



PRESS INFORMATION

STRICT EMBARGO: 11am Thursday Oct 4 2001

**Thursday, 4 October, 2001,
Office of Police Ombudsman
New Cathedral Buildings,
St. Anne's Square,
11 Church Street, Belfast**

Police Ombudsman Releases Findings on Devenny Investigation

The Police Ombudsman's Office has released results of a three-month investigation into a complaint by the family of Derry/Londonderry man Samuel Devenny who died three months after he and members of his family and their friends were attacked in his home on the evening of April 19 1969 by members of the RUC.

- The Office has upheld the family's complaint that the RUC never communicated to them directly about the events of that night.
- The Office was able to locate a complete copy of the report of an investigation into the incident carried out by Metropolitan Police officers, under the direction of Detective Chief Superintendent Kenneth Drury, which was never before made public and which acknowledges and details attacks by RUC officers on the family.
- The Police Ombudsman's Office was also able to make known to the family that the Drury investigation could neither prove nor disprove the allegation that Mr. Devenny's death had resulted from the RUC attack on him.
- The Police Ombudsman, Mrs Nuala O'Loan, has concluded that it would not be possible after all this time to pursue disciplinary action against the officers involved.

The Police Ombudsman was able to look again at the complaint from the Devenny family, which has attracted a lot of political attention through the years, because she believed the case to be 'grave and exceptional':

"It is important to realise that my Office has not carried out an investigation of the events of April 19 1969 but has managed to make known to the family the findings of the Drury investigation, which I believe was extensive and thorough. Hopefully the information we have been able to provide will be important in helping them come to terms with the events of 32 years ago.

I think it is also important that I draw attention to the fact that the investigation by Metropolitan Police officers concluded that at the time of the incident and since it the Devenny family were 'God-fearing, law abiding citizens'," she said.

Complaint One:

The family complained they have never been told the results of the enquiry requested by the then Chief Constable Sir Arthur Young and headed by Detective Chief Superintendent Kenneth Drury of the Metropolitan Police.

Outcome

The family had originally complained about what had happened to them and an internal RUC investigation was established. Nothing was communicated to the family as a result of that investigation and following public representations, Mr Drury was appointed to investigate the matter

Mr Drury examined a report of the RUC investigation. He acknowledged the difficulties under which the RUC investigation had to operate at the time, but was scathing in his criticism of it.

On October 21 1970, Mr Drury delivered 12 copies of his report to the then RUC Chief Constable Sir Arthur Young, and provided copies to the Prime Minister for Northern Ireland, Major James Chichester Clarke and to the then Attorney General for Northern Ireland, Basil Kelly.

Mr Drury was able to establish the attack on the Devenny family had been carried out by RUC officers, but was not able to identify those officers. No one officer was made amenable for the assaults. Major Chichester Clarke said publicly he believed some officers knew who the culprits were but were unwilling to help establish the truth. Sir Arthur Young spoke of 'a conspiracy of silence.'

The Police Ombudsman's Office asked the RUC for a copy of the Drury Report but were told they did not have one:

“Following a further month of investigation we were able to obtain a complete copy of the report elsewhere

“There is no evidence that the police ever communicated with Mr Devenny before his death or with his family afterwards in relation to the findings of the Drury Report or the earlier RUC investigation. I am of the view that the then Chief Constable did not deal with the family appropriately.

“This is highly regrettable. Sharing of the information would not have lessened or erased the impact of events, but it may have helped the family come to terms with the trauma they had suffered and have helped them bring to a close this chapter in their lives. I hope my report will now do that,” said Mrs O’Loan.

Complaint Two:

The family complained they have never received an official acknowledgement that the police were in their home on the night of April 19, 1969 or received any detail of what was found to have happened to them.

Outcome

The Police Ombudsman’s Office has provided to the Devenny family details of the Drury Report which established that on the night in question RUC officers entered their home at 69 William Street in the city sometime between 8.30pm and 9.06pm.

The Report records that prior to the police entering the house there had been ‘significant’ rioting, and that Mr Devenny, his son Harry and two family friends stood at his front door watching the riots. It also reports that as the rioting intensified the group went into the house and tried to close the front door. A number of youths ran passed them. Some ran upstairs and some into the backyard.

The Report records that the police forced the Devenny’s front door open but did not make any attempt to find the youths who had run into the house.

Among those in the house were nine Devenny children, ranging in ages from three years old to 21 years.

The Report says that officers beat Mr Devenny about the head and kicked and batoned him in front of his younger children. It records that he cried out repeatedly for the police to leave his children alone. It says he was left lying on the floor with blood pouring from a number of headwounds and with his dentures and spectacles broken.

The Report records that RUC officers attacked 16-year-old Catherine Devenny, who was lying on a sofa while recovering from surgery. It says she received baton blows to her thigh and back, was pulled off the sofa and kicked, before losing consciousness.

It records that 18-year-old Ann Devenny crept to her father and lay across him to protect him. She was then kicked and thrown across the room. She struggled back to her father but officers lifted her by her hair and forced her against the fireplace.

It records that as the officers left, Harry Devenny, aged 21, came into the room and was hit by a baton.

The report also details the officers' attack on a family friend, who was left unconscious in the hallway and on another man in the house.

It identifies four officers that it believes knew what happened but who 'were in fear of retribution from colleagues' if they told the truth.

It records that a General Amnesty announced by the Prime Minister for Northern Ireland in respect of all criminal offences committed between October 5 1968 and May 6 1969 meant there could be no prosecution in relation to the Devenny case.

The Police Ombudsman has said she notes the gravity of Mr Drury's conclusion:

“Whilst it is appreciated that the officers.... on duty in the riot area on the day in question were under extreme provocation, being constantly attacked and sorely tried, there is no evidence that their action could be justified in any way and this code of conduct can never be condoned in any force responsible for the preservation of law and order.”

Complaint Three:

The Devenny family has complained that their father died as a result of what happened to him and his family on the night of April 19, 1969.

Findings:

The Police Ombudsman has not called on any additional medical evidence or opinion, but noted that Mr Drury in his report takes into consideration the various opinions and medical evidence available and concluded only that the cause of death noted by the Coroner was due to natural causes:

“There is no basis upon which I can reopen an examination or investigation of this particular medical issue, but I acknowledge, in light of the other medical material present in this report that the Devenny family will, understandably,

continue to hold the view that there was an indisputable link between the circumstances and events in their home on April 19 1969, the subsequent deterioration of their father's health four days later when he returned to hospital and his death on 17 July 1969," said Mrs O'Loan.

The medical evidence available to Mr Drury indicated that Mr Devenny had suffered an arteroseptal infarct prior to the events of April 19 1969. He was admitted to hospital on April 19 and released on April 22. He was readmitted with a coronary thrombosis on April 23 and released on May 19. Mr Devenny died from a coronary aethoma and old thrombosis on July 17 1969, aged 42 years.

The Drury Report records medical evidence from seven sources, including those who had treated Mr Devenny and an independent consultant employed by his family. Their views on the relationship between Mr Devenny's injuries and his death varied and Mr Drury said he was unable to reach any conclusion.

ENDS

These findings will be presented at a press reception at

1100am

Thursday 4 October 2001

City of Derry Travel Lodge

Formerly the Trinity Hotel,

22-24 Strand Road,

Londonderry/Derry.

This text is also available on the Media section of the Police Ombudsman web site at [www. Policeombudsman.org](http://www.Policeombudsman.org)

For further information please contact the Police Ombudsman's Information Office"

Tim Gracey: Mobile 07799 346673

Joanne Fitzsimons Mobile; 077616 41626 or Belfast 028 90 828604.