**PATRICIA CURRAN MURDER**

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**How the fall guy entered the frame**

Glasgow man Iain Gordon was convicted in 1953 of a murder he has always maintained he never committed. New evidence has come to light in a year-long investigation by Herald writer John Linklater. This week the legal representatives of Gordon will present the evidence in the form of a 150-page submission written by Linklater to the Criminal Cases Review Commission. Here he presents his theory that Gordon was the victim of a frame-up, a cover-up, and a conspiracy to pervert the course of justice.

The verdict in the murder trial of Iain Gordon was Guilty But Insane. He was neither. His innocence in the stabbing of Patricia Curran has been argued since his 1953 conviction, and new evidence suggests that this is now beyond doubt. His sanity was easier to prove. It was recognised immediately by the authorities.

Within weeks of his being sent as a criminal lunatic to Holywell Mental Hospital, County Antrim, Northern Ireland, medical examinations discovered he was **perfectly normal**. The worst that could be said of him in reports was that he had an ''immature personality''.

This was entirely consistent with a young man who had just turned 21, and who had signed a confession for a murder he did not commit. He had been under three days of intensive interrogation, and threatened with exposure to his parents in Scotland of his homosexual involvements during his national service when he was based at Edenmore Camp near Belfast.

Papers released in the past few years from the former Ministry of Home Affairs in Northern Ireland reveal that Gordon's sanity produced a variety of responses. Lord Chief Justice MacDermott, the judge at Gordon's trial who ruled his dubiously obtained confession as admissible, informed the Ministry that Gordon's apparent condition of sanity conflicted with medical evidence led at the trial, and it ''might also conflict with the opinion formed by the jury''. This smacked of a sense of personal grudge, as though Gordon had pulled one over the court, and he should be made to stand trial again.

The Ministry's own legal advisers were more inclined to examine the implications in the strict terms of the law. They warned that there were no grounds to justify holding a sane man in a mental hospital, and there were no grounds either for transferring a criminal lunatic to prison. The latter course would merely advertise that Gordon was sane, and therefore in law he should be released. The Stalinist-style option of continuing to hold Gordon in Holywell was preferred by successive Home Affairs Ministers at Stormont over the next seven years. Every inquiry, from his parents in Dollar, Clackmannanshire, and at one stage from Scottish Secretary of State Arthur Woodburn, was met by the phrase that Gordon was receiving treatment appropriate to his condition. This phrase was cynical, but it was pathetically accurate. Gordon was receiving no treatment. There was no treatment that a mental hospital could offer a sane man.

This illegal detention continued until Gordon's release, under mounting pressure, in 1960. He was put on a plane booked by the Stormont authorities under the name of ''John Cameron''. Lord MacDermott voiced his personal opposition. He continued to stress his total belief that Gordon had been guilty of the crime for which he was convicted, which was no longer the issue. Lord Lawton, who as a young QC had been instrumental in negotiating Gordon's release, told his colleagues in Justice, the British section for the International Commission of Jurists, that Gordon would remain in Holywell if there was any suggestion that Lord MacDermott had conducted a miscarriage in the 1953 trial.

Justice, through Lawton's agency, contrived a deal through which Mrs Brenda Gordon, the mother of the convicted man, would give a written undertaking not to make public representations that her son's release meant that the Northern Ireland authorities were acknowledging a mistake.

On his release to the custody of his parents, now living in Glasgow, Gordon was quoted in the People newspaper as vowing to return to Belfast to investigate his case in order to prove his innocence. This was a ludicrous suggestion. Gordon had neither the means nor the inclination to make any such return to the locus of his personal nightmare.

Nevertheless, the article provoked a most peculiar response from Lord MacDermott, as the Stormont papers reveal. He immediately raised the question of the terms of parental guardianship under which Gordon had been released, and he asked the Ministry to establish if this was legally enforceable. In other words, he was seeking a legal restraint on Gordon investigating his own case. Lord MacDermott alerted the Ministry to the possibility that Gordon might receive a ''substantial financial inducement'' from a newspaper to accomplish this.

In the event, Gordon was more interested in finding a job. An opening was found for him by the General Board of Control, on behalf of the Scottish Home and Health Department, with William Collins & Sons, the Glasgow publishers. He was taken on as a stockroom storeman on the conditions, made personally at the job interview by managing director Mr Hope Collins, that he change his name to John Gordon, and that he would never utter a word about his background as a convicted murderer. His salary was a weekly #8 8/2, plus overtime. Presumably, this came as a great source of relief and satisfaction to Lord MacDermott. Gordon was too busy with overtime to consider breaching the terms of his employment.

This sensitivity to the Gordon case on the part of the Lord Chief Justice was not isolated. A 1957 petition for Gordon's release was denied a full public inquiry, or referral to the Court of Appeal, because three out of the five members of the judiciary had been personally or professionally involved in the case. This is revealed in a note among the papers released from Stormont. Lord Chief Justice MacDermott had been the trial judge. Lord Justice Curran (as he had become in 1958) was the victim's father. Mr Justice McVeigh had been leading counsel for the defence at the trial. The petition made allegations over the conduct of the Curran family, the conduct of the trial and the performance of the defence. There were only two judges left in Northern Ireland to consider these claims. The petition was rejected. No public statement was made.

What was it that made the Gordon case so delicate? If the Northern Ireland Establishment consistently behaved as though it was effecting a cover-up, who was it designed to protect? The trial produced anomalies that will not stand up to impartial scrutiny. But the root appears deeper. To examine this it is necessary to go back to the murder itself.

The bizarre circumstances of the discovery of the body of Patricia Curran have cast suspicion over the role of her own family for 45 years, but nothing more than rumour and speculation has ever emerged from these events in the early morning of November 13, 1952.

It was 2am. Patricia had not returned to the family home at Whiteabbey, a few miles north-east of Belfast along the coast of Belfast Lough. **The alarm was late in going up.** Some phone calls had been made, including one to the home in neighbouring Greenisland of the Curran family lawyer, Mr Malcolm Davison, who was also a personal friend of the judge and the father of a close female friend of Patricia. As papers from the original murder investigation now reveal, events only accelerated in the last 15 minutes. Something had been triggered.

At 1.45 Mr Justice Curran, the victim's father, phoned the RUC barracks at Whiteabbey to ask if there were any reports of bus accidents. He told the barracks orderly, Constable James Hutchinson, that it had been learned that his daughter caught the 5pm bus from Belfast, but she had never appeared.

According to Hutchinson's statement, the judge did not want any inquiries to be made. Hutchinson added: ''He asked me not to make a 'fuss' about it, as it would probably be all right.'' Five minutes later another telephone call was received at the barracks. This time it was Mrs Doris Curran, the victim's mother. Unlike her husband, she sounded highly distressed. As a result of this call, a police constable was woken at the barracks and instructed to go up to the Curran home. The officer sent was Constable Edward Rutherford. He stated that he was met at the gates of Glen House by Mr Justice Curran. A search of the 10 acres of grounds had been started. Remarkably, it produced immediate results.

Rutherford stated that he had no sooner spoken a few words with the judge than a cry was heard from Desmond Curran, the victim's brother, a barrister, a few hundred yard up the drive. They rushed towards him. He was raising the body of his sister. Her face was bloodied and her clothes were matted. At this same moment, the Davison car arrived. Mr Davison and his wife, Mrs Doreen Davison, had (according to their own statements) arrived to offer help.

Desmond Curran believed he could hear his sister still breathing. The three men, Mr Justice Curran, Desmond Curran, and Mr Davison, lifted the body to the car as the constable observed that its legs were ''stiff''. There was difficulty in getting the body into the car. They could not close the door on her legs, already showing signs of rigor mortis. Although he had gained the clear impression that Patricia Curran was already dead, Constable Rutherford stated: ''I would not take it on myself to tell any of the men not to touch the body, especially with a car so convenient.'' He evidently felt outranked.

What followed was sinister farce. The judge returned up the drive to the house, ostensibly to inform his wife that Patricia had been found but she was still alive. The Davisons drove the body, held in the arms of Desmond, to the surgery of the family doctor in Whiteabbey. Why they never took Patricia to the casualty department of the Royal Victoria Infirmary, less than 15 minutes away in Belfast, was never explained by any witness. The doctor pronounced her dead from shotgun wounds. Curiously, it had been a general impression that the wounds were caused by shotgun at close range.

The implication is that the Currans originated this strange opinion. Over the next 12 hours they told friends and relatives that Patricia had been accidentally shot. In fact, she had been stabbed 37 times.

The confusion was not corrected until a post mortem examination was carried out in Belfast 17 hours later, and only then after X-rays failed to reveal lead pellets. The pathologist, Dr Albert Wells, was either covering himself, or he was also taken in by the ''shotgun'' suggestion. He had formed this same misapprehension on preliminary examination of the body at the doctor's surgery in Whiteabbey.

Days later, Constable Rutherford told the police murder inquiry conference that he considered the behaviour of Desmond Curran to be ''odd to say the least'' when the body was found. Rutherford had marked the spot with a **torch** and returned to the barracks briefly to phone the District Inspector to inform him what had occurred. Within a ''matter of minutes'' he arrived at the doctor's surgery but found no sign of Desmond Curran, who had been the only member of the immediate family to accompany the body. The doctor confirmed that the girl was dead. Rutherford again phoned the District Inspector, and returned to the scene where the body had been found.

He could not find it. He could not find the torch. When he finally approached Desmond Curran, the brother of the dead girl insisted that he had not touched anything. Desmond Curran could not assist in pointing out the spot. He did not know where it had been.

Desmond Curran has continued for 45 years to be the subject of rumour and speculation. His conversion to Roman Catholicism, his becoming ordained into the priesthood and his continuing missionary work in the townships of South Africa have been interpreted as indicating an escape and a penance for guilt.

However, there is no evidence that Desmond Curran killed his sister. He returned to the family home at 9pm on the night of the murder, after being seen in the Bar Library and later pleading a case. Police believed that Patricia Curran was already dead by this time.

Iain Gordon confessed to murdering her at 5.45pm, after meeting her when she walked home from her bus. **This is impossible.** The evidence indicates that, contrary to statements by the Curran family, Patricia must have returned home, or at least spoken to a member of her family.

This startling revelation comes from further statements in the RUC files. In his 1.45am phone call to the police barracks, the judge said it had been learned that Patricia had been on the 5pm bus from Belfast. This was true, but how did the judge know? His story, in the only statement he ever gave, handed in to police by the solicitor Davison, was that the information had come from the boy who had been with Patricia in Belfast before she caught her bus home. This was a fellow student, **John Steel**. The judge claimed he got the name of Steel and phoned his home in Cumber at a time that police estimated to be 1.35am. It was Steel's information that had triggered the alarm, according to the judge, because it suddenly became obvious that Patricia should have arrived home seven hours before.

In two separate statements, and in a further interview with senior police, Steel insisted that he received the judge's call only at 2.10am. This was **10 minutes after** the discovery of the body, at precisely the time when the judge was seen to return to the house. This crucial discrepancy was never resolved by police or revealed at Gordon's trial. John Steel is still alive, and agreed to answer written questions to assist the submission on behalf of Iain Gordon.

If Steel never told the judge until 2.10am that Patricia had caught her bus from Belfast, the only other person who could have given this information was Patricia herself. The implications of this are clear.

ALSO there is further evidence that she may have reached home on the night she was murdered. A portfolio was among the articles found near the body. It contained books and a letter, and it had been placed, not dropped. However, **key statements from two witnesses make it clear that she was not carrying this portfolio w**hen she boarded her bus, or when she got off it at Whiteabbey. She was carrying her books. They were not contained in anything. One witness believed her books were held in a leather strap, but he never mentioned a portfolio. It therefore appears that this rogue portfolio was placed at the scene, not by Patricia, but by her killer or by an accomplice of her killer. The portfolio, which was not the subject of any objection by members of the Curran family as not the property of Patricia, must have come from the house.

There is further suggestions of planted evidence. A watch was found on the left wrist of the body. The glass was smashed, the hands missing, and the stem winder removed. Searches of the scene failed to recover the broken parts or glass. Neither was there any sign of glass fragments in the cuff of Patricia Curran's coat, or in the glove she was still wearing on her left hand. Her left wrist showed no sign of cuts or scratches. Yet the watch was turned inwards on her wrist, as if to suggest violence and struggle.

This indicates strongly that Patricia was not murdered where her body was found, but that her body was moved and false evidence planted. Beside her body should have been a yellow and green umbrella which she recovered on the afternoon of her murder from a porter at Queen's University. She had previously lost it. **No door key** was found among her effects, yet she was supposedly making her way home to an empty house.

If the articles had been left as they were found near the body, placed by the side of the drive, they should have been seen on 13 separate occasions when members of the Curran family and others walked or drove past this spot between 6pm and 2am. No witness remembered seeing the articles, even when the body was found. Rutherford, who could not re-locate this spot, should have been able to find it easily by these articles serving as markers. The implication of this is that the articles may even have been placed hurriedly by the verge, perhaps even after the body was found.

The evidence therefore points inevitably to the likelihood that Patricia Curran was either murdered by a member of her own family, or that her own family attempted to cover up the murder by moving the body and tampering with evidence.

The movements of the Curran family are on record. Desmond Curran, who was a police suspect at one stage, was covered by alibis until 9pm when he returned home. His younger brother, Michael, was staying at the home of his fiancee in Belfast, and returned home after the body was found. Mrs Doris Curran was the first to arrive home. She came back from Greenisland by car at around 6pm, and made a remarkable and unexplained entrance through a downstairs bedroom window. Evidently, no member of the Curran family carried or used **door keys**. Mr Justice Curran returned an hour later by taxi, which was unusual, because Wednesdays were his late night at the Reform Club in Belfast (according to Mrs Curran's statement) and he usually came home after midnight. His driver gave a statement in which he described the judge standing waiting on the steps of the Reform Club at 6.45pm. When the taxi dropped him off at his home the driver noticed that the judge was also having difficulty entering the door. It was apparently bolted from inside, and the family dog was barking. The driver, who was a regular, thought this was ''peculiar'' because Mrs Curran was normally at the door to let her husband in.

These intriguing details suggest the alarm was actually triggered much earlier in the evening. Much of this could have come out at the trial of Iain Gordon, but Mr Justice Curran never testified. Neither did his wife. Desmond Curran testified, but leading counsel for the defence, Mr McVeigh, later Mr Justice McVeigh, declined to cross-examine. The parents of Iain Gordon alleged McVeigh made it a precondition of taking on the case that he would not cross-examine any member of the Curran family. John Steel testified at the trial, but was not asked about the time of the judge's telephone call. The crucial discrepancy in the times he and the judge claimed for this call was evident in depositions available to the defence before the trial.

Another important witness who has emerged is Mrs Elizabeth Eaton. A 30-year-old mother of three at the time of the murder, she was never called to testify, although she gave two statements to police that she heard a loud scream, apparently from a woman in distress. This was at 9.15pm in the evening (over three hours after the time Gordon was supposed to have murdered Patricia Curran in the confession). Bafflingly, Mrs Eaton's home was a mile from the scene in the Glen grounds where the body of Patricia Curran was found. This fact seems to explain why police discounted Mrs Eaton's belief that the scream was related to the murder. They carried out experiments to see if a scream from the scene was audible in Mrs Eaton's garden, where she had been when she heard it. Mrs Eaton, according to a police report, insisted that the scream she heard was much louder than those of the experiment.

Mrs Eaton, who is still alive, has given an affidavit to support the submission on behalf of Iain Gordon, whose innocence she has been convinced about since the murder. In an interview last year she said: ''If I live to be 100 it's a thing I'll never forget. It was a woman's scream. There is no doubt about that. This was a big, healthy girl's scream, full-lunged. I am sure it was Patricia Curran.''

The unavoidable conclusion is Iain Gordon was the victim of a frame-up, a cover-up, and a conspiracy to pervert the course of justice. Nervous, odd, lonely, and gullible, Gordon was classic ''fall guy'' material. His interrogation, arrest, conviction, and illegal detention in a mental hospital for seven years must go down as one of the most unsettling chapters in British legal history.

The Criminal Cases Review Commission will receive the submission on his behalf this week. This will be the first time since the 1957 petition that his case will have been reviewed. On that previous occasion the Stormont authorities carried out an internal inquiry which dragged on for months before rejecting it. The commission, established in April of last year, has the power to mount its own investigation, subpoena witnesses, and demand access to confidential material. If satisfied that a miscarriage of justice has occurred, it will refer the case to the Court of Appeal. The supporters of Iain Gordon are confident of an overdue success.

See also

<https://murderpedia.org/male.G/g/gordon-iain-hay.htm>