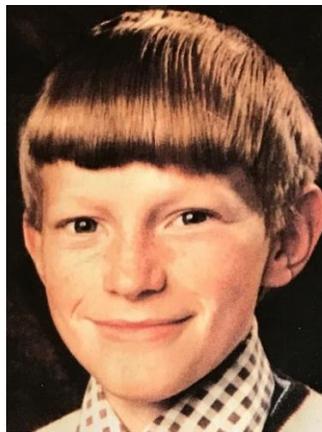


Family Report

**Murder of Private Joseph James McIlwaine
Ulster Defence Regiment
Friday 12 June 1987**



**Recognition and Acknowledgment
for Victims and Survivors
of Terrorism**

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Family Reports

The approach of Ulster Human Rights Watch (UHRW) has always been to respond with dignity and certainty to the human rights violations perpetrated by terrorists against innocent victims and their families. Human Rights has for too long been associated with those who would use it as another strategy to follow on from violence to undermine the State and use it to justify the systematic abuse of the right to life. UHRW believe that this is grotesque and unacceptable.

As an organisation we are dedicated to supporting and assisting those who have not only been victimised by terrorists but have also been consistently failed by those who should have been behind them, particularly the justice system. Of course, the innocent victims were the first to be sold out in favour of the so-called political progress in the appeasement of terrorism in the Belfast agreement and subsequent deals.

It would be a fair analysis to state that many innocent terrorist victims have now been forgotten from popular memory. Of course, their families can never forget the loss, and the sacrifice made by their loved ones. As a part of the Advocacy Service provided to victims of terrorism by UHRW we are working alongside the families of terrorist victims to construct family reports. Given the legislative denial of justice and the failure of the system in favour of the perpetrators of violence and their representatives, the truth must be heard.

Furthermore, we now live in a context where “troubles” related legacy and memory are characterised by hearsay. This false approach underpins much of what is proposed in future arrangements for dealing with the past, and in current legacy inquests. We believe that documented facts must speak for themselves, and that the introduction of a constant speculative approach only serves to undermine the truth, for the sake of politically charged narratives.

Family reports are integral to the support UHRW provide to victims’ families, providing them with vital acknowledgment and recognition. They are also a platform for the world

outside to engage with a story that must not be lost. This report attempts to present not only the facts of the matter, but also the humanity of the innocent victim, and the fact that beyond the statistic, a life was lost, and a family devastated.

It is essentially an effort to provide the family with a record of their bereavement, as a part of their journey of recovery, for a loved one who must never be forgotten.

The Context

The terrorist activities by the IRA for a politically united Ireland was one of the most sustained and prolonged campaign of terrorism in Northern Ireland, unparalleled in Western Europe since World War 2.

Under the pressure of sustained violence, the British Government engaged in a process that delivered new constitutional arrangements combined with major legislative reforms, giving terrorist-related politicians access to the government of Northern Ireland and control over its destiny¹.

Out of 3,365 people who were killed between 1966 and 2001, the IRA was responsible for 1,778 victims; the IRA caused the greatest number of victims and the most damage to property and businesses².

In the context of Joseph's just over one-year service in the Ulster Defence Regiment (UDR) from March 1986 until his untimely murder by IRA terrorists on 12th June 1987 table 1 below shows the number of serving and previous members of the Regiment who were murdered during that period.

Table 1

Number of serving Ex serving UDR members murdered between 1982 and 1st July 1992³			
Year	Serving UDR soldiers murdered	Ex Serving soldiers murdered	Total
1986	8	1	9
1987	8	3	11
Total number of serving and ex serving UDR members murdered during the period of Joseph McIlwaine's service (1986 to 1987). Joseph's murder is included in the 1987 figure of serving UDR soldiers murdered.			20

Source: [www.udrassociation.org/Roll of Honour/roll_of_honour_index.htm](http://www.udrassociation.org/Roll_of_Honour/roll_of_honour_index.htm)

The UDR was an infantry regiment of the British Army established in 1970, with a comparatively short existence ending in 1992. It was raised through public appeal,

newspaper and television advertisements,⁴ their official role was “defence of life or property in Northern Ireland against armed attack or sabotage” but unlike troops from Great Britain they were never used for “crowd control or riot duties in cities”.⁵ It was the largest infantry regiment in the British Army, formed with seven battalions plus another four within two years.⁶

The UDR consisted mostly of part-time members until 1976, when a full-time cadre was added.⁷ Uniquely in the British Army, the UDR was on continuous active service throughout its 22 years of service.⁸ It was also the first infantry regiment of the British Army to fully incorporate women into its structure. On 1 July 1992, the UDR was amalgamated with the Royal Irish Rangers to form the Royal Irish Regiment. In 2006 the regiment was retroactively awarded the Conspicuous Gallantry Cross, which entitled it to be known as the Ulster Defence Regiment CGC.⁹

The year that Joseph was murdered there were 97 people killed in Northern Ireland, 29 were Police and Army, 28 were Paramilitary and 40 were civilians. Of these, 14 were members of the RUC, 11 were members or former members of the UDR, 8 were members of the INLA, 15 were members of the IRA, 4 were members of the IPLO, 2 were members of the UVF, and 2 were members of the UDA which included the then deputy leader of the UDA John McMichael. He was killed by a bobby-trap car bomb planted by the IRA.

During Joseph’s just over one-year UDR service from March 1986 to 12 June 1987 the following significant major terrorist event occurred:

- On the 8 May 1987, eight IRA terrorists attacked an RUC station in Loughgall, County Armagh, using a bomb and guns.¹⁰ All the terrorists were killed by the Special Air Service (SAS) – the most IRA members killed in a single incident in the Troubles.

The term the “Troubles” in Northern Ireland, has become a phrase used to describe the terrorist activity perpetrated upon innocent victims. In Northern Ireland most law-abiding citizens and those committed to upholding the rule of law, endeavoured to

carry on with their everyday lives. Terrorism was used to create fear and anxiety on the innocent people of Northern Ireland.

The people of Northern Ireland have experienced and endured during the terrorist campaign murder, injury, fear, intimidation, loss, pain, hurt, and suffering caused by perpetrators willing and able to use the utmost violence against anyone who did not agree with them.

Innocent civilians and those men and women who joined the security forces to uphold the rule of law and defend the protection of all our civil rights are the only true victims of terrorism in Northern Ireland.

The “Troubles” have had a great impact on the people of Northern Ireland and beyond. Despite the signing of the Good Friday Agreement (GFA) in 1998 which led to the “peace process” the impact is still being felt today.

The “Troubles” began in the late 1960s and was usually deemed to have ended with the GFA of 1998¹¹. Although the “Troubles” primarily took place in Northern Ireland, at times the violence spilled over into parts of the Republic of Ireland (ROI), England, and mainland Europe.

Of those murdered in the terrorist campaign, 52% were civilians, 32% were members of the security forces, and 16% were members of paramilitary groups.

The main participants in the “Troubles” were Republican paramilitaries such as the Provisional Irish Republican Army (PIRA) and the Irish National Liberation Army (INLA); Loyalist paramilitaries such as the Ulster Volunteer Force (UVF), Loyalist Volunteer Force (LVF) and the Ulster Defence Association (UDA).

Republican paramilitaries, mainly the IRA carried out a terrorist campaign against the British security forces, as well as a bombing campaign against infrastructure, commercial and political targets.

Loyalist terrorists targeted Republicans/Nationalists and attacked the wider Roman Catholic community in what they described as retaliation. At times there were bouts of sectarian tit-for-tat violence.

The Northern Ireland “Troubles” perpetrated by terrorists has caused and brought great loss, pain, heartache, and despair to many families for over 30 years. The Legacy of the Past continues to affect victims and survivors of terrorism across Northern Ireland and in other parts of the United Kingdom (UK).

The closure of the HET in December 2014 resulted in more than 1,000 outstanding cases. There are still over fifty open inquests into almost one hundred Troubles-related deaths. Many of these cases still require investigation but there is general agreement that the current system in place to address outstanding cases is not delivering enough for victims, survivors, and wider society¹².

The Victim

Joseph was the only boy born to a family of five older sisters, the long-awaited son for his parents Joseph and Annie. He was born on 29 July 1966, he was very blonde and blue eyed, a beautiful baby.



Above is a photograph of Joseph when he was a toddler. The day he was brought home from the hospital the five sisters all waited sitting in a row to nurse him, it was their first meeting, and they were all extremely excited to meet their new brother. the It was good to hold the little sleeping baby their only brother.

Joseph went to Maghaberry Primary School, then Knockmore Primary School and then to Tonagh Primary School in Tonagh Estate Lisburn.

Following his Primary School education, Joseph then went to Laurehill Secondary school in Lisburn. He stayed there for 5 years and then got a job with Lisburn Borough Council. Below is a photograph of Joseph taken during his primary school years.



Joseph was in Broomehedge Church of Ireland Boys Brigade Company for approximately 4 years. During this time, he played the bugle on Remembrance Sunday at Broomehedge Church of Ireland for 2 years. Joseph's family would say that if the future could have been told they wonder to this day what they could have done to save that little baby, to have him in their lives for more than the short twenty years he was with them.

Joseph and his youngest sister were always protected by the older girls as in all big families the oldest took care of the younger.

Joseph was a typical boy getting into all sorts of scrapes and dirt, life was an adventure for all the family back then and they were oblivious to the reasons why they kept moving to a new house and changing cars.

Joseph's parents did not talk to them about the "troubles," but they grew up and heard and saw the death for themselves. Joseph's father came home in his UDR uniform, and all became clear. The family's innocence was gone, and their childhood ended.

Joseph joined 7/10 battalion of the UDR in March 1986. At the time of his murder on 12th June 1987 he was a private in the UDR. Joseph was buried with full military honours at Lisburn New Cemetery at Blaris after a service in Broomehedge Parish Church.

Thousands of people attended Joseph's funeral and his coffin was carried approximately 4 miles from Broomehedge Parish Church to Lisburn New Cemetery at

Blaris. Along the route two Army helicopters joined the funeral cortege and gave a ceremonial dip.

At the entrance to the Cemetery, Joseph's UDR colleagues took over and the bearer party carried his coffin to the grave. At the grave the firing party, fired a volley of shots over Joseph's grave. A photograph of Joseph's military funeral is shown below.



Joseph's funeral service took place at Broomehedge Church of Ireland. A photograph of the church is shown below on the next page.



Bishop William McCappin said, “the 83,000 people who voted for Sinn Fein in the general election had blood on their hands.” He said, “they share the guilt for the murder of 20-year-old Private Joseph McIlwaine.”

Bishop McCappin slammed the Armalite and the ballot box policy as “distortion and mockery” of the claim of an alienated minority which demands civil and economic rights. He angrily told mourners that “the waves of guilt include many more than those who actively pulled the trigger or prime the bomb, the drivers of the getaway cars, and the providers of safe houses.” Bishop McCappin concluded by saying that “although they might not have thought it, the 83,000 people in Northern Ireland who at the general election voted for the party of violence are included in the wave of guilt.” Joseph was a member of Royal Oak Orange Lodge Sandy Row Belfast. Below is a photograph of Joseph on parade with his Orange Lodge.



Above is a photograph of Joseph which was taken for his UDR identity card. Joseph was an assistant greenkeeper at Aberdelghy Golf Club, Lambeg near Lisburn. Joseph was 20 when he was shot dead by the IRA.

Joseph was shot during his tea break. Three men carried out the murder at a hut where workers on the course were having their morning tea. Joseph was singled out and 12 shots hit him at close range.

Joseph was hit in the head, chest, and stomach. Joseph had no hope of escape, no chance to live out the rest of his life with his loving family. His murderers walked in and asked for him by name and shot him repeatedly to death without mercy or thought of the consequences of their actions. Joseph was murdered in front of a particularly good childhood friend who he went to Primary school with.

Not only did the IRA terrorists murder Joseph but they also destroyed the lives of a family that would never be able to live a normal life again. Before running off, one of the men attempted to reload his weapon but dropped bullets when he pulled a handkerchief from his pocket.

The gunmen escaped in a white Vauxhall Cavalier which had been hijacked from a family in Twinbrook the following evening.



Mr and Mrs McIlwaine pictured at Sunday's wreath-laying ceremony for their son, Joseph McIlwaine, held at Aberdelghy Golf Course, with the Right Worshipful the Mayor, Alderman William Leathem and Lisburn City Council Chief Executive, Mr Norman Davidson.

The Facts of the Incident

A Father's Story:

I am Joseph's father also called Joseph. I only had one son and he was brutally taken from us aged only 20 years old. I believe after much thought about life and circumstances back in 1987, that Joseph was murdered because I did not bow down to the demands of the Irish Republican Army (IRA).

I worked then for Lisburn Borough Council as a Superintendent over bins, parks, and graves. There was a bin strike/dispute over lifting bins in Twinbrook Belfast because the drivers and men on the bin lorries had been threatened.

The rubbish was mounting up on the streets of Twinbrook when I got a telephone call directly to my office and the voice on the other end said that they were the IRA. They wanted me to send bin lorries to the entrance of Twinbrook which they would get filled up and we could retrieve them from the entrance of the estate when given permission. I replied, "no I am not giving you the IRA the authority over the people of Twinbrook, I will get the rubbish cleared."

The voice on the other end of the telephone said, "so be it, now your family will suffer." I did get men who worked for the council and lived in and around Twinbrook and managed to persuade them to take the lorry and clear the rubbish.

Joseph and I both served in the Ulster Defence Regiment (UDR). My son Joseph had only been serving for one year when he was murdered. He had requested a personal protection weapon (PPW) from his Platoon Commander and the Police but was turned down. He was told that he was in no danger, but he was dead only weeks after his request for a Personal Protection Weapon (PPW).

On the morning of his death Joseph was in bed and his mother Annie called him for work, his reply was "I don't wasn't to go to work today as I am tired." But Annie being

a mother insisted he was not to be lazy and get up for work. Reluctantly ye did get up and go to work. Annie never forgave herself for insisting he went to work and said, "that her son would be alive today if I have had let him stay in bed." But we all know that with the benefit of hindsight we would change many of our decisions. His mother died from Cancer and a broken heart in May 2014.

I was already in work that day and again I got a call from workers in Twinbrook requesting to bring them another lorry as they were having problems with the one, they were in. I said, "there is no replacement available," the reply came back saying "yes," there is number 77 at the top of the yard.

I told them that I would check and if it is so I would bring it down. I did check and the lorry was fixed and ready for use. I was just about to get into the lorry, when I remembered that I had promised my daughter that I would take the baby for his injection. My daughter does not like needles and would faint at the sight of needles or blood. I asked Robert a driver if he would take the lorry to Twinbrook. I checked my watch, and it was nearly 10am.

Joseph was a greenkeeper at Aberdelghy Golf course on the Lisburn Road, Lambeg. There are things that happened that still haunt me with questions that I still have no answers for. Joseph never went into the hut for tea at 10am because he was not talking to one of the staff.

However, on this morning, the member of staff had taken the day off, so Joseph went into the hut for tea along with other colleagues. I say hut but in fact it was the maintenance garage with only an entrance and no windows or escape exit, or fire exit and it remains the same to this day.

Joseph was in the maintenance garage along with four other staff members enjoying their tea break when two armed men entered and asked for Joseph whilst they lined up the others. They shot Joseph twelve times in the corner of the maintenance garage like a trapped animal with no mercy.



Above left is an image of the building in which Joseph was murdered. On the right is a memorial plaque erected on the building in 1991 by the then Lisburn Borough.

At the same time two armed men stopped the bin lorry in Twinbrook and were heard to say, "it's not McIlwaine" and they left. The IRA wanted to wipe my son and I out that morning.

My wife Annie and youngest daughter heard of the murder on the news, but it did not specify which was dead. They were sick with fear, others who heard it on the news went to them and took them to our home at the Maze. When I joined my family only then did, I realise that it was our only son that had been murdered.

Annie wanted to gather all the girls, we have five daughters so that we could be together when the Police would get around to informing us, which turned out to be 3pm. It has been a wailing death for me ever since 12 June 1987 when my beloved son was murdered as there was no support of care for families.

Only days after Joseph's murder the Police came to Annie and I and told us we were in danger, and we had to leave the country. We did leave the country for six weeks, but we had five daughters, so we returned home. I went back to work two weeks after returning home to the same job, doing the same things which included entering the hut where Joseph had been murdered to give staff their duties for the week. This was not easy for me as the bullet holes in the wall at the spot where my son took his last breath were still visible.

On my first day back to work the crews on the Twinbrook lorries were refusing to go out in the lorries because of industrial action. I telephoned my boss and asked him for

advice, as I was not caught up with the whole situation yet as I had just returned. My boss told me to sack the lot.

So, on my first day back from my son being murdered by the IRA I was faced with sacking four men from Twinbrook, a staunch republican area. I thought that my boss was mad or uncaring as this would be a death sentence for me. Instead, I went to the men and said, "you have holidays due, take them and the situation would be sorted out for their return to work." One of the men told me that a young lad had just started work the day before and had no holidays to take what was he supposed to do. I sent him to help in the canteen.

The council said that they could not touch the wall because the Police might need them for evidence. My daughter asked the Police who informed her that the council had been told shortly after the incident that they could fix the bullet holes in the wall of the maintenance hut. So, the council had continually traumatised me and let me suffer for months for nothing. My daughter no longer lives in Northern Ireland as she found it difficult to get over the murder of her only brother.

The Police also think that the hoax bomb under a red car in the carpark at Aberdelghy Golf Club weeks before Joseph's murder was a recce to see the Police response time and layout of the site. Joseph drove a burgundy car at the time of his murder.

There are so many things that have went through my mind since losing Joseph about why it happened and could I as a father and his boss at work have done something different to save his life. If only I had let the IRA run the rubbish collections in Twinbrook and thus run the hundreds of lives in the estate would my only son be alive today. If I had not joined the UDR in the 1970s perhaps Joseph would not have followed in my footsteps and joined the Regiment in March 1986. I will never know, and it is unbearable to live with and I miss my only son every day.

One of our daughters, who was joined at the hip with Joseph and had heard it on the radio left Northern Ireland with her Husband never to live here again. So now I had lost three children in the space of a year, my heart was shattered into many pieces and yet I had to keep going.

A Sisters Story:

My name is Janet the second daughter of Joseph McIlwaine. The last time I saw my brother was at his house with his fiancée Sharon. I had taken my baby son for a visit. When Joseph opened the boot of his car to put my things into it, I saw army combat clothing and naively asked him who owns those, and he told me he did. I turned to him in horror, "are you mad, after all the sleepless nights and fear we went through with dad, you have now joined up." He told me he wanted to help bring an end to the troubles. I could not believe it and he took me home. That was our last conversation. He was murdered shortly after that.

I was in Belfast visiting friends, when Mum rang to say, "come home there has been an accident in the council." I asked was it Dad or Joseph, mum said just come home. In my heart I knew the accident was that I had lost a brother or a father. I was shaking with shock and fear. By the time I got there, the Police were in the house notifying my parents that their only son and youngest child was dead. Dad was angry, it was 3 pm in the afternoon. Joseph was dead 5 hours by then and it was all over the news.

I was crying, as were the rest of the family who were in shock. I asked the Police to put a blanket around Joseph so that he did not get cold. Shock makes us think and say the oddest things. Never again will we hear his voice or spend time in his presence. No one can give him back to us and yet those responsible still walk free and have a life. The heartbreak has broken our family up, we are divested forever and spread worldwide.

It is now 2020 and Joseph is gone 33 years but for us it is always the 12 June 1987. Yes, we have lived and breathed since that day, but we have an empty chair which leaves us continually divested knowing we will never get justice.

The Investigation

The Belfast Brigade of the Provisional Irish Republic Army (PIRA) admitted responsibility for what they termed as “the execution” of a member of the security forces. No one has ever been brought to justice for the murder of Private Joseph McIlwaine. This continues to cause great hurt and pain to the McIlwaine family. A post-mortem examination of the body of Joseph was carried out by the Northern Ireland State Pathologist on 12 June 1987. The cause of death was bullet wounds to the head and trunk. Below is the Report of Autopsy.

THE QUEEN'S UNIVERSITY OF BELFAST
NORTHERN IRELAND OFFICE

REPORT OF AUTOPSY

Name: Joseph McILWAINE Sex: Male Age: 20 yrs. F.No: 34,918
Date of Death: 12th June, 1987. JC
Date and Hour of Autopsy: 12th June, 1987. 4.30 p.m.
Place of Autopsy: The Belfast City Mortuary.

CAUSE OF DEATH:

I (a) BULLET WOUNDS OF HEAD AND TRUNK

On the instructions of H.M. Coroner for Greater Belfast, Mr. J. H. S. Elliott, -BCL, LLB, BA, I, Jack Crane, MB, BCh, MRCPATH, DMJ(Clin et Path), FFPathRCPI, registered medical practitioner, Assistant State Pathologist for Northern Ireland and Consultant in Pathology to the Northern Ireland Health and Social Services Boards, made a postmortem examination of the body of -

JOSEPH McILWAINE
aged 20 years

Joseph's father is scathing in his criticism of the then Royal Ulster Constabulary (RUC) investigation into his son's murder, so much so that the family lodged a complaint with the then Police Ombudsman for Northern Ireland (PONI) Nuala O'Loan.

One of the handguns used to kill Joseph was used in two other shootings, that of UDR sergeant Dennis Taggart in Belfast in 1986 and the other killing of a member of the Workers Party less than two weeks after Joseph was murdered. Dennis Taggart was in the same UDR company as Joseph. The gun used to kill Joseph and Denis Taggart mysteriously disappeared from Police custody.

Joseph's father's opinion is that the RUC never bothered investigating his sons murder properly. The family were not informed about what was going on. Mr McIlwaine was told privately that one of the handguns used in Joseph's murder had also been used to murder a UDR Sergeant and a Workers Party member and had subsequently been destroyed.

Members of Mr McIlwaine's family approached the Police Ombudsman on 28 August 2001. Their complaint was that they did not know what had happened or what might happen during his son's murder investigation. They had no information from the Police, of any kind since 16 June 1987. The family had a meeting with the then Chief Constable of the RUC and would state that they had been told nothing. Mr McIlwaine would state that it had been hinted that McIlwaine's murderers had "gone." It was suggested to them that the murderers had since been killed.

The family had concerns about the original Police investigation and lodged a complaint with the Police Ombudsman Northern Ireland (PONI). After two years assessing the case the Police Ombudsman at the time Nuala O'Loan agreed that there were inconsistencies which needed to be addressed.

The allegations made by Mr McIlwaine's family to the Police Ombudsman was that they were not informed as to whether there had been a police investigation into Joseph's murder. The outcome of the Police investigation was considered by the Police Ombudsman to be not grave and exceptional and did not give rise to the exercise of the Police Ombudsman's retrospective powers under the Police (Northern Ireland) Act 1998. Notwithstanding that the Police Ombudsman instructed her Director of Investigations to conduct initial enquiries to determine whether there was cause for an investigation.

To establish whether an investigation into Joseph's murder had been carried out the Police Ombudsman asked the RUC to provide a report on the status of the murder investigation on 5 September 2001. The Police responded on 25 September 2001 saying that they had met the family on 25 March 1999 and "explained the investigative procedures and that at the time the family seemed satisfied with what they had been told." Accordingly, on 16 October 2001 the Police Ombudsman sought the murder

investigation file. The file was finally located by Police and made available on 1 February 2002. It was examined and requests were made to the then PSNI for relevant intelligence information.

The Police Ombudsman found that the Police had investigated the murder of Joseph. However, deficiencies in the investigation appeared to exist, and the Police Ombudsman wrote to the Chief Constable on 26 March 2002¹³, stating that a full investigation had not been conducted and recommending that a full review should be conducted to identify further lines of enquiry. The Police Ombudsman drew the attention of the Chief Constable to the following:

- Failure to make enquiries in relation to Joseph's working arrangements at Aberdelgy Golf Club.
- Failure to arrest a named individual identified through intelligence or to treat the person as a suspect.
- Failure to properly pursue forensic opportunities in relation to the gunmen.
- Failure to act on intelligence received in relation to a vehicle.
- Failure to properly follow up the finding of the vehicle used by the murderer(s).
- Failure by Special Branch to provide intelligence in relation to possible linked incidents.

In writing to the Chief Constable, the Police Ombudsman stated that "in drawing this to your attention, it is accepted that comment on the investigation of this murder must be balanced against the security situation facing the RUC in 1987, the reluctance of witnesses and the culture and methods of deployment."

The Police Ombudsman's recommendation of 26 March 2002 resulted in a response from the Chief Constable's office on 5 July 2002¹⁴ stating that the Police

Ombudsman's recommendation would be complied with and that there would be a cold case review of the investigation.

There followed a series of letters and telephone calls during which the Police Ombudsman enquired on 9 July 2002, 11 December 2002, and 7 January 2003, as to the conduct of the review of the case. On 11 August 2003, the Police Ombudsman was advised that the review had been completed and submitted to the Chief Constable, but the McIlwaine family did not appear to be advised as to the outcome of the review.

On 19 September 2003, the Chief Constable informed the Police Ombudsman that the Police had reached similar conclusions to those identified by the Police Ombudsman and that items had been submitted for forensic examination and that the Chief Constable had referred the papers relating to the murder of Joseph to the Assistant Chief Constable Crime to consider whether or not any investigative opportunities remain in the case.

The Police Ombudsman was informed on 22 January 2004 that further investigative opportunities would now be pursued by the PSNI.

The complaint as to the failure to keep the family informed was substantiated by the Police Ombudsman. It was found that there was virtually no contact with the McIlwaine family until 1999, and only brief contact then.

Outstanding Issues

The Mcllwaine family received a letter from the Historical Enquiries Team (HET) dated 20 June 2013. In that letter which was signed by the Lead Senior Investigating Officer the family were told that they were about to begin the review of the circumstances of the death of Private Joseph Mcllwaine who was murdered on 12 June 1987. This review did not take place as the HET was shut down and all outstanding cases including that of Private Joseph Mcllwaine were transferred to the PSNI Legacy Investigation Branch (LIB). So consequently, there has never been a HET report completed for the Mcllwaine.

Mr Joseph Mcllwaine senior approached UHRW for advocacy support and was registered as a client on 26 September 2018. As a result of his son's murder, there are 29 members of the Mcllwaine who have been affected by the murder of Joseph Mcllwaine junior on 12 June 1987.

An UHRW advocacy support worker wrote a letter to a Detective Chief Superintendent of the LIB dated 11 October 2018. In that letter the following information was requested:

- If there is a HET Report for the case could a copy, please be provided.
- If there is no HET Report, could it be made known when the LIB is going to look at the case.

The UHRW advocacy support officer received a reply from the LIB dated 16 October 2018 stating that the current position was that the HET did not complete a review of the case and that it had been transferred to the caseload of the LIB. UHRW were informed that the entire caseload of the LIB extended to more than 1,000 cases and it was impossible at this stage to give any firm timescale for when work on this case would recommence. To date this issue is still outstanding and adds to the pain and hurt felt by the Mcllwaine family.

On 8 October 2018, an email was sent by UHRW to the Public Record Office Northern Ireland (PRONI) requesting under the FOIA the Coroner's inquest papers of the late Joseph McIlwaine deceased on 12 June 1987.

A written reply was received from PRONI dated 21 November 2018 stating that they did hold the information but there were unable to complete UHRW's request at the present time, in the absence of the 'appropriate Northern Ireland Minister.' As there is now a Minister in place a further request was made by email dated 17 January 2020. An email reply was received dated 21 January 2020 from PRONI stating that the temporary FOIA suspension had now come to an end with the appointment of the Minister for Communities. To date this issue is still outstanding and adds to the pain and hurt felt by the McIlwaine family.

On 29 January 2019, an email was sent from UHRW to Policy and Legacy FOI Team Headquarters 38 (Irish) Brigade under the Freedom of Information Act requesting any records they held on the murder of the late Private Joseph McIlwaine, Ulster Defence Regiment on 12 June 1987.

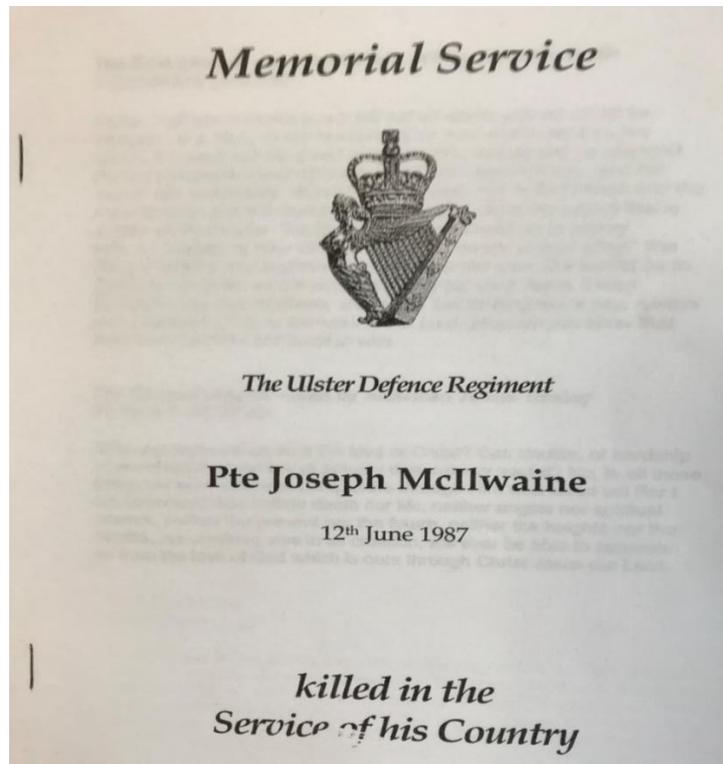
UHRW received a written reply dated 20 February 2019 stating that a further request should be made on 20 August with an expected response date of 20 September 2020. To date this issue is still outstanding and adds to the pain and hurt felt by the McIlwaine family.

Acknowledgement



The above memorial, which is situated at the Cenotaph in Lisburn, was unveiled on 12 June 2011 by Viscount Brookeborough. The memorial is dedicated to those UDR members from the borough of Lisburn who paid the “ultimate” sacrifice in the service of their country. The name of Private Joseph McIlwaine can be clearly seen on the memorial and is a last memory for his family to cherish.

Below is the memorial service pamphlet used at Private Joseph McIlwaine's military funeral service who was brutally murdered and taken from his beloved family on Friday 12 June 1987.



Above is a photograph of Private Joseph McIlwaine's grave in Blaris Cemetery, Lisburn.

Below is a memorial which Joseph's sister Janet puts into the Lisburn Star newspaper on the anniversary of her brother's murder.

McILWAINE, Joseph James — In loving memory of a son and brother, murdered by the I.R.A., 12th June, 1987.
*Your life was full of kindly deeds
A helping hand for those in need.
A pleasant smile, a heart of gold
No better son or brother this world could hold.*
Deeply missed by Mum and Dad, Annie and Joe McIlwaine, sisters and families at home and abroad.



Above is a photograph of Joseph's UDR colleagues paying their respects at his graveside.

Conclusion

Joseph was murdered the day after he cast his first ever vote at an election on 11 June 1987. The next morning 12 June 1987, as counting got underway, he was shot dead by the IRA as he took a tea-break at his work.

Elections are now a painful time for the McIlwaine family. Joseph's father remembers speaking to his only son on polling day 11 June 1987. They had a late-night chat about his upcoming 21st birthday before going to bed. His father promised his son an old motorbike that belonged to him. His father never saw his son alive again nor did Joseph get to ride the motorbike that he was promised.

The McIlwaine family find the development of politics in Northern Ireland exceedingly difficult and hard to accept that those who belonged to the organisation that murdered their son and brother are now in government.

No one has ever been brought to justice for Joseph's murder and that adds to the McIlwaine family pain even after all these years since Joseph was cruelly murdered by IRA terrorists on Friday 12 June 1987.

Life was brought to an abrupt end for the McIlwaine family when Joseph was murdered on 12 June 1987 and answers from the Police would go some way to ease their anguish. Mr McIlwaine said that when Joseph died, it broke the family up. Two of his sisters left the country. It really destroyed us. We "weren't given any support or any thought," said his sister Janet. Mr McIlwaine, whose pain is as raw as if his son were murdered yesterday, says "we have so many questions." "It is not about knowing who murdered my son but knowing they are free and have enjoyed life. It is an awful strain."

Endnotes

¹ Schmidt, A. (2010). The Impact of Terrorism on Democracy in Northern Ireland 4 (2) Abstract. Perspectives on Terrorism.

² McKittrick, D, Kelters, S, Feeney, B. and Thornton, C. Lost Lives. Edinburgh, Mainstream Publishing Company 1999 pp. 1497 and 1504.

³ [www.udrassociation.org/Roll of Honour/roll_of_honour_index.htm](http://www.udrassociation.org/Roll_of_Honour/roll_of_honour_index.htm)

⁴ Potter, John Furness, *A Testimony to Courage – the Regimental History of the Ulster Defence Regiment 1969 – 1992*, Pen & Sword Books Ltd, 2001. ISBN 0-85052-819-4.

⁵ Potter, John Furness. *A Testimony to Courage – the Regimental History of the Ulster Defence Regiment 1969 – 1992*, Pen & Sword Books Ltd, 2001. ISBN 0-85052-819-4

⁶ "Chequered history of Irish regiment". *BBC News*. 1 August 2005. Retrieved 28 July 2020.

⁷ "History". *Royalirishassociation.org*. Retrieved 28 July 2020.

⁸ "History". *Royalirishassociation.org*. Retrieved 28 July 2020.

⁹ "Honours". *Royalirishassociation.org*. Retrieved 27 July 2020

¹⁰ IRA men shot dead at Loughgall had been under surveillance for weeks

¹¹ Aughey, A (2005). *The Politics of Northern Ireland: Beyond the Belfast Agreement*. London New York: Routledge. p.7.

¹² NIO Consultation Paper Addressing the Legacy of Northern Ireland's Past May 2018. Section 1.1 Executive Summary p.7.

¹³ Letter dated 26th March 2002 from Nuala O'Loan Police Ombudsman for Northern Ireland (PONI) to Sir Ronnie Flanagan OBE, MA Chief Constable, Police Service for Northern Ireland (PSNI).

¹⁴ Letter dated 5th July 2002 from the Chief Constable Police Service for Northern Ireland (PSNI) to the Police Ombudsman for Northern Ireland (PONI).