



# IBRG

## LAMBETH

### IRISH IN BRITAIN REPRESENTATION GROUP

#### THE CASE OF THE BIRMINGHAM SIX

#### FACT SHEET 1.

On the evening of 21 November 1974 two bombs exploded in Birmingham pubs leaving 21 people mangled and dead and one hundred and sixty with varying degrees of injury. The bombings, it is claimed, were an act of revenge for James McDaid, the Coventry IRA man who blew himself up while planting a bomb outside the local telephone exchange. Shortly before the blasts five Irishmen, long resident in Birmingham, boarded a train from a station near the pubs. They were going to McDaid's funeral in Belfast but were stopped at the Heysham ferry where they lied about their destination. All were small time IRA supporters, some with criminal records, and all had known McDaid since childhood. None were members of the Republican movement. On 15 August 1975 these men John Walker, Patrick Hill, Robert Hunter, Noel McIlkenny, William Power plus one other, Hugh Callaghan, were jailed for life at Lancaster Crown Court having been found guilty of the Birmingham bombings.

#### THE CASE AGAINST THEM:

##### 1. Their own statements.

At Morecombe and Birmingham police stations four of them signed written statements incriminating themselves. The police produced 'verbal evidence' against the other two. The statements claimed that all six met at the Railway Station, shared out the bombs and proceeded in two groups to plant them at the pubs. The bombs were in plastic bags. They then returned to the Station where five of them boarded a train to Heysham.

All the men later retracted their statements and claimed they were kicked, punched and threatened with being shot on the spot. They faced mock executions and were told that screaming mobs were outside their houses after their families lives. Under this alleged intimidation they signed statements.

##### THE FACTS:

- a) When they were moved to Winson Green prison they were attacked and beaten up by a mob of prison officers (who were subsequently brought to trial). Dr Harwood, the prison doctor, declared however that the men arrived at the jail 'black, blue, battered and bleeding'. The judge refused to accept this evidence probably because it would have negated the police statements.
  - b) Bomb experts called by the police declared in court that the bombs had been planted in suitcases (not plastic bags) and later produced a handle from one.
  - c) The judge admitted that there was no evidence about the men's movements that night. No-one saw them plant bombs, there were no finger or palm prints, no-one saw them leave the station or enter the pubs. All six gave very detailed accounts of their movements that night, all of which tallied and could not have been made up.
- ##### 2. Forensic evidence.

According to the police, traces of explosive materials were found on three of the men (using the 19th century Griess test). This was considered conclusive evidence that they had handled nitro-glycerine.

##### THE FACTS:

- a) Direct skin contact with nitro-glycerine results in severe headache for several hours. None of the accused complained of even slight headache.
- b) The Griess test has been shown to be inconsistent. A positive result (of handling explosives) can be obtained from cigarette smoke, varnishes, insecticides, certain petrols etc.
- c) Explosive traces will pass from one person to another or to an object simply by touch. All five played cards on the train and yet no traces were passed between them. And even the police forensic expert admitted that he could have transferred the chemical traces onto the men's hands.

d) Increasingly, forensic experts are admitting that the Griess test merely proves a similarity in response between a given substance and nitro-glycerine. It is only a preliminary test and in this case the forensic scientists would only admit to being 'happy' about the results achieved.

3. Their movements.

There were people in the Station bar - barmaids, a young couple and even a man who was reputed to be a member of the police force. While at the Station one of the men made two calls to Belfast to arrange transport for their arrival.

THE FACTS:

- a) No attempt was ever made to trace the people at the Station or to call them as witnesses.
- b) The time interval between the calls made to Belfast would have made it impossible for the men to have been involved in the bombings. No attempt was ever made to verify these calls.

4. Their equipment.

According to the prosecution two of the accused bought between four and eight alarm clocks in the space of a couple of weeks for use in bomb making.

THE FACTS:

Both of the men could prove that they were regular organisers of raffles in their area and that alarm clocks were regular prizes.

5. Police witnesses.

- a) One witness, WATT, claimed that he informed the police in July 1974 that two of the accused were 'in the IRA', knew when bombs were to go off and had drawn sketches for him of how to make a bomb.

THE FACTS:

WATT was a self confessed National Front sympathiser. The police made a number of arrests on 3 August in connection with terrorism and yet apparently ignored WATT's information - which only came out AFTER the bombings. And on the very night of the bombings WATT was entertaining Kenneth Littlejohn, self confessed British spy on the run from the Irish police.

- b) KELLY, arrested in addition to the six, was originally called Wood, had deserted the British army to 'join the IRA to fight the IRA' and gave evidence on behalf of the prosecution. He claimed that he registered as Catholic on entering prison, although in fact Protestant, as he did not want to 'blow his cover'. He was released by the judge who told him that he was 'mistaken' for having tried to infiltrate the IRA.

6. The judge.

Judge Bridge consistently ignored evidence or ridiculed defence witnesses and even stated baldly that 'although judges were supposed to be impartial he could not claim to be so and congratulated the jury on reaching the 'right' verdict'.

CONCLUSION.

In the tense, suspicious and violent atmosphere of November 1974 the police were under immense pressure to achieve rapid results and the six men in question were unfortunate to be in the wrong place at the wrong time.

Someone gave them a violent beating, something forced them to sign confessions which they vehemently denied later. Evidence against them was scanty if not totally non-existent and a 'show' trial was arranged which did not even maintain a pretense of justice.

The immediate and lasting result of the Birmingham bombings for the Irish communities was the adoption by Parliament on 29 November 1974 of the Prevention of Terrorism Act. Legislation which was drafted and waiting for an incident to provoke implementation.

But for the six who were in the wrong place at the wrong time the PTA was of little importance.

They were in prison. For life !