiries to establish the real identity of the author, without success'. It further states that 'the book has featured in other reviews and had been found to contain recycled material from other publications notably the book *Lost Lives*'. The HET also rule out the possibility that the UVF were involved or that the Turf Lodge area had been placed out of bounds to the British Army or RUC.<sup>12</sup>

RFJ do not believe the HET nor the PSNI have adequately assessed the information contained in the book and too easily dismissed the credibility of the author. This tends to be their approach when killings have an element of controversy or there are allegations of security force mal-practice or collusion, such as the OOB referred to in the book. This is in marked contrast to their response to the Boston College tapes claims and the conviction of

8 The term 'false flag' refers to covert operations which were carried out to create the appearance that a different organisation was responsible for the attack. MRF used false flag attacks to try and create the impression that the IRA were to blame.  
 9 Special Reconnaissance Unit (SRU), Field Research Unit (FRU) and 14 Intelligence Company were all undercover units of the British Army. Their primary role was intelligence gathering and running agents within loyalist and republican organisations.  
 10 OOB stood for Out of Bounds and it meant there would be no British army or RUC patrols in operation when undercover army or loyalist groups carried out activities in certain areas.  
 11 Killing for Britain, pages 217-18  
 12 HET report page 25

republican Gerry McGeough where books he had written were used in evidence against him.<sup>13</sup>

*Killing for Britain* was published by Frontline Noir Publishing. RFJ contacted its founder Bob Smith in August 2014 to try and establish



the credibility of the claims made in the book by John Black regarding the death of Jim Doherty. RFJ wanted to know whether the HET had contacted the publisher or sought an introduction to the author of the book John Black. RFJ also asked the publisher for his reaction to the HET assessment of the credibility of the author and what the reaction of the author is to the HET assessment of his book and the incident in question.

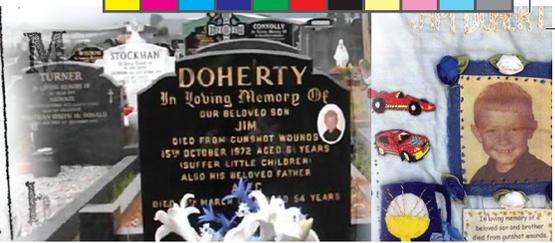
In response Bob Smith stated,

*'The author (John Black) has not responded to my recent emails prompted by your (RFJ) interest. The HET had made me aware of their opinion of the book in 2010. However, the author stood by the book, though allowing for flaws in memory. He was not surprised by the HET assessment (which I already had put to him in 2010) as it chimed with "Mike's" statement<sup>14</sup> that he'd be made a fool of. He has stated emphatically many times that he has no interest in the HET assessment or anyone else's for that matter. The HET tried several times to get in touch with him. I advised him that he would do his story more justice by engaging with them, indeed, by going public completely. But he*

13 Former loyalist paramilitaries and republican gave a series of interviews that chronicled their involvement in the conflict. These were held in a library at Boston College and became known as the Boston tapes. Gerry McGeough, a former republican prisoner was jailed for 20 years in 2011 for the attempted murder of a UDR man in 1981. The prosecution used as evidence against him novels he wrote about the IRA in Tyrone.  
 14 According to John Black, 'Mike' was a person connected with British military intelligence who recruited him into MRF.



Yesterday also brought the death of four-year-old James Doherty, shot in the head a week ago near his home. He was found critically wounded near a wall where he had been playing close to his Nar-glen Crescent home in the Turf Lodge district. Both



*refused, saying he had nothing to add to what was in the book. The HET were quite dogged in their attempts to talk to Black, four different HET policemen contacted me throughout 2008, 2009 and 2010. Black claimed to have been convicted twice during the Troubles. I found references to these convictions in the public domain under the author's real name on the dates he'd told me, thus confirming his ID at least and his involvement in the Troubles. (It is remarkable therefore that the author's ID eluded the HET...)*

On 22nd May 2016 the *Sunday World* newspaper carried a story by journalist Hugh Jordan claiming they knew the identity of John Black. The newspaper article stated,

*'The identity of a shadowy Protestant paramilitary-cum-British Military Intelligence agent is revealed today for the first time. The Sunday World has seen documentary evidence that proves beyond doubt - that a recently deceased UVF man named Trevor Wilson led a secretive life as 'John Black' the mysterious author of the best-selling book, Killing for Britain.'*

*'John Black was in fact, Trevor Wilson - a convicted member of the Ulster Volunteer Force, a Protestant paramilitary group responsible for killing hundreds of Catholics during the troubles. From the Shore Road area of Belfast, Wilson was convicted and jailed for UVF - related offences in the early 1970s. He served a sentence in the UVF compounds of Long Kesh, near Lisburn, and in his book he claimed it was after he was released that he was recruited by FRU. He further claimed his handlers put him through a period of intense training before setting him to work against the IRA.'*

### British Army activity in Turf Lodge on the day Jim was killed

Detective Constable Irwin (in charge of the investigation in 1972) did not believe the British army was involved in Jim's death. The HET said that they assessed the evidence of Detective Constable Irwin and contacted the British army's Historical Inquiries Team (HIT)<sup>15</sup> who supplied them with

records of army deployments in the Turf Lodge area on the day Jim died. These logs record shots being fired in Kennedy Way, Gransha/Turf Lodge and Andersonstown Road areas and the sighting of an 1100 vehicle containing three men including a gunman. The registration number of the vehicle was redacted.<sup>16</sup> The HET report states that their analysis of the records shows that,

*'3 Company Royal Green Jackets were on patrol in the Andersonstown area of West Belfast (adjoining Turf Lodge). Their incident log shows that between 2.00pm and 5.40pm on October 8 they were deployed in that area but did not go into Turf Lodge.'*

1 Company Royal Green Jackets were on patrol in the Turf Lodge area on October 8. Their incident log shows that shots were being fired in the area between 1.40pm and 3.27pm. The relevant sections of the log read as follows,

- 1340 - 'We have heard 3 shots in the area of the brewery.'
- 1525 - '6-7 shots in area of Gransha/Turf Lodge.'
- 1526 - 'Shots in Kennedy Way.'
- 1526 - 'Shots in Kennedy Way' (the message indicated that the soldier who heard the shots was not involved in the incident)
- 1527 - 'We believe shots to be in area of Kennedy Way' (the message indicated that a soldier was sent to investigate the incident)
- 1527 - 'My callsign 35 reports more shots in the area south of Andersonstown Road.'

After the last log entry at 3.27pm there was a period of quiet, but this was followed by an incident reportedly involving a car and 3 men, one with gun, which may have been connected to some of the earlier reports of shots being fired. The incident log states,

15 The Historical Inquiries Team (HIT) was established supposedly by the MoD to provide information about British Army records of their time in the North of Ireland during the conflict.  
16 1100 cars in the 1970s could refer to Austin, Hillman and Morris makes of cars.



- 1655 - '1100 colour and make not known Reg No (not disclosed) containing 3 men, one with a gun last seen Kennedy Way heading towards M1.<sup>17</sup>

The HET report states that it cannot rule out the possibility that the shots fired between 3.25pm and 3.27pm were in some way connected to the shooting incident that led to Jim's death. However, they conclude that based on their review of the British army logs there was no evidence to link that army to the death of Jim. It is maybe worth pointing out that the British army log record of the car containing 3 men, one with a gun, tallies with the account given by John Black of loyalists in Turf Lodge on an operation to kill a republican.<sup>18</sup>

They also inquired about the type of weapon used to kill Jim, a .38 calibre handgun, and state it was, 'not on general issue to the military personnel that were deployed at the time in Northern Ireland'.<sup>19</sup> They conclude that based on their research 'it is highly unlikely the army was responsible for the shot that led to Jim's death'.<sup>20</sup> RFJ know from research carried out into the British Army that soldiers did have personal weapons when they were stationed in the North. The book *Faith and Duty*, written by a former soldier describes how he and others in the Green Howard regiment, who were based in Ardoyne in the early 1970s, carried their own personal handguns while out on patrol.

It is important to state that RFJ and the Doherty family completely reject the decision of the HET to hide the registration number of the car mentioned in the log sheets seen heading towards the M1. This record confirms armed men in a car of the same type known to have been used by a British undercover unit. Furthermore, one of the men was carrying a visible firearm. There is no explanation as to why this was not followed up. In our opinion, the registration number should be published in order to see whether it was a military vehicle.

<sup>17</sup> HET report pages 20 -21

<sup>18</sup> Killing for Britain book pages 217-218

<sup>19</sup> HET report page 21

<sup>20</sup> Ibid

## Activities of MRF in West Belfast in 1972

Despite the HET conclusions in their report ruling out regular British Army involvement in Jim's death, they did not look at the covert operations of the British Army's MRF unit. In November 2013, a BBC Panorama documentary was aired about the MRF, which operated out of Palace Barracks in Holywood, Co Down.<sup>21</sup> It drew on information from former members. Soldier F said on the programme, 'We were not there to act like an army unit, we were there to act like a terror group'. Another participant in the documentary Soldier H stated, 'We operated initially with them (IRA) thinking we were the UVF', to which Soldier F added, 'We wanted to cause confusion'. Another former member of MRF made a statement in 1978 claiming they had been trained to use weapons favoured by the IRA.<sup>22</sup>



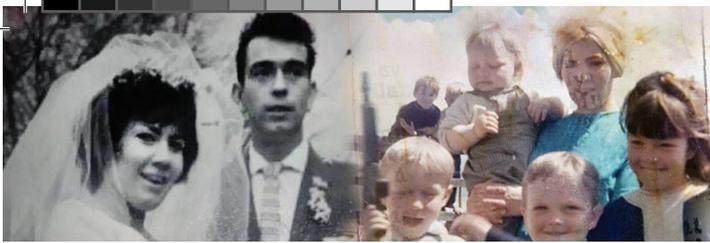
The MRF operated out of Palace Barracks in Holywood

A book written in 2013, by a former British soldier who was in the unit, Simon Cursey,<sup>23</sup> details the activities of MRF in Belfast in the early 1970s. In the book he describes the type of cars, weapons, surveillance operations and shootings MRF undertook in West Belfast. He refers to driving around Turf Lodge on several occasions and using Kennedy Way (road) to follow suspects. Amongst the makes of vehicles they used were, Hillman and

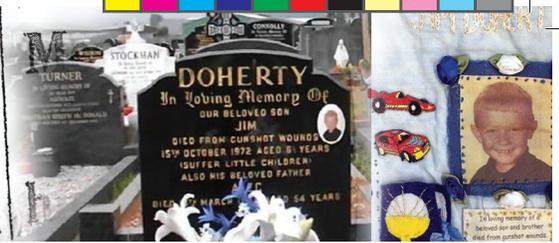
<sup>21</sup> **Panorama: Britain's Secret Terror Force**, BBC One, Thursday 21 November 2013. In the programme, reporter, John Ware, interviewed former members of a secret undercover unit run by the British Army in the early 1970s as they reveal how they took the war to the IRA.

<sup>22</sup> See page 44 of **The SAS in Ireland**, written by Monsignor Raymond Murray and published - in 1990 - by the Mercier Press.

<sup>23</sup> Simon Cursey (not his real name) was a member of the British Army who was selected and trained to be a member of the covert undercover army unit MRF. His book **MRF Shadow Troop (published by Thistle Publishing in 2013) describes his time in the MRF and details his activities in West Belfast.**



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Morris. Although in his book he says the 'Boss' said that there were 'one or two other unofficial vehicles that will mysteriously appear for a while and then disappear'.<sup>24</sup>

He gives details of the variety of weapons that were used by MRF but that were not standard issue army guns. As he states in his book,

*'Some of our members had their own private weapons, which ranged from Smith & Wesson .38 Specials and .357 magnums to Colt .45s. I don't know if these weapons were unauthorised or not and were used mainly on the firing ranges for practice. It wasn't my business and I presumed they were authorized as they were together with the .45 Thompson. We had a job to do and all we were interested in was that the weapons worked, were accurate and not too big and bulky. We didn't mind what they were as long as they fired bullets, were easy to use and powerful enough. I don't know if the authorities were aware of these weapons, I just presumed they were.'*<sup>25</sup>



An 1100 model car of a type commonly used by MRF personnel

The book describes incidents where there were negligent discharges (ND) of weapons when MRF members were firing guns while the vehicle was moving. This is relevant because one possibility of how Jim was killed was that it was an accidental discharge of a weapon. What is clear from Cursey's account is that MRF were heavily involved in surveillance operations in areas like Turf Lodge and that they used weapons that were not standard army issue such as .38 calibre handguns. Moreover,

<sup>24</sup> MRF Shadow Troop page 67.  
<sup>25</sup> MRF Shadow Troop page 136

the vehicles they used were like the 1100 car seen and noted by the regular British army patrol heading towards Kennedy Way on the day Jim was killed. And for all their training regarding the use and safety of handling their weapons there could still be an accidental discharge of a weapon especially after many hours driving around Belfast carrying out surveillance.

## Application to the Attorney General for new inquest into Jim's murder

An application to the Attorney General for a fresh inquest into Jim's death pursuant to section 14 of the Coroner's Act (NI) 1959 was made by the family's solicitor, Finucane Toner, in January 2014. In their application they refer to the HET report and its view that the investigation into Jim's death was 'extremely basic' and that 'the matter was never effectively investigated'. They go on to state,

*'The apparent lack of positive action by the investigating police means that potential evidence was lost to the police and coroner. Leaving aside the information in respect to military presence in the area and their observations about the shooting and potential suspects, it appears that essential enquiries such as identification of the firing point, recovery of any spent bullets or cartridge cases and search for forensic evidence that may have identified a suspect were not conducted.'*<sup>26</sup>

The application further states,

*'It is submitted that material withheld from the coroner was of such significance that it was likely to have materially affected both the conduct of and the outcome of the inquest. It is submitted on that ground alone the Attorney General ought to direct a fresh inquest.'*

The above refers to the fact that military activity in Turf Lodge and medical evidence were not made available to the original inquest. Detective

<sup>26</sup> Section 14 application to Attorney General by family solicitor dated 16th January 2014.



Clara Reilly addresses the commemoration in 2015. Right: Jim's sister Anne unveils the commemorative plaque



Constable Irwin, in his evidence to the inquest stated that there was no military presence at the time of Jim's death. This is inaccurate and has since been contradicted by the HET report which confirmed there was a military presence in the area. Moreover, no medical evidence whatsoever was available to the coroner, including in respect to Jim Doherty's injuries, any treatment provided to him, the cause of death or certification of his death.

Unfortunately, the Attorney General rejected the request to order a fresh inquest in March 2014. However, the Attorney General in his response to the Section 14 application commented on the lack of medical evidence available to the coroner. He stated,

*'The HET reveal that, not only was there no medical evidence available to the inquest but no post mortem examination was carried out. This is, clearly, an unsatisfactory situation and if medical evidence was now to become available then this would provide a strong basis upon which the Attorney could exercise his discretion under section 14 (1) of the 1959 Act.'*<sup>27</sup>

<sup>27</sup> Attorney General correspondence in response to section



This was a disappointing decision for both the Doherty family and RFJ who have supported the family in their campaign for a proper investigation into Jim's death. The Attorney General's decision means the Doherty family's legitimate expectation of and right to a proper and effective investigation into Jim's death remains unfulfilled.

### Commemoration held in Turf Lodge into Jim's death

On Sunday 18th October 2015 a commemoration for Jim was held in Turf Lodge to mark the 43rd anniversary of his death. Hundreds of people attended the unveiling of a memorial to Jim at the Monagh By Pass/Springfield Road entrance to the estate. Jim's mother, Ena attended the event along with her children, grandchildren and great grandchildren. Clara Reilly, then chairperson of RFJ, who gave the oration in memory of Jim stated,

*'For over 40 years the Doherty family has lived with the indescribable loss and the absence of any recognition of Jim's killing in that no official culpability has ever been established. This has*

*14 application by family solicitor dated 25th March 2014.*



**JIM DOHERTY CASE MAP OF TURF LODGE**



AERIAL VIEW OF DOHERTY GARDEN AND BRITISH ARMY SEARCH



*simply added to the deep sense of loss and injustice which is still obviously very tangible.'*

Speaking after the commemoration Jim's mother said,

*'For the past 43 years I have lived with the awful heartache of Jim's murder. I have never had a proper investigation carried out into my son's death. There has been no recognition by the police even that my son was murdered. This has simply added to the deep sense of loss and injustice.'*

At the commemoration RFJ appealed for anyone who had information about the murder of six-year-old Jim to come forward. They also called on the Attorney General to grant a new inquest into Jim Doherty's killing. The family were treated appallingly by the RUC and the criminal justice system failed them, a fresh inquest would give the family a proper investigation.

The following year, a neighbour of the Doherty family, who would have been 7 years old at the time of Jim's death, gave a statement to RFJ about what he remembered as a young boy about the incident,

*'I was seven years old when Jim Doherty was shot dead on Sunday 8th October 1972. We were practically neighbours of the Doherty's with our gardens adjacent to each other at an angle. I have marked the two houses - with the McKeown's garden at an angle in between - on the attached map. What you can't see on the map is that there is quite a rise in the ground from the Doherty home to ours - perhaps five feet or so.*

*On the Sunday afternoon, I, my brother and a couple of friends were playing football in our garden only a few yards from where Jim and his sister must have been. We heard no shot and didn't hear anything about it until another neighbour passed on word of the shooting later in the afternoon. We also didn't realise until the following morning that bullets had passed through our garden fence.*

*The following day, soldiers and police officers*

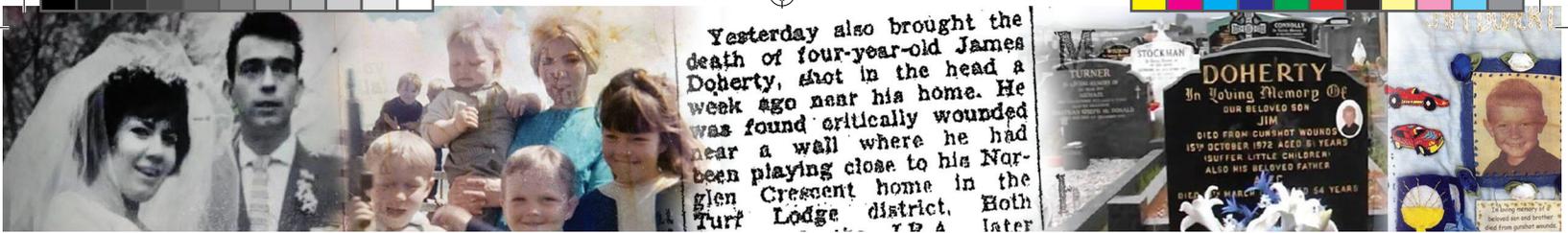
*were in our garden, the McKeown's garden and the Doherty garden carrying out searches. They were there all day, until early evening when the light ran out and a drizzle came on. What follows is my recollection of what took place. I was fascinated by the process and remember very vividly, sitting in the garden all day and watching what was going on.*

*The searchers were British soldiers, their caps had red and white feathers which, I think, makes them fusiliers. The soldiers were hanging around for a good while. They took their hats off and were relaxing and chatting. Eventually, a senior officer arrived, and he told them to put their hats back on and start searching. The commanding officer was a guy who would have been over six foot, perhaps six foot, two inches. He was asked: "What are we looking for?". His reply was: "Three bullets", said while holding up three fingers.*

*The exercise involved passing strings, some pink and some white (as far as I could see, the pink strings were the confirmed flight paths of the bullets whereas the white ones were testers), from the supposed firing point from the street outside the Doherty home, through the garden where Jim was hit and then through the holes in the garden fence in order to get a trajectory which, in turn, would assist the searchers. I remember them stretching the strings from the holes in the fence to where young Jim had been shot.*

*I remember all the gardens next to ours being searched. I also remember the splinters on our side of the fence being used to identify the bullet holes. Eventually, they concentrated on a single bullet and searched along that assumed flight path. Even so, they did not find anything and eventually, I remember the man in charge shouting: "We'll not chase it [the bullet]". Because they hadn't found anything, I was expecting them back the next day, but they didn't return. They left the strings behind.*

*There seemed to be two police officers. One, who seemed to be in charge and was calling out the orders, was a big guy with short black hair (like an army haircut). He was wearing a navy-blue suit. The other policeman was doing the*

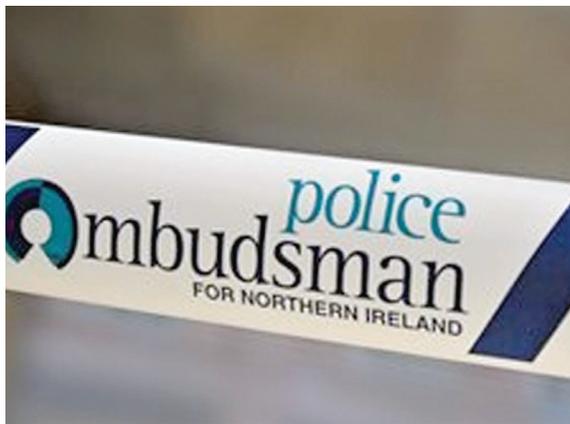


*running about in response to the senior officer's orders; this man had fair hair flicked over to the side; he was shorter and was wearing a grey/blue jacket.*<sup>28</sup>

This statement shows that there was some attempt by the police to investigate the shooting that caused Jim's death. What's not known is whether the searches that were undertaken found any spent bullets or other evidence connected to the gunshots. There may be a record of these searches and their findings and any new investigation should consider this.

In addition, the question of why the British army was involved in the search should be investigated and assessed. The suspicion is that the intention may have been to recover and conceal any bullets or casings rather than facilitate a proper police investigation. If so, this is suggestive of illegal undercover military involvement and that MRF may, indeed, have been involved.

### Complaint to the Police Ombudsman into the circumstances surrounding Jim's murder



In February 2016 Jim's mother Ena, with the support of RFJ submitted a written complaint to the Police Ombudsman. The Doherty family wants the Police Ombudsman to examine the police investigation into her son's murder as she believes Jim's death was never properly investigated by the RUC. The family do not believe the HET review of Jim's case in 2010 was a proper and effective

<sup>28</sup> Statement taken by RFJ 3rd August 2016

investigation into Jim's death either.

The complaint to the Ombudsman states,

- the RUC failed to carry out a thorough and impartial investigation into Jim's killing.
- the RUC failed to provide the coroner with medical and forensic evidence regarding Jim's death.
- the investigation conducted into Jim's death did not comply with the obligations demanded under Article 2 of the European Convention of Human Rights.
- the RUC failed to keep the family informed of developments in the investigation.

After meeting the grave and exceptional threshold for complaints in August 2016, the Police Ombudsman accepted the complaint had merit and informed the Doherty family that they would investigate. However, they informed the family that given the high number of complaints within the remit of the Ombudsman's Office, Jim's case would not be investigated at present. In June 2017 the Ombudsman wrote to the family informing them,

*'It is with regret that I am still unable to provide you with a definitive timescale within which I would anticipate commencing an investigation of your complaint. This is entirely due to competing priorities within the Police Ombudsman's historic/legacy caseload of some 400 matters and the diminishing resources available to conduct these investigations.'*<sup>29</sup>

The Police Ombudsman is the only independent mechanism that exists at present to deal with the legacy of the past and RFJ believe it should be adequately funded and resourced until such times as the Stormont House Agreement<sup>30</sup> mechanisms

<sup>29</sup> Police Ombudsman correspondence to family June 2017

<sup>30</sup> The Stormont House Agreement was concluded in 2014 between the Irish and British governments and the five main political parties in the north of Ireland. The purpose of the agreement was to agree the establishment of a range of institutions which would address the legacy of the conflict. The key one for the purposes of this report was to have been the Historical Investigations Unit which was to have full police powers and access to all official documentation and evidence in order that it carry out completely independent investigations into conflict-related deaths. Five years later, implementation is yet to take place.



are in place. To date these mechanisms have not been established and it could be several years before they are operational if or when they are passed through legislation at Westminster.

It is of the utmost importance to remember that responsibility for investigations rests with the UK government; they signed and ratified the European Convention on Human Rights (ECHR). It is the UK government that responds to the Committee of Ministers of the Council of Europe (CoM) concerning Article 2 (Right to Life) violations ruled on by the European Court on Human Rights (ECtHR) and which require effective remedy in this jurisdiction.

This remedy is not the responsibility of the local devolved power-sharing executive, especially one in which significant pro-UK state vested interests exist: seeking to thwart attempts at ensuring that the state party (i.e. the UK) answer questions concerning its role during the conflict; undermining attempts to get the UK to remedy violations concerning its role; delaying accountability for direct or complicit involvement in killings during the conflict. All these tactics are common practice for Unionists in local elected bodies and the devolved institutions. Conflating these responsibilities is a deliberate convenience; a strategy of obfuscation, warmly appreciated by the UK government as it seeks to extricate itself from its legal obligations.

Families rightly feel aggrieved at the failure to properly investigate conflict-related killings not least when - as in this case - the evidence in part points to some form of state involvement that requires specific investigation.

The issue of whether or not a family receives a proper investigation into the murder of a loved one is also not dependent on political agreement and consensus. Nor should it be prolonged in the aspirational hope that someday we may magically find real agreement; if and when we do, then the issue of implementation should not become the subject of re-negotiation nor held hostage due to a 'lack of resources' argument or the flagrant use of a veto by pro-state parties at the behest of the UK government. The latter is yet another form of collusive behaviour aimed at suppressing the truth

and continuing impunity.

The December 2014 Stormont House Agreement on addressing the legacy of the past has yet to be implemented. The arbitrary imposition of a 'national security' veto into the draft legislation by the UK - and supported by the local unionist parties to the devolved institutions - is quite simply seen as a giving cover to the illegal activities of state forces during the conflict. This was rightly described by then Irish Justice minister Charlie Flanagan as a 'smothering blanket'<sup>31</sup> to conceal the sins of the past by the British government.

In the absence of proper investigative remedy the only hope families have is for the Police Ombudsman to conduct an investigation. This body meets the legal requirements as set out in Article 2 of the ECHR.

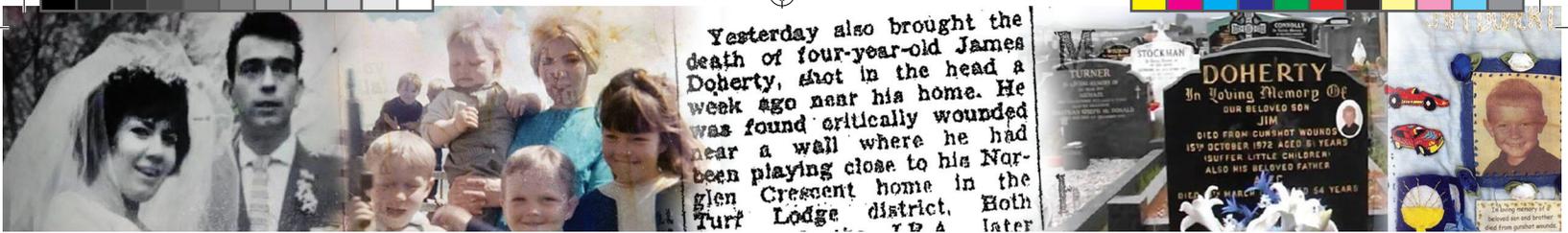
In doing so the Police Ombudsman has at the time of publication over 450 cases in which the RUC are alleged either to have been complicit and/or failed properly to investigate.

The UK government said it would set aside £150 million for the legacy mechanisms agreed in December 2014 at Stormont House.

The North's foremost legal figure, Lord Chief Justice (LCJ) Declan Morgan, was also promised £10 million annually for five years in order to implement his plan to hold inquests into some of the most controversial killings during the conflict. Despite this promise - and much like the 2014 agreement - this has yet to be fully realised. Indeed it was the DUP leader whilst in the executive who prevented the release of these funds. Families, supported by RFJ, challenged this decision in court and both the UK government and the DUP leader, Arlene Foster, were found to have acted unlawfully. Mrs. Foster was said to have acted with an improper political motive. It took nearly a year after the court ruling before the money finally began to be released.

Stormont's Department of Justice agreed in February 2019 to release £55 million to finance a new Legacy Inquest Unit. The unit will be set up

31 <http://www.irishnews.com/news/2015/11/27/news/flanagan-critical-of-national-security-smothering-blanket--334991/>



within the Coroners Service, under the remit of the Lord Chief Justice. It will be responsible for progressing 52 legacy inquests covering 93 deaths over the next 6 years.

RFJ now call on the UK authorities, who hold the responsibility for fulfilling investigative obligations under Article 2, also to release the necessary funds from the £150 million, set aside for the implementation of the legacy mechanisms, so that the Police Ombudsman's historic directorate can address the increasing backlog of legacy cases for families.

This is the best and only logical way forward in the immediate term and which is compatible with human rights. Families should no longer be denied their rights, twice over. Having already lost loved ones in the most egregious of unsolved circumstances they deserve an effective remedy in their lifetime. Waiting, hoping that when they die the case may also die is callous, cruel, inhumane and unacceptable.

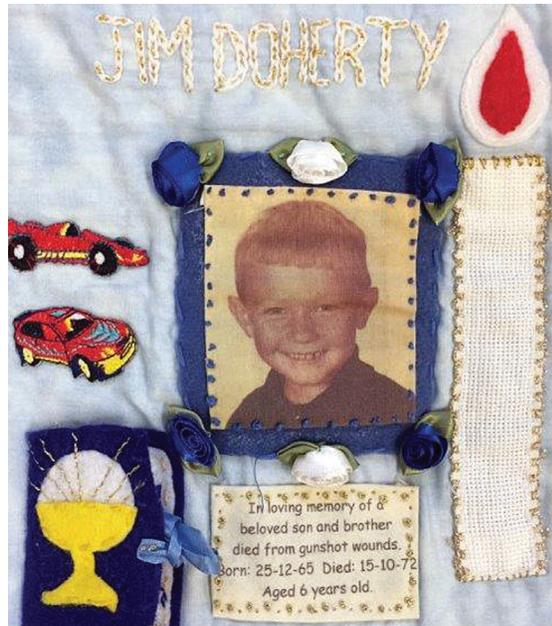
We call on the UK government to end the practice of impunity and anonymity - to stop hiding behind excuses and continuing cover-ups - to cease from these practices and to instead uphold the rights of those bereaved and injured by ensuring, in compliance with the law, effective investigations for the Doherty family and the hundreds of families like them also seeking remedy.

## Conclusion

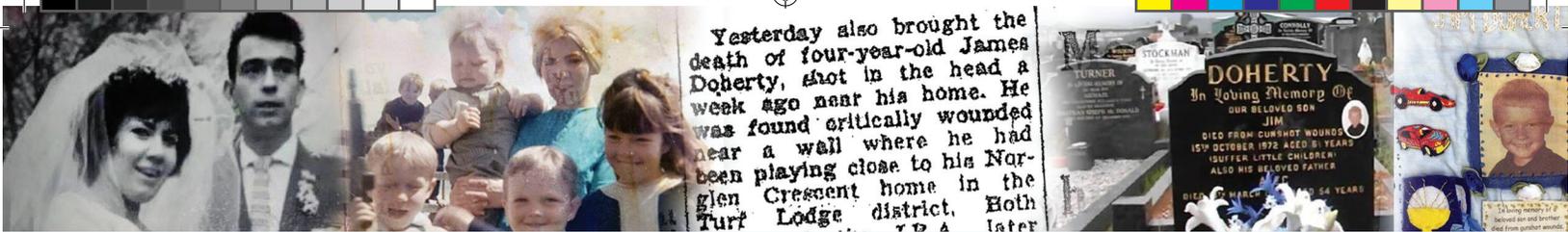
It is over 46 years since six-year-old Jim Doherty was murdered playing in the front garden of his home. His mother Ena Doherty has campaigned since then to find the truth about how her young son was killed. The Doherty family still do not have the truth or the answers about what happened that day. Ena and her family will continue to pursue justice for Jim. As Ena, Jim's mother, says,

*'You never think you are going to bury your children especially when you have your son playing in the front garden of your home. I want to know the truth before I pass away, Jim's daddy went to his grave not knowing the truth. I don't want my children to have to keep on campaigning to find the truth after I am gone.'*

Ena and her family have campaigned over the years for the truth about how young Jim was murdered. They are determined to pursue all avenues and establish the truth about how their loved one was killed. The requirement to carry out a proper independent investigation remains. Jim Doherty's case should be investigated either by the mechanisms proposed under the Stormont House Agreement or by the opening of a new inquest.



Quilt 6 of RFJ's Remembering Quilt project. Above: Individual panel for Jim Doherty



# Jim Doherty Case Summary

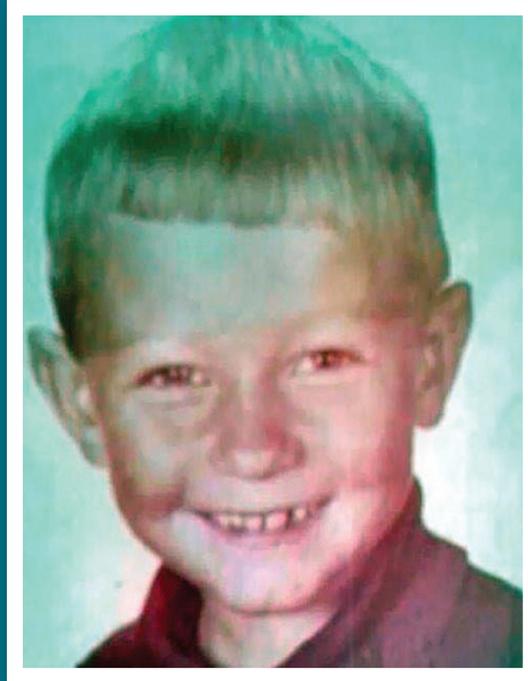
- On Sunday October 8th 1972 six-year-old Jim Doherty sustained a head injury whilst playing in his front garden, Norglen Crescent, Turf Lodge, with his sister and brother
- His parents, Ena and Alex, immediately took him to the RVH hospital on the main Falls Road
- They were horrified when doctors revealed young Jim's head injury was a result of a shooting and he had a bullet lodged in his skull
- Jim was immediately taken for emergency surgery
- A bullet was retrieved by plain clothed RUC officers after being removed from Jim by surgeons at the RVH
- Normal procedures are that officers sign for items (clothing etc. and especially bullets and other forensic and ballistic evidence handed over to police by doctors). No paperwork regarding the handover exists
- The bullet - the one item that may have determined responsibility - inexplicably goes missing
- There are no medical notes or other records relating to Jim's admission to hospital
- Jim later dies October 15th 1972 as a result of his injuries
- A later inquest hears there was no medical evidence available for the coroner to assess, which indicates that records went astray very early on in the case
- The coroner raises this matter but nevertheless concludes the inquest without ever having sight of medical notes and evidence, the bullet or the identities of the officers to whom the bullet was handed over
- Inquest concludes that republicans were to blame
- Inquest file no longer exists
- In short no official state records exist in relation to the shooting and killing of Jim Doherty, a six-year-old boy
- All records have either gone missing or have been destroyed
- This lends credible weight to the latter view that all the official items in the hands of the authorities - the state - have been deliberately destroyed, which then leads to the question; why?
- The RUC stated that there was no 'military activity in the area at the time of Jim's shooting'
- However, the family and RFJ later learned in 2011 that a company of Royal Green Jackets were on patrol in Turf lodge at the time of the shooting
- The log entry of the patrol noted three separate shootings in the general area of Turf Lodge/Gransha and Andersonstown
- The logs further noted an 1100 car containing three men, one with a gun, were in the area and had left via Kennedy Way towards the M1 motorway
- That car was able to leave west Belfast without being stopped
- The car never featured in any follow-up investigation despite being noted in the log



- The vehicle registration number is known but was been redacted by the British army and the HET - why?
- The soldiers in the patrol were never interviewed
- The make of car, an 1100, is of a type used by covert MRF members
- In the book "*Killing for Britain*" the author, a UVF member working as an agent and being handled by MRF/FRU, cites the accidental shooting of Jim while he was in the Turf Lodge area targeting a republican
- He was part of a three-man team and states that as they drove along Norglen Crescent a gun, in possession of the rear seat passenger accidentally discharged exiting the car. He states they later learned the bullet struck a child who died shortly afterwards
- Leaving west Belfast via Kennedy Way towards the M1 Motorway was a route normally used by MRF
- On Monday 9th October 1973 the British army conduct searches of the Doherty family garden, where Jim was shot, and adjoining gardens seeking to trace 'three bullets' that were fired; they conduct trajectory sightlines using different coloured strings matched to bullet entry marks on wooded fences - why?
- Accordingly no bullets were found
- The RUC blame republicans on shooting



*Jim Doherty's grave, Milltown Cemetery, Belfast*



# JIM DOHERTY

**“I want to know the truth before I pass away, Jim’s daddy went to his grave not knowing the truth. I don’t want my children to have to keep on campaigning to find the truth after I am gone.”**

Ena Doherty



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