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Note to British side

Re: Incident in Lurgan / Arrest of Colin Duffy (Log. 2370)

1. The Irish side have received complaints concerning police actions in an incident in Lurgan in the early hours of 17 November and in the subsequent arrest of Colin Duffy.
2. During the disturbances, serious injuries were sustained by at least six individuals at the hands of the police, including one girl who had her wrist shattered and finger bitten. Another has a broken finger and is suffering with severe lacerations. The others have severe bruising and baton marks.
3. Colin Duffy himself is understood to have sustained severe bruising to his body, a cut lip, swelling to his head, neck strain and baton marks. It is clear also that there is eyewitness evidence which contradicts the police version of events and which corroborates Duffy's version of what happened i.e. that he was subjected to unprovoked gratuitous violence as part of an ongoing campaign of harassment against him.
4. In addition to the serious injuries sustained, the Irish side has other concerns regarding the circumstances of the case:
 - Why was Duffy charged with grievous bodily harm to a police officer without a medical report being provided on the alleged g.b.h. when it was announced that he was to be charged?
 - Why did the police refuse to interview 7/8 eyewitnesses who were at the police station for four hours after the incident?
 - In the context of the RUC version of events, why was Duffy not arrested and charged until some twelve hours after the incident?
5. As the British side will be aware, we are concerned at the strong evidence of a pattern of harassment by the police against Mr Duffy (this is the third time in five months that Duffy has been arrested).

6. We have also had reports of general harassment in nationalist estates in Lurgan and Portadown. The treatment of Duffy and the others involved in this incident is perceived by nationalists to be in marked contrast to the handling of the cases like the Derryhirk Inn incident and the brutal murder of Robert Hamill. The news this morning that two more men charged with the murder of Hamill are to have the charges dropped, while a matter for the DPP, feeds this sense of nationalist grievance at their treatment before the law. We are concerned at the possible consequences of further disturbances in the Lurgan area if the perception of police harassment and unfair treatment is not addressed.

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19 November 1997