



# **BIRMINGHAM INQUESTS (1974)**

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**JURY QUESTIONNAIRE**

**Question 1: Basic facts of the bombings**

<p>Do you agree with the following statement, which is intended to summarise the basic facts of the bombings</p> <p><i>‘On Thursday 21 November 1974 bombs were planted inside two public houses in the City Centre of Birmingham, one in the Mulberry Bush, one in the Tavern in the Town. Both bombs exploded causing death, injury and destruction.</i></p> <p><i>The explosion in the Mulberry Bush killed eight people inside the venue and two people outside it. The explosion in the Tavern in the Town killed 11 people who were all inside the venue.’</i></p> <p>Please answer ‘yes’ or ‘no’.</p>	<p><b>YES</b></p>
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If you would like to add to or amend this statement, or give any explanation for your answer, please do so in the box below.

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**Question 2: Attribution of the bombings**

Was the operation that resulted in the planting and detonation of bombs in the Mulberry Bush and the Tavern in the Town on 21 November 1974 conducted by members of the IRA? Please answer 'yes' or 'no'.	<b>YES</b>
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If you would like to give an explanation for your answer, please do so in the box below.

In answering Question 2, you may wish to bear in mind the following considerations:

- The IRA Mainland bombing campaign in 1973-1974, and in particular the evidence of the campaign in the West Midlands.
- The expert evidence provided by Alison Mansfield concerning the construction of the explosive devices planted in the Mulberry Bush, the Tavern in the Town and at Hagley Road on the evening of 21 November 1974, and the similarity between those devices and the bombs used in the IRA West Midlands campaign.
- The evidence, including that of the expert witness Dr Heather Hamill, that a warning call was made to the Birmingham Post and Mail on the night of 21 November 1974 in which a recognised IRA code word, 'Double X', was used (see Question 4).
- The evidence that the call was made by a man, Mick Murray, who was a member of the IRA.
- Kieran Conway's evidence that senior figures within the IRA knew within days of the bombings that the IRA were responsible.
- The public acknowledgements from figures connected with the IRA from 1985 onwards that the IRA was responsible for the bombings.

**Question 3: Unlawful killing**

<p>a. Are you satisfied, so that you are sure, that those who died as a result of the explosions in the Mulberry Bush and the Tavern in the Town were murdered? Please answer 'yes' or 'no'.</p>	<p><b>YES</b></p>
<p>b. Are you satisfied, so that you are sure, that those who died as a result of the explosions in the Mulberry Bush and the Tavern in the Town were unlawfully killed? Please answer 'yes' or 'no'.</p>	<p><b>YES</b></p>

**Question 4: The warning call**

a. Was a warning call made by a member of the IRA to the Birmingham Post and Mail on 21 November 1974? Please answer 'yes' or 'no'. If your answer to this question is 'yes', please consider questions (b), (c) and (d) below. If it is 'no', please move to <b>Question 5</b> .	<b>YES</b>
b. Was that call received at the Birmingham Post and Mail at approximately 8.11pm on the evening of 21 November 1974? Please answer 'yes' or 'no'.	<b>YES</b>
c. Did the warning call contain information that there was a bomb in the Rotunda and a bomb in New Street at the Tax Office? Please answer 'yes' or 'no'.	<b>YES</b>
d. Did the warning contain a recognised IRA code word? Please answer 'yes' or 'no'.	<b>YES</b>
e. Was some or all of the information from that warning call passed to West Midlands Police on 21 November 1974? Please answer 'yes' or 'no'.	<b>YES</b>

If you would like to give an explanation for your answer, please do so in the box below.

**Question 5: The timings of the explosions**

a. At what time did the bomb in the Mulberry Bush explode? Please provide an answer in the adjoining box.	<b>20:18</b>
b. At what time did the bomb in the Tavern in the Town explode? Please provide an answer in the adjoining box.	<b>20:20</b>

If you would like to give an explanation for your answer, please do so in the box below.

The way in which you express your answer to Question 5 is a matter for you. You may wish to consider the following approaches:

- Whether there is sufficient evidence to give a precise time.
- Whether it would be appropriate to use words such as ‘about’ or ‘approximately’.
- Whether it would be appropriate to give a window of time, for example by saying ‘After [X time] but before [Y time]’.

Whichever approach you adopt, you may wish to bear in mind the following considerations:

- The evidence heard by the jury – from witnesses who attended the hearings, those whose evidence was read, and those referred to by the professional witness, Anthony Mole – about the time at which they believed the explosions took place.
- Those witnesses include police officers responding to the warning call and/or the explosions, those outside the pubs at the times of the explosion (including those on the bus in St Martin’s Circus), those who were working in the pubs at the time of the explosions, those who were customers in the pubs at the time of the explosions, emergency responders, and bystanders who assisted in rescue efforts.
- The documents created by the emergency services on the night of 21 November 1974.
- The times contained in the reports produced by the police and the fire service in the days or weeks after 21 November 1974.
- The evidence of Chris Mullin about the times that were given to him by Mick Murray, and the circumstances in which his interviews with Mr Murray took place.

**Question 6: The adequacy of the warning call**

a. Was the warning call adequate for the purposes of ensuring that lives were not lost in the explosions in the Mulberry Bush and the Tavern in the Town? Please answer 'yes' or 'no'. If the answer is 'yes', please go to <b>Question 7</b> .	<b>NO</b>
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Mulberry Bush

b. If the answer to question (a) is 'no', did the inadequacies of the warning call probably cause or contribute to the loss of life resulting from the explosion in the Mulberry Bush? Please answer 'yes' or 'no'	<b>YES</b>
c. If your answers to question (a) and question (b) are 'no', please answer the following question. Did the inadequacies of the warning call possibly cause or contribute to the loss of life resulting from the explosion in the Mulberry Bush? Please answer 'yes' or 'no'.	

Tavern in the Town

d. If the answer to question (a) is 'no', did the inadequacies of the warning call probably cause or contribute to the loss of life resulting from the explosion in the Tavern in the Town? Please answer 'yes' or 'no'.	<b>YES</b>
e. If your answers to question (a) and question (d) are 'no', please answer the following question. Did the inadequacies of the warning call possibly cause or contribute to the loss of life resulting from the explosion in the Tavern in the Town? Please answer 'yes' or 'no'	

If you would like to give an explanation for your answer, please do so in the box below.

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In answering Question 6, you may wish to bear in mind the following considerations:

- The contents of the warning call, and in particular the locations given (see **Question 4**).
- The locations in which the bombs were planted, namely the Mulberry Bush and the Tavern in the Town.
- The nature of those locations, and the likelihood that they would be busy on a Thursday night.
- The time at which the warning call was made to the Birmingham Post and Mail (see **Question 4**).
- The choice of the Birmingham Post and Mail as the recipient of the warning call.
- The time at which the bombs exploded (see **Question 5**).
- The size of the bombs that were planted.
- The evidence of Chris Mullin about what he was told by Mick Murray of the circumstances in which the warning was given.
- The expert evidence of Dr Heather Hamill about the use of warning calls, including by the IRA during the West Midlands campaign.
- The evidence given by sometime IRA members Kieran Conway, Witness O and Shane O'Doherty about the use of warning calls by the IRA, including during the Mainland bombing campaign.
- The evidence of police officers, those who worked in the Rotunda, and other witnesses about the time required to respond effectively to warning calls containing bomb threats.

### Question 7: Police response to the warning call

#### The Mulberry Bush

a. Was there any error or omission in the West Midlands Police response to the warning call that probably caused or contributed to the loss of life resulting from the explosion in the Mulberry Bush? Please answer 'yes' or 'no'.	<b>NO</b>
b. If your answer to the question above is 'no', please answer the following question. Was there any error or omission in the West Midlands Police response to the warning call that possibly caused or contributed to the loss of life resulting from the explosion in the Mulberry Bush? Please answer 'yes' or 'no'.	<b>NO</b>

#### The Tavern in the Town

c. Was there any error or omission in the West Midlands Police response to the warning call that probably caused or contributed to the loss of life caused by the explosion in the Tavern in the Town? Please answer 'yes' or 'no'.	<b>NO</b>
d. Was there any error or omission in the West Midlands Police response to the warning call that <u>possibly</u> caused or contributed to the loss of life caused by the explosion in the Tavern in the Town? Please answer 'yes' or 'no'.	<b>NO</b>

If you would like to give an explanation for your answer, please do so in the box below.

**Decision based on the balance of the evidence provided.**

In answering Question 7, you may wish to bear in mind the following considerations:

- The context of the IRA West Midlands bombing campaign.
- The previous attacks on the Rotunda, the use of a code word in association with those attacks, the time between the warning and the explosions, the locations in which the bombs were placed on those occasions, and the evidence of the police response to the warnings.
- The use of a code word in the warning call made to the Birmingham Post and Mail, if you decide that there was such a code word and that the code word was communicated to West Midlands Police (see **Question 4**).
- The arrangements made for moving James McDade's remains on 21 November 1974, and the effect that the policing of those arrangements had on the police resources available in Birmingham City Centre at the time of the warning call and explosions.
- The adequacy of the warning call, including in respect of the time at which it was made and the information that it contained (see **Question 6**).
- The time at which information from the warning call was communicated to the Force Control Room of West Midlands Police at Newton Street.
- The method by which that information was communicated within the Force Control Room, and then from the Force Control Room to Digbeth Police Station.
- The evidence given by police officers about how bomb threats were, or could have been, communicated to sub-divisions of West Midlands Police.
- The time at which the Controller at Digbeth Police Station relayed information about the bomb threat to the Rotunda to those officers that subsequently attended the Rotunda.
- The information that was given to those police officers, including the question of whether they were told of the use of a code word.
- Whether, and if so at what time, the Controller at Digbeth Police Station informed a police officer or police officers about a bomb threat to the tax office in New Street.
- The information that was given to that police office or those police officers, including the question of whether they were told of the use of a code word.
- The evidence given about the presence of security guards at the Rotunda, and of the conversations they are said to have had with police officers.
- The decision to commence a search of the Rotunda.
- The absence of a decision to evacuate the Mulberry Bush.

- The practicability of safely evacuating people from the Mulberry Bush given the time and resources available.
- The absence of a decision to evacuate the Tavern in the Town.
- The practicability of safely evacuating people from the Tavern in the Town given the time and resources available.
- The factors to be taken into account when deciding to evacuate a building when it is not known where a bomb is planted.
- The absence of attempts to establish a cordon or other means of crowd control to prevent people from entering or going past the immediate vicinity of the Rotunda prior to the explosion in the Mulberry Bush.
- The practicability of establishing such a cordon or other means of crowd control given the time and police resources available.
- The factors to be taken into account when deciding whether to establish a cordon or other means of crowd control, including where to locate such a cordon when it is not known where a bomb is planted.
- The training and instructions given to West Midlands Police officers insofar as that touches upon responses to bomb threats.
- The evidence heard about the usual methods employed by West Midlands Police when responding to bomb threats, including evidence about sending officers to the scene.

**Question 8: Forewarning**

<p>a. Did West Midlands Police have information <u>prior</u> to the warning call on 21 November 1974 that would have allowed them to take reasonable steps to prevent the bombings taking place? Please answer 'yes' or 'no'.</p>	<p><b>NO</b></p>
<p>b. If the answer to question (a) is 'yes', please answer the following question. Did any error or omission by West Midlands Police in their response to such information probably cause or contribute to the loss of life in the explosions in the Mulberry Bush and/or the Tavern in the Town? Please answer 'yes' or 'no'.</p>	
<p>c. If the answer to question (a) is 'yes' and the answer to question (b) is no, please answer the following question. Did any error or omission by West Midlands Police in their response to such information possibly cause or contribute to the loss of life in the explosions in the Mulberry Bush and/or the Tavern in the Town? Please answer 'yes' or 'no'.</p>	

If you would like to give any explanation for your answer, please do so in the box below.

**Decision based on the balance of the evidence provided.**

In answering Question 8, you may wish to bear in mind the following considerations:

#### The Winson Green Prison Conversation

- The contents of the two Telephone Messages dated 10 and 12 November 1974 (Tab 8, Jury Bundle).
- The evidence about whether the Telephone Messages were genuine.
- Whether the conversation that was said to have been overheard related to the Birmingham Pub Bombings on 21 November 1974.
- Witness O's denial that any such conversation took place between him and Witness P in Winson Green prison.
- The identities of Witness O and Witness P, their connections with the IRA, the offences with which they had been charged, and the knowledge which West Midlands Police held about them, their history and their associates.
- Whether Witness O could receive this kind of information in the prison and the opportunities for a conversation between two IRA prisoners being overheard by a Prison Librarian.
- The evidence on the use of Telephone Messages by the West Midlands Police Bomb Squad to index and manage intelligence on bomb threats in 1974.
- The evidence on the identities and roles of the officers to whom the information about the prison conversation was conveyed.
- The steps which were taken or not taken following the information obtained in the Telephone Messages.
- The steps which could reasonably have been taken as a result of the contents of the Telephone Messages.
- Whether such steps would (probably) or may (possibly) have prevented the bombings on 21 November 1974, taking into account all of the evidence that you have heard about when and how the attacks were planned and executed.

#### The Dogpool Pub

- Whether Norman Catton overheard a conversation in the Dogpool Pub on 21 November 1974 that contained information about a potential bombing or explosion.
- If he did, whether the conversation related to the Birmingham Pub Bombings on 21 November 1974.

- Whether on the afternoon of 21 November 1974 Norman Catton tried to tell West Midlands Police officers at the Tally Ho Police Training Centre about that conversation.

If he did,

- The nature of the information provided by Mr Catton.
- The speed of the response of West Midlands Police officers.
- Whether a more rapid response by West Midlands Police officers would (probably) or may (possibly) have prevented the bombings on 21 November 1974, taking into account all of the evidence that you have heard about when and how the attacks were planned and executed.

You may also wish to consider,

- Mr Catton's evidence, including when he gave his accounts.
- The evidence of Mr Catton's family, employer and friends about what, if anything, he said to them about a conversation in the Dogpool Pub, and when.
- The evidence of PC Panter about his movements on 21 November 1974, and his evidence that he did not speak to Mr Catton about any conversation in the Dogpool pub.
- Mr Catton's evidence that he saw some of those men who had been speaking in the pub and later recognised them as being among the Birmingham Six.
- The evidence given by Chris Mullin about the movements of the Birmingham Six on the afternoon of the bombings.
- The fact that you have heard no evidence that the Birmingham Six were responsible for the bombings.