The Murder of RUC Detective Constable Spence McGarry on 6th April 1991









Recognition and Acknowledgment for Victims and Survivors of Terrorism

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Introduction

On 14th March 1991, Peter Brooke, then Secretary of State for Northern Ireland, announced to the House of Commons that talks involving the four main parties in Northern Ireland would take place during a gap in the operation of the Anglo-Irish Conference meetings. These talks were the first of a series lasting from March 1991 to November 1992 which became known as the Brooke / Mayhew Talks.

By the 25th March 1991, all the parties involved in the Brooke / Mayhew Talks agreed to the arrangements set out and, on the 26th March1991, Peter Brooke announced that they would involve a three-strand process. This process was to include relationships within Northern Ireland, between Northern Ireland and the Republic of Ireland, and between the British and Irish Governments.ⁱ

Sadly, during 1991, numbers indicate that while these talks were taking place, at least 20 incendiary devices or bombs were detonated both in Northern Ireland and mainland UK and that 97 people were murdered. Of those, 24 were members of the security forces. One of those being the RUC Detective Constable of which I write.

RUC Detective Constable Spence McGarry, Husband, Father, Son and Brother, murdered in Ballycastle on 6th April 1991



Spence McGarry (46) was born and reared in the small, mixed town of Ballycastle along with his two brothers on the North Coast of Northern Ireland.

He had friends from both sides of the community.

He joined the Royal Ulster Constabulary in 1972 in the hope of making a positive contribution on people's lives and served his community for 19 years.

He married and he and his wife had three children, two daughters and a son.

The family settled in Limavady were they were active members of 1st Limavady Presbyterian Church.

He witnessed various atrocities during his time in the RUC, in fact, while stationed in Castledawson RUC Station, he survived two ambush attempts.

According to his wife Lorna, the first ambush took place around 1972 when Spence was travelling in a police vehicle with three other colleagues to police a band parade in the town.

Before reaching the town, they came under gun fire attack. The car was forced to stop as the engine had been hit. Lorna believed that had the gunmen not fled, murder would have occurred that day. III The next ambush was in 1976. In that terrorist attack, a colleague had been fatally shot and killed. At the time of his death, he was attached to Strand Road CID in Londonderry. Through his career, Spence had been proudly awarded five commendations.

He was a well-liked and respected colleague.

The Day of the Murder

Spence McGarry was the first member of the RUC to be murdered in 1991. iv

Only 11 short days after Peter Brooke's announcement on the talks to take place, Spence was brutally murdered in his own home town.

On that day, Spence had been visiting his elderly mother in Ballycastle, as he did, routinely on a Saturday morning. It was "Grand National" day and after spending time and having lunch with his mum, he went into Ballycastle town to meet with a few friends and watch the race. He returned to his car in Castle Park carpark to start his journey home late in the afternoon. His wife and two young daughters would have normally been with him, but due to their Girls Brigade display that evening, they had remained at home to prepare. While in town, an under-car booby trap had been placed under their father's car.

It is believed that police first received reports of an explosion at around 4.20pm.

Spence McGarry's car had exploded while he was sitting in the driver's seat and careened into another car parked a short distance away.

Police arrived on the scene at approximately 4.40pm.

A local GP attended the scene and pronounced Spence deceased.

Spence had sustained extensive injuries and burns to the degree where he had to be identified by dental records.

The 46-year-old Detective Constable was a loving husband and father to three teenage children.

Son's devotion costs him life

A DOTING son's devotion to his ageing
mum cost him his life.
Detective Constable
Spence McGarry was
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IRA booby trap ripped
through his car, killing
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Cantle Street
after visiting his 85year-old mether.

The fireball careered
downhill, smashing into a
parked car in which an
elderly woman was sitting.

She and another

STAFF REPORTER

A DOTTING son's devotion to his ageing mum cost him his life.

Detective Constable Spence McGarry was paying his regular Satural McGary's red Pouget through his car, killing him instantly.

The bomb clamped beneath ar-old Date Cons McGarry's red Peuget 405, exploded as a hed crove away from Ballycastle's Castle Street after visiting his 85-years. The firehall careered downhill, smashing into a parked car in which an elderly woman was sitting.

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DEATH TRAP: the burnt-out car in which Det Cons McGarry lost his life

Cleric slams killing

A CHURCHMAN condemned yesterday those who colluded with the killers of an off-duty RUC officer. Det Cons Spence McGarry, 45, died instantly when a booby trap bomb exploded under his car as he left his elderly mother's home in Ballycastle, Contrin, on Saturday.

Dr Godfrey Brown, former Mcderator, Church Mcderator, Church Mcderator, who lives nearby, said: 'I think write in sea stumed us is the fact that here in this town someone, or some people, have eyed this man, have watched his movements and have planted this device right under the nose of the people of

Bellycastle."
The officer, the first RUC man murdered in Northern Ireland this year, had survived an IRA gun attack in 1976 when his patrol car was ambushed at Castledawson. A colleague had been shot dead.

Bellycastle's Protestant and Roman Catholic churches.
The congregation attending Mass in the Down and Connor diocese were told by Bishop-elect Dr Patrick Watsh: "A cloud of sorrow hangs over the peaceful of Easter week."



DR GODFREY BROWN

Responsibility for and Community Reaction to Spence's Murder

In a coded statement to a Belfast newsroom, the IRA admitted responsibility for the RUC man's murder.

While Chief Constable Hugh Annesley visited the McGarry family, a police spokesman described the murder as:

"an evil crime which has cruelly taken a husband and a father from yet another family in Northern Ireland" $^{\nu_i}$

Spence's wife, Lorna was noted at the time as saying, she and her three children could have been with her husband when he went to visit his mother. Lorna heard the news of her husband's murder as she was getting ready to go to their display in the nearby church hall.

"When I heard I just couldn't believe it. I first thought that it was an accident. He knew the people better when he lived there. But I worked among them and they got to know me as well. I feel sorry for the children because they are young. They are too young to lose a father".vii

The murder was condemned by Churches from both communities as well as local politicians.

Dr Godfrey Brown, the former Moderator of the Presbyterian Church said:

"I think what has stunned us is the fact that here in this town someone, or some people, have eyed this man, have watched his movements and have planted this device right under the nose of the people of Ballycastle."

The Bishop-elect of Down and Connor, Dr Patrick Walsh, in a statement read to all Masses in the Ballycastle area said:

"A cloud of sorrow hangs over the peaceful community of Ballycastle at the end of Easter week."

"The murder of Detective Constable Spence McGarry has an added dimension of cruelty in that he was visiting his elderly mother".ix

North Antrim MP the Rev Ian Paisley described the killing as diabolical and called for the Government to declare war on the IRA and all its works saying:

"Assurances from the Government that their policy is a winning one ring hollow as we witness a whole stream of murders and devastation in our land"x

Ulster Unionist MP for East Londonderry William Ross said:

"Det Cons McGarry was a carefully targeted victim of the IRA and his murder highlights once again the capacity of the murder gangs to operate in most parts of Northern Ireland"xi

Lastly, Moyle SDLP councillor Michael O'Cleary said:

"We are outraged and shocked at such a callous attack."xii

The Funeral of Spence McGarry

Spence was laid to rest at Ballycastle Presbyterian Church after a funeral service at 1st Limavady Presbyterian. The Rev. George Simpson stated in his Eulogy:

"Being a Ballycastle man born and bred, well known by both sides of the community, he always felt safe in his home town"

"While his car was unattended, the scum of society planted a device and as he started the car, Spence McGarry was blown up."

"If the family had not been preparing for the Girl's Brigade Display, they too would have been in that car. How low men and women have fallen".

"To the IRA who have claimed responsibility I say, "What have you achieved through this cowardly act? I'll tell you. You have left a kind hearted woman with a broken heart and without a husband, three devoted children without a father, an old mother without a son, two brothers without their younger brother, many people without a friend. No cause could justify such an act by animals, my apologies, animals would not stoop so low".

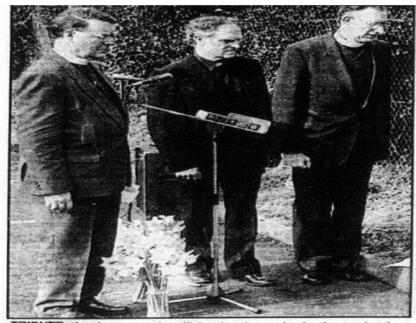
"Give the security forces the power to root out the IRA so that those of us who love Northern Ireland may be allowed to live in peace."



The McGarry Family

A week after Spence's murder, a memorial service was held in Castle Street car park. Former Moderator, Dr Godfrey Brown and local Parish Priest the Rev Noel Watson officiated over a mixed crowd of Protestant and Roman Catholics standing together to show their solidarity with the McGarry family. He spoke about the person Spence had been and gave the example of him giving up his free time to help with the restoration of the church hall. A member of the congregation said:

"We will finish the hall, and hopefully, there will be a plaque or something dedicated to his memory"



TRIBUTE: the clergymen who officiated at the service for the murdered police officer pay their tribute at the spot where the police officer died



Provisional IRA Statement

Two days after the callous murder of Spence, the Provisional IRA released the following statement, though it must have been of cold comfort to the McGarry family and the wider Ballycastle community -

"A Provisional IRA spokesman admitted yesterday that the terror organisation cannot be successful in its campaign of terrorism. But he went on to say "there can be no victory either for the security forces". He said that in the longer-term "political dialogue" was the only means of bringing about a solution. "No one can fool themselves that there will be an end through violence".xiii

After this statement, 23 further murders of members of the Security Forces were carried out in Northern Ireland in 1991.

Semtex and Gaddafi

Muammar Gaddafi and therefore Libya, had close connections with the IRA as far back as the early 1970's. It is believed he saw the IRA as a comrade-in-arms, fighting British imperialism and he was partly responsible for providing it with more modern weaponry.

Links between Gaddafi and the IRA re-emerged in 1986 after Gaddafi's adopted daughter was killed along with more than 100 other people by US bombing raids launched from UK bases. The Libyan leader has said he resumed contact with the IRA in the aftermath of those air raids. xiv

Four shipments of guns, ammunition and explosives were made between 1985 and 1986, providing large quantities of modern weaponry to the IRA, including heavy machine guns, over 1,000 rifles, several hundred handguns, <u>rocket-propelled grenades</u>, <u>flamethrowers</u>, <u>surface-to-air missiles</u>, and <u>Semtex</u> explosive.— an odourless explosive, invisible to X-ray, and many times more powerful than fertiliser. From late 1986 to 2011, virtually every bomb constructed by the Provisional IRA, and splinter groups such as the <u>Real IRA</u>, contained Semtex from a Libyan shipment unloaded at an Irish pier in 1986.**

Nigel Dodds, writing in the Telegraph in June 2019 states -

During the Troubles, <u>Gaddafi</u> armed the IRA with Semtex. He supplied weapons that undoubtedly contributed to the lengthening of the terrorist campaign. Those weapons

targeted innocent citizens of the United Kingdom, cutting short some lives and changing others forever. Those people did not deserve such an injustice. Nor do they deserve the subsequent inaction which has added to their pain over the years. The victims of the IRA's atrocities are dying without justice or recognition for the physical and mental trauma they have had to endure. Yet here is a source of revenue from which compensation could be drawn while attempts are made to progress a proper compensation scheme with Libya. Clearly the situation on the ground in Libya means finalising a deal is very difficult. But our own Government has the opportunity and the means to do something to support the victims immediately. It should act.

While <u>justice is denied to British victims</u>, US victims of Libyan-sponsored terrorism have already been compensated, under the US-Libya Claims Settlement Agreement of 2008. In 2004, Libya agreed to pay \$1m compensation to the families of each of the 170 people killed in the bombing of UTA flight 772 in 1989.

The German government secured \$35 million for those killed in the 1986 bombing of the La Belle discotheque in Berlin.

Yet no such deal has been reached for British victims following the failures of the Blair government to pursue our case properly. After all these years, our own citizens have received nothing but warm words and sympathy.

This should be an embarrassment for our government.

In the <u>final days of her premiership</u>, the Prime Minster (Theresa May) should take decisive action and begin righting this terrible wrong. Progress towards a proper outcome for innocent people such as those killed or injured in the Enniskillen Remembrance Day bomb would be a truly lasting legacy.

The Government has a clear moral duty to support our citizens, particularly those who have suffered so much. Compensation for victims of Libyan sponsored terrorism is an ongoing injustice that must be addressed.^{xvi}

The NI Select Committee report published on 9th April 2019 stated -

The Government has consistently held that it is not its responsibility to secure compensation for victims of Libyan Semtex, and that victims should pursue cases with the Libyan authorities individually. This is an untenable policy position. To state that victims have not exhausted all legal remedies ignores the reality of the current political situation in Libya, with its chaotic and unstable governance arrangements. Time has already run out for many victims. The Government must now enter into direct negotiations with the Libyan authorities to seek a compensation deal as soon as possible. (Paragraph 19) 2. Whilst we welcome the announcement of William Shawcross to begin the long overdue process of calculating the amount of compensation due to victims, this role should extend much further.

The role could help ensure greater cross-government working as previously suggested by the Minister but should also negotiate to secure a compensation agreement. Once the amount of compensation has been calculated, the Special Adviser must also have a role in securing compensation, espousing the claims of victims directly with the Libyan Government.*

IRA Terrorist Convictions (no investigation details at present)

Three Ballycastle men were brought to trial for Spence's murder in Belfast Crown Court in 1993, two years after his murder. Mr Justice Carswell, preceded over the court.xviii

Lorna attended everyday of the Trial other than the first day when Post Mortem details were viewed. She was accompanied by a female officer. Other members of the family also attended including Spence's mother.

Gerard Patrick Butler (27), Sean Martin Hill (24) and Stephen John Hill (32).

All faced charges of aiding and abetting in Spence's murder. All denied the charges. They also pleaded not guilty to causing the explosion and possessing explosives with intent to endanger life. Mr Justice Carswell, was told that the admissibility of confession statements allegedly made by the accused, would be challenged by the Defence.

It was the Prosecution's case, that Butler, an alleged member of the IRA had collected information about the policeman's movements while in Ballycastle. The Crown claimed Butler had passed this information on at an IRA meeting in Belfast; and around three weeks before the murder two men had come to assess Butler's information about Spence's movements.

On that day, it is believed that they saw Spence's car outside his mothers' home and decided that an "up-and-under" booby-trap device should be used in the attack. The lawyer claimed in court that, word was sent to Belfast and a bomb was obtained and stored at the house Butler shared with Stephen Hill. It was believed that the one-and-a-half-pound bomb was placed under the policeman's car on the third attempt. On the 6th April an IRA man, believed to be from Belfast arrived and primed the bomb. He was drove around by Butler until they located Spence's car in Castle Street car park. Counsel also claimed

that prior to the attack Butler had demonstrated, how the bomb worked to his co accused, and that both Sean and Stephen Hill were aware the intended target was Spence McGarry. The man, who was in the car with Butler has never been charged with any offences.xix

Gerard Patrick Butler was convicted of Spence McGarry's murder on the 9th July 1993 and received Life Imprisonment.

Gerard Butler was convicted and sentenced to life for murder plus 110 years on a series of terrorist related charges. This included conspiracy to bomb RUC officers on the Ballycastle to Cushendall Road.

Although cleared of Spence's murder-

Sean Hill was convicted and sentenced to 16 years in jail for possessing a rifle and concurrent sentences of 41 years on five other charges including possession of Semtex and conspiracy to murder.

Stephen Hill was convicted and sentenced to 10 years in jail for the possession of explosives used in a murder.

Lastly, **Martin Jennings** was convicted and sentenced to 6 and 3 years, suspended for 3 years on charges of possessing a rifle and collecting information for terrorists.*x

All four denied the charges brought against them.

Spence's mother died one month after the convictions were made. She passed away from Heart Failure.

Good Friday Agreement Early Release Scheme

As part of the Good Friday Agreement, the British government introduced a bill to release paramilitary prisoners. The bill, Northern Ireland (Sentences) Act 1998, received Royal Assent on 28th July 1998. According to this bill, prisoners affiliated with paramilitary organizations that had established and maintained "a complete and unequivocal cease-fire (Article 8 (a) and (b)) are eligible for release. The bill also established The Sentence Review Commission (Article 7) to assess cases on an individual basis. The Sentence Review Commission was co-chaired by a South African human rights lawyer, Brian Currin, and a retired senior NIO civil servant, Sir John Blelloch.

On 30th July 1998, as required by the 1998 Act, the Secretary of State of Northern Ireland specified supporters of the Continuity Irish Republican Army, the Loyalist Volunteer Force, the Irish National Liberation Army, and the Real Irish Republican Army not eligible for release because they did not maintain a complete and unequivocal ceasefire. On 18th November 1998, the Loyalist Volunteer Force was removed from the list. It was estimated that between 400 and 420 paramilitary prisoners would be able to apply for early release.

Prisoner release was a hotly contested issue in the peace process as the Unionists maintained that the release would take place along with disarmament. Nevertheless, as of October 1998, a total of 167 prisoners were released.

Prisoner release continued in 1999. During Christmas and New Year, 131 prisoners were granted extended home leave. As of the 16th December, 308 prisoners were released. However, with the release of high-profile prisoners, public support dropped, according to a Belfast Telegraph opinion poll.

The final batch of prisoners was released on 28th July 2000. A total of 428 prisoners were released in Northern Ireland early under the terms of the Good Friday Agreement. **xi

Between 1998 and 28th July 2000, 903 terrorist prisoners in total were released from prison in Northern Ireland, the Republic of Ireland, England and the USA.*XXII

The McGarry Family Today

The victim's widow, Lorna, became a beneficiary of Ulster Human Rights Watch in March 2014. Although glad of the convictions made for her husband's murder, she remains frustrated that those, she calls the "masterminds" behind his and countless others murders have seemingly remained to be beyond the arm of the law.

A Historical Enquiry Team Summary Report into her husband's murder was never completed.

Although she and her children have been waiting for 28 years, they are still hopeful that Spence's murder will be further reviewed by the Legacy Investigation's Branch or by whatever mechanism is put in to replace the LIB.

Ulster Human Rights Watch, on behalf of the McGarry family, have requested a copy of the Court Files relating to the four men convicted, to be released to the family under the Privileged Access Rules. This request was made in July 2016.

We are still awaiting these files.

Also, we contacted the Historical Enquiry Team in July 2014 on behalf of Lorna to ask when they hoped to review Spence's case. A reply was received the following month stating:

"The HET was instructed to suspend reviews...... And the delivery of all HET reports to families." families."

Following this, UHRW received a letter from the Legacy Investigations Branch in December 2015, stating they were replacing the Historical Enquiries Team and hoped to start operating in the New Year. Four years later, the McGarry family are still awaiting their investigation.

Lorna continues to receive our support in her fight for recognition and justice in the murder of her husband.

She has also found comfort through the support she receives from other groups of which she has been an active member. These include The RUC GC Widows Association and Wave Trauma Centre.

Through her grief she has found an outlet in the writing of poetry and she has taken part in various projects, one being "Unheard Voices."

It is Lorna's hope and drive that those nameless faces behind her dearly loved husband's murder will someday face justice.

Beside the weeping willow, in a graveyard wide and bare,
In a silent grave lies the one I love, and all his loving care,
In golden letters because of devotion, his name is written with pride,
It tells it was his love for his countrymen he died,
His life was a service to justify end strife,
It gives them no reason to cruelly end his life.

Lorna McGarry

Writings and Memorials

After his death, Limavady 1st Presbyterian made good on their promise, and a plaque of remembrance for Spence was unveiled at their church hall. The McGarry family also gifted collection plates and Bibles to the church in Spence's name. Just on Remembrance Sunday 2019, more Bibles were dedicated to the church from the family.

Spence is also remembered at the RUC GC Memorial Garden in Belfast.

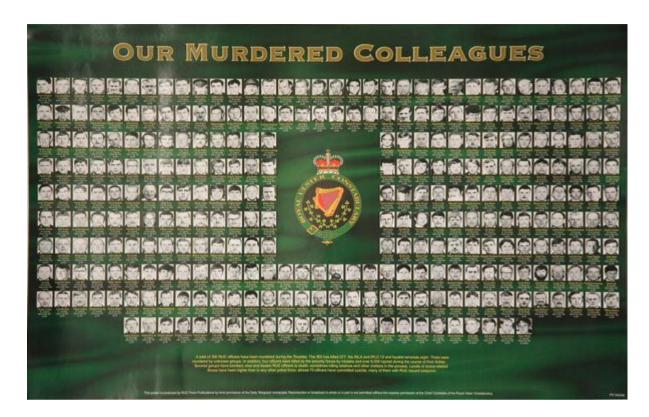


The RUC Peace Window and Plaque at St Anne's Cathedral Belfast.





RUC Poster "Our Murdered Colleagues" at Knock PSNI Headquaters.



Lost Lives: The Stories of the Men, Women and Children Who Died as a Result of the Northern Ireland Troubles: The Stories of the Men, Women and Children Who Died Through the Northern Ireland Troubles.

(David McKitterick, Seamus Kelters, Brian Feeney and Chris Thornton)

Lost Lives is:

"A unique work filled with passion and violence, with humanity and inhumanity. It is the story of the Northern Ireland Troubles..."

It reads:

April 6,1991
John Spence McGarry, Antrim
RUC, Protestant,46, married, 3 children.
He was killed when an IRA bomb
exploded under his car in Ballycastle.
from Limavady, Co. Londonderry, he had been
visiting his 85-year-old mother and parked
his car in the same spot each week. The
Peugeot 405 car, badly damaged and on

fire, rolled down the hill and hit another vehicle, which also burst into flames. The woman driver was able to escape without injury. The woman later said "I had just turned the ignition in the car when it went bang. The glass came in around me and I just could not understand what was wrong. As I looked to my right, I saw the damaged car coming towards me. The smoke was just coming up and the car was just starting to go up in flames at the back". Police believed the device, triggered by a mercury tilt switch, was attached at some point between 2 and 4pm, 15 minutes before the explosion. **Detective Constable McGarry was** stationed in Londonderry and had joined the RUC 19 years earlier. In 1976 he had survived an ambush in Castledawson in which a colleague was shot dead. In July 1993, a Ballycastle man was jailed for life for his murder. The same man was given a series of concurrent sentences for a range of other offences, including 22 years for causing the explosion and seven years for IRA membership. Two other men were acquitted of aiding and abetting in the killing, but were jailed for 10 years for having the bomb. They were also given concurrent 16 year terms for having a rifle. A fourth man was also given six years, suspended for three years, for having a rifle.

CAIN Conflict Archive:

06 April 1991

McGarry, Spence (46) Protestant

Status: Royal Ulster Constabulary (RUC) Killed by: Irish Republican Army (IRA) Off duty. Killed by a booby trap bomb attached to his car in car park, Castle Street, Ballycastle, County Antrim.

https://en.wikipedia.org/wiki/List_of_bombings_during_the_Northern_Ireland_Troubles_and_peace_process

ihttps://cain.ulster.ac.uk/events/peace/pp8893.htm

ii https://cain.ulster.ac.uk/sutton/chron/1991.html

iii Lorna McGarry testimony provided to UHRW

iv Ulster Newsletter 08/04/91

^v Ulster Newsletter 08/04/91

vi Belfast Telegraph 08/04/91

vii Belfast Telegraph 08/04/91

viii Ulster Newsletter 08/04/91

ix Belfast Telegraph 08/04/91

x Belfast Telegraph 08/04/91

xi Ulster Newsletter 08/04/91

xii Ulster Newsletter 08/04/91

xiii Ulster Newsletter 08/04/91

xiv https://www.bbc.co.uk/news/uk-northern-ireland-12539372

xv https://en.wikipedia.org/wiki/Provisional Irish Republican Army arms importation

xvi https://www.telegraph.co.uk/politics/2019/06/30/use-gaddafis-wealth-compensate-victims-ira/

xvii https://publications.parliament.uk/pa/cm201719/cmselect/cmniaf/1723/1723.pdf

xviii Ballycastle Chronicle

xix Ulster Newsletter

xx Ulster Newsletter

xxi https://peaceaccords.nd.edu/provision/prisoner-release-northern-ireland-good-friday-agreement

xxii https://peaceaccords.nd.edu/provision/prisoner-release-northern-ireland-good-friday-agreement.

xxiii Jason Murphy Detective Superintendent HET