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## TOWARDS HUMAN RIGHTS AND TRUTH RECOVERY



## WHAT WE DID IN 2019!

By the end of 2019 almost 12,000 people had seen the ground-breaking Glenanne documentary 'Unquiet Graves', a truly astonishing number. In November the film won a major Television award. In addition PFC/JFF staff continued to get invited to give audio-visual presentations from Fermanagh to Manchester and from Belfast to Washington State. The political stalemate throughout 2019 meant that the Stormont House Agreement legacy proposals are no closer to being realised but progress has been achieved in other areas.

It is to be welcomed that the Glenanne families at least will see progress in the coming months with the Boutcher review of the Glenanne series of cases. In addition, the PFC has provided support to the Ballymurphy families as they participated in the difficult and lengthy inquest process over the past 14 months.

The scheduling of new legacy inquests for 2020 has also meant that some families at least see light at the end of the tunnel. The publication of declassified Irish Government documents at the end of 2019 again focused attention on widespread concerns that the RUC was actively targeting defence solicitors in the North in the weeks leading up to the

murder of Pat Finucane. This led to the Irish Government renewing its call for an independent inquiry into the murder. Our 'In Their Footsteps' and 'Legacy of Colonialism' projects continue to expand, and we encourage you to attend upcoming events in the new year. We also look forward to developing our relationship with our friends in the Museum of British Colonialism in 2020.



# WHAT WE DID IN 2019!

## ● January:

- 15 PFC/ Bloody Sunday Trust released the programme of events to commemorate the 47th anniversary of Bloody Sunday. Highlights include:
- 22 PFC hosted a screening of 'Nae Pasaran' with a director Q&A afterwards. The film tells the inspiring story of international solidarity between Scottish workers and the people of Chile following the 1973 fascist coup.
- 23-29 'In Their Footsteps' exhibition on display in Derry
- 25 Annual Bloody Sunday Memorial Lecture with Dr Asad Abushark, International Coordinator of Palestine's Great March of Return
- 27 'In Conversation' event with the families of John Pat Cunningham and Joe McCann regarding prosecutions

## ● February:

- 6 PFC spoke in South Armagh on British colonial human rights abuses
- 13 PFC/JFF spoke to law students at Griffith College, Dublin, on British Colonialism
- 20 Screening of 'Lifting a Dark Cloud: The Kathleen Thompson Case' at the Museum of Free Derry
- 21 Screening of "Unquiet Graves" in Belfast
- 27 UK Supreme Court delivered their judgment in Pat Finucane case. Held that there has not been an Article 2 compliant investigation into his murder and that such an investigation was still required.

## ● March:

- 1 'Unquiet Graves' set to run for 1 week at QFT in Belfast but runs for 7 weeks due to demand for tickets.
- 8 PFC & Relatives for Justice (RFJ), and relatives affected by state violence met with Secretary of State Karen Bradley to demand her resignation following her statements in parliament that killings by the British army and police during the

- 14 Troubles were "not crimes"
- 14 Public Prosecution Service announced that just one soldier, 'Soldier F', will face charges in respect of Bloody Sunday
- 23 Screenings of 'Unquiet Graves' at different venues in Dublin
- 30 PFC spoke on the Legacy of Colonialism as part of the Imagine festival in Cultúrlann McAdam Ó Fiaich in Belfast

## ● April:

- 4 PFC made a submission to UN Committee Against Torture in Geneva highlighting gross human rights abuses during the conflict including the use of water-boarding by state actors
- 11 PFC gave evidence to the Oireachtas Joint Committee on the Implementation of the Good Friday Agreement

## ● May:

- 7 PFC attended the UN Committee Against Torture (UNCAT) review of the UK government along with colleagues from RFJ & the Committee on the Administration of Justice (CAJ) in Geneva
- 17 JFF organised series of events commemorate the 45th anniversary of the Dublin/Monaghan bombings. Julieann Campbell, author and Bloody Sunday relative delivered the oration, and Rachael Hegarty read a poem from her acclaimed book of poems about the bombings, 'May Day 1974'

## ● June:

- 11-13 "Unquiet Graves" screened at the University of Salford, Manchester, followed by Q&A with PFC/JFF, part of the university's symposium on "What We Know About London's Security Policy in the 1970s - And What We Don't Know".
- 20 JFF made a presentation to the Oireachtas Good Friday Agreement committee.



## NEWS FEATURE

# 'The day he died, we lost our family, our home, our lives'

*The seven Duffy children, from Creggan, were orphaned when their father was killed by a plastic bullet in 1981*

## TRUTH AND JUSTICE

BY SEAN McLAUGHLIN  
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**T**he Duffys were no different to dozens of other families living in Derry's Creggan Estate in the 1970s.

Harry and Bridie were loving parents to their seven children - four girls and three boys - took good care of their home at Benevenagh Gardens and always made sure their kids were turned out well and did well at school. They were a happy family.

However, in 1977, the young family was dealt a devastating blow when Bridie died as a result of a heart attack. It was, as daughter Jennifer says, a "really tough time for the family - particularly my father."

"However, he was always there for us," she adds. "We never had much growing up but we were a happy family. Even after our mother died, our daddy always made sure we had what we needed and I remember us always having fun. He always did his best for us."

"He made sure we were all up in the morning for school, had breakfast ready, had clean clothes for us, made dinner in the evening and ensured our homeworks were always done. It must have been hard going for a single father but he was always there. He looked after us well and did everything he could for us. The children were his priority. He was a very good man."

Little did the Duffys realise that, within a matter of a few short years, their lives were to be turned upside down yet again.

Fast forward to May 1981 and a Derry gripped by deadly street violence as the Long Kesh hunger strikes reached their peak.

In the early hours of May 22, soon after the death of Derry hunger striker, Patsy O'Hara, Harry 'Dundalk' Duffy was making his way through the city centre when he was hit on the head by a plastic bullet fired by a British soldier. He died just hours later. He was only 44 years old.



May 1981... Harry 'Dundalk' Duffy's children follow his coffin as it makes its way to the City Cemetery following Requiem Mass at St Mary's Church, Creggan.

The Duffy children - aged between seven and seventeen - were now orphans. No mother. No father.

It was, says Jennifer, the day their lives imploded.

"The day my father died turned our world upside down," she adds. "We never returned to our home in Benevenagh Gardens. Instead, we were put into care - first, Termonbacca and, then, Nazareth House before some of us were fostered out to relatives."

"The day he died, we lost our family, our home and our lives. We were ripped apart and we are still, today, trying to come to terms with this and not always in the best way."

Just hours after her father's violent death, Linda Duffy and two of her siblings "celebrated" their First Holy Communion. Not surprisingly, she doesn't remember much about the day. Hours later, she was wearing the same white dress as she walked

behind her father's coffin as it made its way to St Mary's Church in the heart of the Creggan Estate.

Linda says she and her brothers and sisters were lucky to have the love and care of her mother's family - in particular, their Aunt Agnes - who helped them through some harrowing times and did their best to look out for them.

"However, in spite of this, the family - some more than others - have been through some dreadful times," she says.

"Experiencing loss and trauma at such a young age, you find yourself disconnecting in order to cope with it. So much of my childhood is blanked out. However, it's only as an adult that you're forced to deal with the reality of the situation. There's only so much running away you can do. Sooner or later, it catches up with you."

Her brother, Hugh, adds:



HAPPIER TIMES... Harry and Bridie Duffy with some of their kids outside their home in Creggan.



Jennifer, Tony and Linda Duffy pictured in Derry this week.

"People often ask: did none of your relatives try to keep the family together? My answer is: yes, people worked to keep us together but, then, at the end of the day, who wants to take on six young children?"

Linda says she has many questions surrounding her father's death: what was he

doing when he was shot? Who was he with? Who, if anyone, tried to help him? Was anyone else injured that night?

"We just want the truth," she says. "We have so many questions but no answers. And, now, we have our children and grandchildren asking us questions that we have

no answers to. It has taken us so long, as a family, to gather the strength and resilience to start asking these questions so it's only right and proper we get some answers."

"Ultimately, we need closure. I want my father to be able to rest in peace. I want us to be able to live in peace."



## ● July:

- 5 Court of Appeal upheld the High Court Barnard judgement that there must be an independent thematic report into the Glenanne cases.
- 12 'BLOOD RED LINES' performed in Dublin to a large audience in association with PFC/ JFF - a unique opportunity for a Dublin audience to hear the authentic voices of victims of the conflict through the mediums of drama, music and song. Music by Tommy Sands. Director: Robert Rae, BAFTA award winner
- 17 Families of child plastic bullet victims Paul Whitters and Julie Livingstone along with PFC and RFJ met with Secretary of State Karen Bradley to ask for the closed files relating to their deaths to be released

## ● August:

Series of events as part of the Féile an Phobail in Belfast and the Gasyard Féile in Derry.

Highlights included:

- 1 Screening of 'Lifting a Dark Cloud: The Kathleen Thompson Case' followed by Q & A with PFC and the Thompson family
- 2 PFC spoke on Counterinsurgency from Kenya to Ireland at St. Mary's University College as part of Féile Belfast along with colleagues from the Museum of Colonialism
- 8 Screening of 'Unquiet Graves' followed by Questions and Answers session with PFC
- 14 'In Their Footsteps' exhibition was displayed in Pilots Row, Derry, to mark 50 years from the battle of the Bogside

## ● September:

- 17 PFC made a submission to the Committee of Ministers regarding the ongoing failures of the British government to meet their Article 2 procedural duties to investigate lethal force cases. The Committee oversees

the enforcement of European Court judgements.

- 19 PFC presented 'Heart of Darkness: London's Toxic Legacy in Ireland' in Co. Fermanagh
- 20 The Court of Appeal delivered the "Hooded Men" judgement. The court stated that the treatment to which the men had been subjected to would, if it occurred today, be characterised as torture, and quashed the decision of the PSNI not to carry out further investigations
- 27 PFC spoke on the renaissance of the peace process during a conference at Queen's University Belfast

## ● October:

- 16 PFC/JFF attended the launches in Belfast, Derry, and Dublin of the book 'Children of the Troubles' by Freya McClements and Joe Duffy
- 17 PFC, Bloody Sunday Trust, and Towards Understanding and Healing organized the screening of the play "What if" at the Glassworks in Derry. The play recounts the story of Gina Murray, whose daughter Leanne was one of those who died in the 1993 Shankill bombing.
- 26 The Clones Film Festival hosted a sell-out screening of "Unquiet Graves" followed by Q&A with PFC
- 29 PFC presented several lectures at Washington State University, Pullman, on human rights and Brexit

## ● November:

- 7 'Unquiet Graves' won "Documentary of the Year" at the Royal Television Society NI awards
- 15 PFC Witness appeal by the family of Harry Duffy, killed in May 1981 after being struck by a plastic bullet in Derry, It is announced that former Bedfordshire Police chief Jon Boutcher is to head an review into the activities of the Glenanne Gang.
- 30





**Upcoming International Screenings**

8pm 10/5/19 - Kino Cinema, Melbourne  
 7pm 29/5/19 - Royal Cinema, Toronto  
 7pm 30/5/19 - Royal Cinema, Toronto  
 6pm 2/6/19 - Shillelagh Club, New Jersey  
 7pm 4/6/19 - Pittsburgh  
 7pm 5/6/19 - Ridgewood, New Jersey  
 7.30pm 6/6/19 - Cantor Film Center, New York  
 7pm 8/6/19 - Irish Center, Phoenix, Arizona  
 6.15pm 11/6/19 - Glasgow Film Theatre, Glasgow  
 7pm 4/7/19 - Perth, Australia  
 7pm 5/10/19 - Turin, Italy





20 MI5's partially secret policy allowing agents and informants to participate in serious crimes is lawful, judges ruled by a three-to-two majority in the Investigatory Powers Tribunal. It is the first time the IPT published dissenting judgments, both of which are highly critical of the statutory framework surrounding the handling of agents.

28

Newly declassified Irish Government documents reveal concerns in Dublin in the weeks before the murder of Belfast solicitor Pat Finucane in 1989 that members of the RUC were encouraging loyalist paramilitaries to target certain Northern Irish lawyers.



## Mother of Derry teen killed by plastic bullet in 1981 seeks access to sealed file

THE IRISH TIMES  
MONDAY APRIL 15, 2019



**Freya McClements**

Paul Whitters was shot in the head 38 years ago. His family is still looking for answers

If there's one thing Helen Whitters knows for certain, it's that her son Paul would have had a family.

"Knowing the type of boy he was, I'm sure he would have got married and had children. He just loved children."

The 15-year-old would happily take his toddler cousin to the shops in her buggy – "He didn't care if it wasn't macho" – and spent his evenings round at his girlfriend's house.

He loved the Boomtown Rats and was particularly proud of his collection of punk badges, which were used to decorate the black box he kept his cassette tapes in.

Paul was shot in the head with a plastic bullet fired by a member of the RUC during riot

ing in Derry 38 years ago today. He died in hospital 10 days later after his family made the decision to turn off his life-support machine.

"You miss him all the time," says Helen. "Even things like technology – Paul was always curious about new things, so every time someone gets a new phone you're thinking, Paul would have had that as well."

"He's not here to see the latest innovations, which he would have loved, and of course at any family events he's just missing from our lives."

"I was deprived of my son, and of future grandchildren, but [my younger children] Aidan and Emma don't know how deprived they were because they didn't know him. He's a big loss to them as a brother."

### No charges

Nobody has ever been charged in connection with Paul's death. In 2007 a report by the Police Ombudsman, Nuala O'Loan, found it had been "wrong and unjustified" to fire at Paul, and the shooting was "clearly not consistent with RUC rules". She also found that his death had not been properly investigated.

But his family still do not have the full picture. In the National Archives in London lies a file with Paul's name on it. The document – titled "Paul Whitters: Killed by a Plastic Baton Round, April 1981" – is closed until 2059.

"I find this deeply shocking,"



■ Helen Whitters: 'I owe it to him to ensure his file is not allowed to gather dust in a vault simply because it is too embarrassing for the establishment.' Right: Paul Whitters with his baby brother.



says Helen. "Why should a file on the death of my 15-year-old child, which happened almost 40 years ago, remain classified for another 40 years?"

On the anniversary of Paul being inflicted with the fatal injury, Helen today writes to the Northern Ireland Secretary of State, Karen Bradley, appealing directly to her to "urgently" review the file's status and to provide her, as Paul's mother, with an unredacted copy of the file.

In her letter Helen writes: "I brought Paul into this world. When this file is opened on January 1st, 2059, I will not be alive. No one will still be alive who actually knew Paul as the lovely, handsome, caring, intel-

ligent young man that he was.

"Your government does not have the right to withhold this from my family. You do not have the right to withhold this from his two brothers and sister."

The file's existence was uncovered by the Pat Finucane Centre, a human rights organisation that supports the Whitters family. It has also found files relating to other victims of plastic bullets in the North, including 11-year-old Stephen McConomy, which are closed until 2071.

"It is extremely unusual that there would be a file relating specifically to a named individual," says Paul O'Connor, director of the centre.

"Helen has deliberately chosen not to put in a Freedom of Information request, which might result in a heavily redacted file being made available."

"Instead she is making a direct appeal as Paul's mother to the Secretary of State to release the file to Paul's family. This is a file which is named after her son, and it is her right as a mother to access the information in it."

### 'Bigger picture'

Paul and his older brother Desmond were born in Scotland; six years after his death, she moved back to Glasgow with her two youngest children: Aidan, who had been only a baby when Paul died, and Emma,

born two years afterwards.

"I thought the two of them needed the bigger picture of the world," says Helen. "I didn't want them to be defined by people always saying, 'That's that wee boy's sister', or 'That's Paul Whitters's brother, do you remember him?'"

"They had the right to live their own lives."

Helen, now 72, lives in Glasgow, where she spends much of her time looking after her two grandchildren. She continues to campaign on her son's behalf.

"What could there be in this file about a 15-year-old schoolboy? Is it because there's stuff in the file, nothing to do with Paul perhaps, that they don't want publicised?"

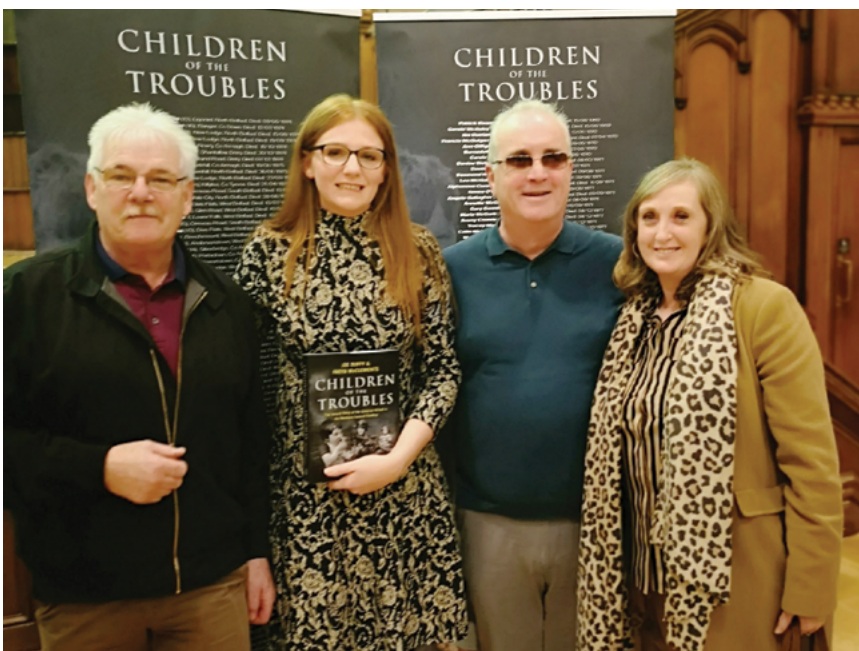
"If we don't do our best to get these things opened up to the public, people will never understand."

"Even people here where I live haven't a clue about what happened in Northern Ireland – they wouldn't believe the half of it. It's important that they know what happened and about how people were treated when it did happen."

Paul would be 53 if he were still alive. "He might well have been a proud and loving father and husband," Helen writes. "Who knows what he might have achieved?"

"I owe it to him to ensure that his file is not allowed to gather dust in a vault in London simply because it is seen as too embarrassing for the establishment."









## MI5 has 'legal power' to authorise agents to commit crimes

Northern Ireland-based Pat Finucane Centre took legal challenge against the British government

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Freya McLamentis



MI5 Headquarters in London. Two of Britain's most senior legal figures have ruled for the first time that a secret MI5 policy which allows British security service agents to commit serious crimes is unlawful. Image: iStock.