

Judicial Communications Office

21 January 2021

CORONER DELIVERS FINDINGS IN PATRICK McELHONE INQUEST

Summary of Findings

Mrs Justice Keegan today delivered her findings and verdict following an inquest into the death of Patrick McElhone who died as a result of a single gunshot in a field opposite his home near Pomeroy on 7 August 1974.

This was the first of the inquests in the Lord Chief Justice's legacy inquest plan to be completed.

The Coroner's core finding was that the shooting cannot be justified by the State. This fact was publically accepted by the Ministry of Defence on 7 January 2021 after the evidence was heard and prior to the conclusion of the inquest.

There was no dispute that Patrick McElhone was shot by Lance Corporal Roy Alun Jones (now deceased), a member of A Company, First Battalion, The Royal Regiment of Wales. The bullet lacerated the base of Patrick McElhone's heart, the origin of the aorta and the pulmonary trunk. The post mortem report stated that death would have been immediate. Lance Corporal Jones was charged with murder but acquitted following a criminal trial on 27 March 1975. That case was subject to an Attorney General's reference on a point of law only which was heard by the Northern Ireland Court of Appeal and the House of Lords. An inquest was convened after the criminal trial and returned an open verdict on 29 April 1975. A civil case was taken by the next of kin which was settled. The Attorney General for Northern Ireland referred the case for a fresh inquest in 2018.

The Coroner acknowledged the procedural obligations pursuant to Article 2 ECHR to "secure the effective implementation of the domestic laws which protect the right to life and, in those cases involving State bodies, to ensure their accountability for deaths occurring under their responsibility". The purpose of the inquest is fact finding¹. The standard of proof to be applied is the civil standard (the balance of probabilities). In approaching the evidence in this inquest the Coroner said she bore in mind that the event was in 1974 but noted that there are good records. In assessing the witnesses who gave evidence before the inquest she took into account that they may not be able to remember every detail or that they may get some things wrong:

"There is an obvious measure of latitude required in these cases. I therefore take a holistic approach to a case such as this. I bear in mind that this is not a trial, it is an investigation directed by me but with input from all interested persons. Within that framework, I have reached my conclusions."

The scope of the inquest was agreed in advance and is set out in **paragraph [23]**. The Coroner examined the military operation that culminated in the death of Patrick McElhone and issues such as the purpose of the Royal Regiment of Wales' presence at the McElhone house; the existence or otherwise of a list/folder containing intelligence about active IRA members and whether the names of Patrick McElhone or his brother Michael were on that list/folder; whether the level of force used

¹ The purpose of an inquest is to find out who the deceased person was and how, when and where they died and to provide the details needed for their death to be registered.

Judicial Communications Office

against Patrick McElhone could be justified or whether any other justification could be advanced for shooting him dead; and whether there was a deliberate attempt to conceal the truth about what happened to him.

Evidence from civilian witnesses

Paragraphs [32] to [46] detail the evidence provided by civilian witnesses. The inquest heard from Michael McElhone, brother of the deceased. Of particular concern to him was the fact that his brother had been referred to as “backward” or “slow”. He said this was wrong and had caused great upset to the family and he wanted that notion dispelled.

The inquest also heard evidence from Michael McAleer who had been driving a cement lorry on the road outside the McElhone house at the time. He claimed that the soldier who stopped him was behaving with “poor manners”. He was taken out of his lorry for questioning. He did not see the shooting but heard a bang. He then saw the deceased’s father Peter coming up from the other side of the hill “in a pretty bad way” and was told to go on his way.

The Coroner received further evidence under Rule 17 of the Coroners (Practice and Procedure) Rules (Northern Ireland) 1963 (“the Coroner’s Rules”) in the form of depositions made on 11 November 1974 by the deceased’s parents Peter and Margaret Ellen McElhone.

Royal Ulster Constabulary (RUC) Witnesses

The Coroner heard evidence from two retired RUC officers: Detective Inspector Pickard and Detective Constable Donnan (**see paragraphs [53] to [65]**).

Mr Pickard arrested and charged Lance Corporal Jones. When cautioned Lance Corporal Jones replied “not guilty it was an accident”. Mr Pickard prepared a comprehensive report dated 27 September 1974 detailing his investigation of the incident. It noted that no weapons or explosives were found on the body of Patrick McElhone or in the general area. It also noted that there were conflicting accounts given by the army patrol and that of Mrs McElhone. The report noted that Lance Corporal Jones’ verbal statement conflicts with the statement of Private Bedford who reported that Lance Corporal Jones had told him “he made a break for it.” The report continued to note that Corporal Wood reported he was told by Lance Corporal Jones words to the effect “he was running away” and Lance Corporal Bennett said that Lance Corporal Jones told him “the bloke ran off and he called upon him to halt but when he did not do so he fired a shot”. This version contradicted the statements from other soldiers who claimed not to have heard a warning being shouted. Mr Pickard told the inquest that it was clear there was no explanation as to what had happened and that he thought there was no justification for the killing.

Mr Donnan attended the scene of the shooting on 7 August 1974. Mr Donnan spoke to Lance Corporal Jones at the scene and he indicated his position when he fired the fatal shot. Mr Donnan said the army were not co-operative and that it was clear there had been a debrief. Mr Donnan confirmed that there was no weapon near the deceased’s body. In his evidence he said he still did not really understand the purpose of the army patrol that day. He confirmed that the Royal Military Police (“RMP”) were present at Pomeroy RUC Station. In his original report he noted that neither Patrick McElhone nor any other members of his family were recorded on Special Branch files and were not known to have any connections with subversive elements. Further, the army were not tasked by the police to give attention to this household.

Judicial Communications Office

Military Evidence

In paragraphs [72] – [104] the Coroner detailed the evidence of a number of military witnesses.

RMP4 (a member of the Special Investigation Branch of the RMP) was one of the team investigating the shooting. His evidence was in the form of two reports he prepared on 8 and 13 August 1974. The first report gave a brief explanation of his initial inquiries. The next report, referred to as an “interim” report provided more detail and stated that on completion of enquiries a final report would be submitted. In evidence RMP4 confirmed that no final report was filed and that “in his whole career he had not come across a situation of no final report being filed”. It was clarified in evidence that a final report would have had an analysis and may lead to disciplinary action such as court martial or may have other recommendations. RMP4 was asked about the RUC Force Order in place at the time which provided that the RUC would have primacy in the investigation of alleged offences committed by soldiers. He denied that there had been any cover up and explained that there was a lot of confusion in the police station and that the RMP had to get statement taking done as soon as possible. When pressed he did not suggest that in any way he was told not to file a final report.

Private Bedford provided a statement to the RUC on 7 August 1974, a statement to the Historical Enquiries Team (“HET) dated 11 February 2013 and a statement to the Coroner’s Investigator dated 24 November 2020. The Coroner noted Mr Bedford gave evidence “in a straightforward manner”. He said his memory of events was not particularly strong but he had made contemporaneous statements and he said that “I was against all of what actually happened that day. The reason that I thought that, which continues to be my opinion today, was not because I saw the actual shooting, but because the man who was shot was found to be unarmed”. Mr Bedford was not called as a witness at the criminal trial. In relation to this, he stated he did not recall having any meeting with a barrister or anyone from the Department of the Director of Public Prosecutions (“DPP”). He could not remember not wanting to attend the trial but he did say looking at it now, if he was asked to go he would have done so and he does not quite know why he did not give evidence at the criminal trial. He did recall being told by Lance Corporal Jones to keep his mouth shut and to go with the flow at the time of the incident. Mr Bedford said he was recently contacted by Corporal Wood who said he would call him and tell him what to say. Corporal Wood disputed this. An important feature of Mr Bedford’s evidence was that he said there was no excuse for what Lance Corporal Jones had done, that he saw Mr McElhone walking down the road with a soldier and that he was told to keep his mouth shut. When asked if he was willing to assist Lance Corporal Jones, Mr Bedford said “I shouldn’t think so, because I was against him right from the start, the man had no weapon, it was murder”.

Lance Corporal Lis referred to his statement to the RMP on 7 August 1974, an account to the HET on 28 November 2012 and a statement to the Coroner’s Investigator dated 16 October 2020. He also made reference to his criminal court deposition dated 11 November 1974 and said he recalled going to court but was not in the witness box for very long. In referring to the HET document he said “I still insist that I could have stopped Patrick McElhone that day. He was not armed and all Jones had to do was just shout and I would have stopped him. There was no warning given to Patrick or a warning shot just the bang and that was that.” The Coroner said Mr Lis gave evidence at the inquest in “a very straightforward way and clearly displayed his own independent mind. He was firm in his view that he was told not to talk about this. He was dismissive of any suggestion that the army wanted to shoot a civilian but he had no difficulty in saying that there was no justification at all for

Judicial Communications Office

this killing.” At the end of his evidence, unsolicited, Mr Lis indicated to the court and, in particular, for the benefit of the family that he regretted what had happened. He also confirmed that there was no sense of jubilation or celebration exhibited by the soldiers.

Corporal Wood was one of the two Corporals commanding the platoon (the other being M18). He gave a statement to the RMP in August 1974 and made a deposition for the criminal trial in November 1974. Corporal Wood was not certain of key issues but he described his section moving past the McElhone house and taking up positions at a crossroads. He said Sergeant Harrhy remained with the second section to interview the occupants of the house. When he returned to the house Mr Wood saw Sergeant Harrhy questioning an old man and a young man was stood nearby. The young man started to walk away. At that time a concrete lorry driven by Michael McAleer approached and having information that a man wanted for questioning had a brother who drove that type of lorry, Sergeant Harrhy, Lance Corporal Bennett and Mr Wood stopped the lorry and began questioning Mr McAleer. Mr Wood said Sergeant Harrhy realised that Patrick McElhone, a man they wanted to question, was walking away from the farm and detailed Lance Corporal Jones to bring him back. Having heard a gunshot Mr Wood went down to the scene and asked Lance Corporal Jones what had happened. He replied with words to the effect of “he was running away”. Mr Wood gave a similar account in his deposition for the criminal trial. In common with other military witnesses Mr Wood said that even if the deceased was running away that might be an explanation but it was not a reason for him being shot dead as he was unarmed. Mr Wood confirmed he had called Mr Bedford prior to the inquest but denied saying that he would tell him what to say.

M18 provided a statement to the RUC in August 1974. He was called to the trial of Lance Corporal Jones but was not required to give evidence. M18 was not called to the original inquest and said he did not recall speaking to the HET. The Coroner said he gave his evidence to the inquest in “a very straightforward way”. She said the most striking part of his evidence was that he said he had actually spoken to Patrick McElhone earlier on the day in question when he was out in the field on a tractor. He said it was a general chat with no animosity. He found the shooting to be a very shocking incident and said he could not really recall why he did not report his conversation with Patrick McElhone earlier in the day in his statement at the time. He denied this was because it might have painted the deceased in a good light.

Sergeant Harrhy, who was in command of the patrol, made statements to the RUC on 7 and 9 August 1974. He gave evidence at the criminal trial and at the original inquest. He was also interviewed by the HET. In his first statement Mr Harrhy said the foot patrol was tasked with carrying out spot checks of all vehicles and persons in the area. He recalled speaking to a young man who came out of the McElhone house but let him go “as he did not think there was anything more to be gained by talking to him any further”. He was moving towards the cement lorry when Lance Corporal Jones told him that the person he had been talking to was Patrick McElhone and he sent Jones to fetch him back. He said he was speaking to Michael McAleer when he heard a shot. He immediately ran down the road and saw a body in the field and ran to his radio operator to inform Pomeroy RUC station. Mr Harrhy gave extensive evidence about the events at the inquest. He apologised and said he was desperately sorry for the family as this was a tragedy. He confirmed that Lance Corporal Jones was not subjected to any disciplinary investigation and in fact was promoted to Sergeant. Mr Harrhy recalled being a defence witness at the trial when he said he had army intelligence at the time which was contained in a folder. He accepted this was not mentioned in any of his statements and said to the Coroner that Patrick McElhone was at no stage anywhere on this list. He thought Michael McElhone, the brother of the deceased, was on the list as somebody

Judicial Communications Office

within the fringes of the IRA. He said that any reference by the trial judge to his evidence at the trial of Patrick McElhone being a person of interest was a “misinterpretation of his evidence”. There are two such references in the judgment of MacDermott J. Mr Harrhy insisted at the inquest that there was a folder or list of intelligence but that he did not hand it over to the RMP or the RUC. He did not volunteer this information to the RUC because he was not asked about it. He was quite clear that the names had been mixed up by the judge at the criminal trial and when pressed on this he was very clear that some mistake had been made. He further stated that media reports of his evidence to the trial and inquest in 1975 were wrong. Mr Harrhy accepted that it blackened Michael McElhone’s name by suggesting his name was on the list and that he was clearly not a person “on the run” as was suggested by him in his interview with the HET. Mr Harrhy denied that there was an army cover-up. He was clear that there was no excuse or justification whatsoever for shooting Patrick McElhone even if he was running away.

Lance Corporal Jones was spoken to by the RUC on 8 August 1974. When initially cautioned and asked if he wanted to make a written statement he declined saying “No, in actual fact I had legal aid earlier and I have been advised not to say anything”. When asked if he wanted to make a verbal statement he replied “No you can speak to the Major”. When spoken to later that day in the presence of Major Barkway Jones, Lance Corporal Jones made no reply. When formally arrested on 9 August 1974, Lance Corporal Jones was asked if he had anything to say in answer to the charge and he replied “Not guilty. It was an accident”.

Other Evidence

The Coroner received material from both the civil and criminal cases. She also received material in a gisted form from the PPS file in relation to the trial process and why certain witnesses were not called or not called. In **paragraph [105]** the Coroner detailed information taken from the materials supplied by the PPS. She also set out in **paragraph [108]** information regarding the accounts of Lance Corporal Jones as relayed by his counsel, which she considered relevant. This included Lance Corporal Jones’ claim that he “discharged the weapon instinctively but is adamant that he had not intent to kill ...” The Coroner then went on to consider in **paragraph [109]** parts of the judgment given by MacDermott J on 27 March 1975 which recorded Lance Corporal Jones’ account at trial and in **paragraph [110]** MacDermott J’s assessments of the soldier. She also cited extracts from a trial report prepared by senior Crown Counsel at **paragraph [111]**.

Conclusions from the Evidence

The Coroner, having considered the totality of the evidence, commented that the core issue in this case is now uncontroversial:

“Mr McElhone was shot by a soldier, Lance Corporal Roy Alun Jones, a member of the Royal Regiment of Wales. He was unarmed. The shooting cannot be justified by the State. That is the core finding as this was the major issue canvassed at the inquest. I must also try to allay rumour and suspicion. The case has already been examined in the criminal and civil spheres. The inquest performs a different function.

Having listened carefully to the evidence, I can add some narrative findings to the core finding that this death was not justified. Firstly, I can dispel the notion that Mr McElhone was in some way “backward” or “slow.” That suggestion has undoubtedly caused pain to the family over the years and I accept their evidence that it is untrue. Mr McElhone lived at home and appears to have been a quiet enough young man but

Judicial Communications Office

he had social life and was a farmer and is not known to have had any intellectual deficits.”

The Coroner then made further findings as to the specifics of the event and the investigation in the context of the core issue having been conceded. She appreciated that the family of the deceased want to know as much as possible about the death of their loved one but said that the fine details of the events from so long ago are hard to establish with precision. Acknowledging that she had been greatly assisted by some of the military and RUC witnesses who came forward and gave evidence to the inquest, she made the following comments:

- Mr Bedford struck her as a straightforward man who was doing his best to help. She said he was quite clear that there was no excuse for the killing. She believed him when he said he was told to keep his mouth shut. He said he heard no warning from Lance Corporal Jones and that this was wrong. The logistical position of Mr Bedford was important as he was overlooking the road from a raised position albeit he was lying flat. The Coroner accepted that he may not have had a perfect view if lying down but thought he was well placed to hear what was going on and he had some vision of the road. The Coroner accepted his evidence that he saw Mr McElhone walking down the road with Lance Corporal Jones.
- Lance Corporal Lis said that he was told not to talk about this incident and he said quite clearly that in his view there was no justification for this shooting. He said that any man running away in the field would have been caught given his location overlooking the meadow where Mr McElhone was shot. The Coroner accepted this evidence and found his apology to the family to be genuine and real.

The Coroner was satisfied that the purpose of the Royal Regiment of Wales being in the vicinity of the McElhone house must have been to look for anything or anyone suspicious as part of general operations in the area. This was the obvious explanation in keeping with the times whereby the army patrolled and searched in certain areas. It was corroborated by the witnesses including Mr McAleer who gave evidence about traffic being stopped on the road. The Coroner said she would have thought there should have been some intelligence available however none had been produced to the inquest. She found that strange given that intelligence is readily available in other cases: “This was a core point for the military at the time yet there is no evidence provided.” As such, the Coroner said she could not make any finding that there was a specific list of those alleged to be in the IRA or connected to it or that Patrick McElhone was on a list. The Coroner said that, in any event, Mr Harrhy has now said that Patrick McElhone’s name was not on any list.

Mr Harrhy also gave evidence to the inquest that the record of his evidence at the criminal trial and as reported in the media is wrong. In relation to this, the Coroner said;

“The error is not a minor detail, as it relates to whether Patrick McElhone was a person of interest. Clearly that evidence was highly material at the time. Mr Harrhy now says that his evidence was misinterpreted by the judge and that there were two errors in the judgment and he was misquoted in the press. I appreciate that Mr Harrhy came and gave evidence to assist this inquest however his position is hard for me to understand and that has a bearing on how I assess his evidence.”

The Coroner said she could not comprehend how, on Mr Harrhy’s account, two soldiers went to the door of the McElhone house of their own accord and ended up taking Patrick McElhone outside. Mr

Judicial Communications Office

Harrhy did not tell the inquest that he briefed these or any other soldier with his intelligence. The Coroner said that given these matters and most particularly the significant clarification in his evidence noted above, she simply could not be sure if his evidence about what happened outside the house that day is wholly reliable.

The Coroner said her view pertains to Patrick McElhone but also Michael McElhone who was described at various stages as being “on the run” or on the fringes of the IRA. The Coroner said that there is nothing to back this up from the evidence she heard. In particular, the Coroner noted that Mr Michael McElhone was not questioned or searched. He also identified the body of his brother to police and that was without incident.

The Coroner was particularly struck by the evidence of M18 in relation to Patrick McElhone as he said that he saw Mr McElhone earlier in the day while he was on a tractor and he spoke to him and there was nothing of concern. The Coroner said that this paints a very vivid picture of Patrick McElhone’s movements on the day. M18 described him as a pleasant young man who did not arouse any suspicion. The Coroner accepted this evidence which established that Mr McElhone clearly went about his work for the whole day in the area without any incident and without arousing attention.

The Coroner said she could not find a valid reason why Lance Corporal Jones and Patrick McElhone were in the field:

“I cannot rely on Sergeant Harrhy’s evidence as I have said. Corporal Wood’s evidence before me was not very certain and in core respects it was based on what Sergeant Harrhy told him about Patrick McElhone. Against that, I have had the benefit of evidence of Mr Bedford which I find credible. In particular, I accept his account that Patrick McElhone and Lance Corporal Jones were walking down the road together having left the yard. Of all of the witnesses he is the one who most convincingly gives an account of these events which was recorded at the time and is from his own knowledge. This inquest is the first time he has given his account in evidence.”

The Coroner said the account of Mr Bedford was also consistent with that of Patrick McElhone’s parents. She placed some weight on their evidence particularly as this was given contemporaneously. They were described as straightforward people by the local RUC and they were of no concern to them. Also, they clearly allowed for searches to take place at the outbuildings and around their farm that day. The Coroner said she tended to think that they may not have been able to see much more once Patrick McElhone and Lance Corporal Jones left the yard to go down the road. However, their accounts of being concerned about what was happening in the yard appear authentic in that they were worried for their son. The Coroner accepted that there was some sort of altercation between soldiers and Patrick McElhone in the yard, upon him coming out of the house, on the basis of his parents’ statements. She said she could not be any more specific than that. The Coroner also said she could not reach any firm conclusion on the allegations of foul language, cheering or jeering by the army about this event or the specific allegations of Mr McAleer.

As to the investigation, the Coroner accepted the point raised about the RUC Force Order in place at the time. She noted that there had been criticism in other cases of a system whereby army personnel had some responsibility for the investigation of military shootings in Northern Ireland. However, in this case, the RUC witnesses explained the respective roles.

Judicial Communications Office

The Coroner said that the RUC witnesses Mr Pickard and Mr Donnan were highly impressive and she accepted their evidence in its totality.

She said that even if there was an issue about how the statements were taken from military personnel, and why some were taken by the RMP, the RUC clearly had the ultimate say in this case in that the RUC recommended a murder charge and it was preferred. The Coroner said she was prepared to accept that was why RMP4 did not file a final report although she found it that strange as RMP4 testified that this had never happened before in his career.

Overall, the Coroner determined that it cannot be said in this particular case that there was no proper or effective investigation.

The Coroner was not convinced that the failure to formally interview Lance Corporal Jones and put a case was unlawful pre the Police and Criminal Evidence (NI) Order 1989 ("PACE"). She said the charge was put fairly swiftly and Lance Corporal Jones clearly had legal advice which advised against answering questions, as was his right. Also, in terms of process, the fact remained that a soldier was charged with murder and brought for trial: "I appreciate that there may be dissatisfaction with the outcome of that trial, but that is a different matter."

Having considered the pathology and ballistics evidence the Coroner was of the view that the shot was aimed at the upper body mass of Mr McElhone: "The shot was direct and clearly it would have involved the shooter taking steps to raise his rifle, aim and fire."

On his own account Lance Corporal Jones accepted at his trial that he acted contrary to the Yellow Card². The Coroner said there was some conflicting evidence about whether or not any warning was sounded. She favoured the evidence that no warning was sounded given what Mr Bedford and Mr Lis said at the inquest:

"However, even if Lance Corporal Jones shouted halt he did not warn that he was going to fire. I therefore conclude that when he opened fire Lance Corporal Jones was not acting in accordance with the Yellow Card instructions."

The Coroner found that Patrick McElhone died instantaneously after being shot in the back. She said the evidence does not suggest that he was running away but even if he was, he was likely to be caught given the army personnel in the area. The Coroner noted that Mr Lis specifically explained the wide expanse of the meadow and he was clear and wholly believable when he said that he could have caught a man in Mr McElhone's position if he was running away.

The Coroner agreed that the military radio logs do not contain an accurate account of what took place: "Rather, they paint a certain picture and suggested some potential justification for this shooting which clearly did not exist."

² The document entitled "Instructions by the Director of Operations for Opening Fire in Northern Ireland" is known as the "Yellow Card". It was issued to every soldier and contained instructions as to when a soldier could open fire. The Yellow Card in force on 7 August 1974 contained instructions to soldiers that they should never use more force than the minimum necessary to enable them to carry out their duties and should always first try to handle the situation by means other than opening fire. It provided that the soldier should only fire aimed shots and that, save in three cases, if a soldier had to open fire, a warning was to be given before doing so. Even then, the circumstances in which a soldier could open fire were limited. Paragraph 7b provided that a warning must "state that fire will be opened if the orders are not obeyed."

Judicial Communications Office

She commented that, in any event, those records could never hold up against the accounts given by the army and the accounts of Lance Corporal Jones himself which were recorded from the criminal trial. The Coroner said that if there had been some attempt to manipulate the record, it was bound to fail. At his trial Lance Corporal Jones could offer no justification himself for his use of force. The Coroner also said:

“I do not consider this is rightly termed a “cover up.” In truth, the nature of this incident was there for all to see. The fact of the matter, confirmed by the PPS file, is that military witnesses wanted to support their colleague and so information was not readily volunteered. That is how the RUC witnesses expressed the matter to me and I think they are right on that. I also must record my clear impression that the local RUC could see that this incident was unjustified. Also, it is clear that the local RUC acted with respect towards the family at all times, a fact specifically acknowledged by Mr Michael McElhone when giving evidence to me.

This inquest has put the record straight as I will record that the use of force was unjustified. Mr McElhone was an innocent man, shot in cold blood, without warning, when he was no threat to anyone.

The family have waited a long time in which both Mr and Mrs McElhone senior have died. This event must have been a terrible shock to them as to all the family and the wider community. I commend the family members who have attended this inquest with dignity and respect during difficult times. At least now the remaining family can hear what I have said. Patrick McElhone was a son and a brother who tragically lost his life for no valid reason.”

Verdict

- (1) The deceased was Patrick McElhone, known as Paddy, male, of Upper Limehill, Pomeroy, County Tyrone. He was single.
- (2) The deceased was born on 21 March 1950 at Omagh Hospital.
- (3) Mr McElhone lived at home with his parents. He was a farmer.
- (4) Mr McElhone died at approximately 6.30pm on 7 August 1974 in a field known as “the meadow” at Upper Limehill, Pomeroy, County Tyrone.
- (5) Mr McElhone’s death was caused by a single fatal shot fired by Lance Corporal Roy Alun Jones a member of the First Battalion, the Royal Regiment of Wales.
- (6) Mr McElhone died due to injuries sustained from a bullet wound to the chest, shot from behind. It lacerated the base of the heart, the origin of the aorta and the pulmonary trunk and had made a small laceration on the front margin of the right lung. Death would have been immediate.
- (7) The deceased was unarmed and not acting in any threatening way or in any other way that would have justified his shooting.

Judicial Communications Office

(8) This shooting has not been justified by the State, a fact now admitted.

NOTES TO EDITORS

1. This summary should be read together with the judgment and should not be read in isolation. Nothing said in this summary adds to or amends the judgment. The full judgment will be available on the Judiciary NI website (<https://judiciaryni.uk>).

ENDS

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