



Family Report/Narrative

The unsolved murder of a dedicated public servant – Winston Gilchrist Finlay



Winston Gilchrist Finlay was shot dead outside his home on the Ballyronan Road Magherafelt County Londonderry on Sunday August 30, 1987. Winston was aged 44 years having been born on September 23 ,1942. He joined the RUC as a fulltime reserve member in 1986 and was stationed at Cookstown. He had served in the Royal Air Force from 1958 to 1972 and spent 13 years in the Ulster Defence Regiment from 1973 until he joined the police. He lived at his home address with his wife Carol. They had no children.

THE DAY OF THE MURDER

Earlier in the day Winston and Carol had visited relatives in Portadown. On the way home they stopped with his mother-in-law who lived close to their home. Carol drove the car to their home and proceeded to the rear of the house where

Winston got out to open the garage door. As he got out there was a burst of gunfire from somewhere behind him. This was about 10:20 pm. Carol shouted for Winston to get back in the car as she presumed, he had dived for cover. As he made no response she got out and found him lying on the ground motionless. A near neighbour who heard the shooting arrived quickly, but it was clear Winston was dead. The emergency services were on the scene quickly and a Doctor confirmed Winston dead at 11pm.

POST MORTEM AND INQUEST

The State Pathologist carried out the post mortem examination on 31 August 1987. A bullet entry wound was detected on the right side of the lower chest. The corresponding exit wound was found on the front of the lower chest. A second entry wound was found further back on the right side of the chest with the exit wound located on the top of the left shoulder. Dr Carson concluded that the cause of death was as a result of the laceration of the heart, aorta and lungs due to gunshot wounds of the chest. He was unable to indicate the range at which the shots were discharged.

On June 8 1988 the Inquest took place at Cookstown Court. The jury agreed with the evidence presented and found that Winston had died from gunshot wounds to the chest. (1)

THE INVESTIGATION

The murder investigation was based in Cookstown RUC station with a daily monitoring conference held between 31 August and 15 September 1987. There were house to house enquiries and media appeals were made by church representatives and politicians calling for information. In all 86 statements were taken from police and civilian witnesses and 280 specific actions were made.

From the scene 9 spent bullet cases and bullet head fragments were recovered. A partial shoe impression was retrieved at a low wall separating fields from the driveway. The low wall was thought to be the position of the gunman who probably escaped across fields behind the house and down towards the main road.

In the immediate aftermath of the murder 6 homes of suspected PIRA members were searched. However, nothing of evidential value was found though it was noted that only 2 of those suspects were at home at the time. During the course of the investigation numerous people made reference to suspicious vehicle

activity prior to and in the aftermath of the murder. Police were unable to avail of evidential opportunities arising from this information.

On the morning of 31 August, a local paper received a phone call. The caller admitted responsibility on behalf of the Tyrone PIRA and proceeded to warn that the campaign against the RUC would be stepped up.

Intelligence indicated 9 PIRA members were involved in the planning and commission of the murder. Two of these individuals were later arrested. The first arrest was made on 12 October 1987. The suspect refused to answer any questions and was released two days later due to insufficient evidence. This person had previously served a substantial prison sentence for attempted murder conspiracy to murder and explosives offences. He had been sentenced to 25 years imprisonment.

The second arrest was made on 14 October 1987. The suspect was released the same day after the police were satisfied he was not involved in the murder. The home of one of these arrested persons was one of the six homes initially searched immediately after the murder. Of the other 7 suspects there was no credible evidence to warrant any further actions. The investigation was clearly intelligence and focused on known local suspected PIRA members. (2)

THE FAMILY'S CONCERNS

Over a long period of time the family became increasingly frustrated at the lack of progress in holding anyone accountable for Winston's murder. In 2003 Winstons brother wrote to the PSNI asking for an update on the investigation and expressed disappointment in the lack of results around the murder.

While the memo written by him also included issues surrounding other incidents elsewhere Police did feel that Winston s case merited attention.

The Serious Crime Review Team carried out a preliminary case assessment in October 2004 as a result of the concerns exhibited. However they concluded that no evidential or investigative opportunities were identified that would provide any means of progress. The Historical Enquiries Team was created in 2005 and began work in January 2006. Among its objectives were to bring a resolution to families of victims of the Troubles and ensure that all investigative and evidential opportunities were subject to thorough and exhaustive investigation.

Subsequently the family engaged with the Historical Enquiries Team while they carried out their five-phase review. The Review Summary Report was issued in February 2009. The HET found that the original investigation was well managed and resourced but that there remained an absence of identification or forensic evidence to progress the case.

The family further learned that in April 1988 after the murder of a part time UDR soldier two Heckler and Koch G3 rifles were recovered near Cookstown. One of these weapons was believed to have been used in the killing of Winston. No fingerprints were uncovered from either gun and in line with then RUC policy they were both later destroyed. (3)

After the initial review by the HET the family raised further questions. A supplementary report was undertaken however this provided no new information. (4)

THE FAMILY TODAY

Carol still resides close to where the shooting took place. In fact the house where the shooting took place is visible from her kitchen and a daily reminder of that dreadful night. They had planned to build on the land adjoining the original house and Carol bravely stayed and honoured Winston's wishes in this regard. She openly admitted being reclusive for a number of years but eventually took up employment locally. She generally stayed in employment in various jobs for three or four years and moved on as she found it difficult to settle. Carol was supported by her mother who stayed with her for some considerable time before moving back home. After her mother broke a hip some time later, she came back to live with Carol and sadly passed away aged 91 years in September 2016. Carol struggled with depression in the aftermath of the murder and openly admits to having little pride in anything since Winston died. In addition to her mother she had support from her sister and five brothers. Sadly, two of her brothers have since passed away. Carol had three very good friends who provided support. Being from the locality she decided not to move though she noticed some local people distant and less friendly in the aftermath. She always believed that a neighbour of her mother colluded with the terrorists. She was annoyed about the gun destruction and is frustrated by the fact that she has not got to the truth about her husband's brutal murder. After all this time she is still expecting some new information about the murder of her husband.

REFERENCES

- (1) Inquest report on death of Winston Gilchrist Finlay.
- (2) HET Review Summary Report Page 15.
- (3) HET Review Summary Report Page 17.
- (4) HET RSR Supplementary Report Pages 1 to 3.