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PA - Inquest B

268/1

1 to Kelleher  
2 to Grant  
\*

**CONFIDENTIAL**

**DEPARTMENT OF FOREIGN AFFAIRS**

**SECURE FAX**

COVER SHEET

(ONE PER ADDRESSEE)

FAX MESSAGE NUMBER :	268	} TO BE INSERTED BY COM. CEN. IVEAGH HOUSE
DATE :	2.4.93	
TIME :		
PAGES :	2	

(INCLUDING COVER SHEET)

IMMEDIATE / URGENT (DELETE AS NECESSARY)

TO Secretary FROM HQ

FOR D. Boney / SO's Sec FROM P. Kennedy

REF: YOUR/My \_\_\_\_\_

SUBJECT Finding of Macneil Inquest jury

COMMENTS

NIB  
+ pa. inquests

REPLIES TO THIS FAX MESSAGE TO BE SENT BY SECURE FAX TO HQ  
FAX No. 784936

**CONFIDENTIAL**

268/2

SECURE FAX

TO: Secretariat

FOR: S. Farrell

FROM: P. Hennessy

DATE: 2 April 1993

SUBJECT: Inquest into the fatal shooting of Aidan McAnespie  
at Aughnacloy PVCP on 21.02.93

**MESSAGE:** You will be aware of the recent "finding" at the McAnespie inquest that the British Army soldiers in charge of the machine gun which was used in the incident were in contravention of the standing orders in relation to the handling of the weapon, and that at the time of the shooting the weapon was cocked and ready to fire.

We note that following the jury's "finding" the coroner is reported to have stated that Mr. McAnespie's death was avoidable and should have been avoided, and that he would urge "all those in a position of authority, namely the military, to do everything in their power to see that this sort of incident does not happen again".

The British side will be aware of our own serious concern regarding the circumstances of Mr. McAnespie's killing. Grateful if you would seek clarification from them as to whether the British Military authorities are now to examine, in light of the inquest's findings, the present standing orders and their employment by serving military personnel in Northern Ireland, and what are the likely changes to present practices in this regard. We would also wish to know what action, if any, it is proposed to take in respect of military personnel involved in the McAnespie case.

[for your own information a submission dealing with our concerns with the inquest system in general is in preparation.]

SECURE FAX 538

*u J velleba  
P. Grest*

28 April 1993

TO: HQ  
FROM: BELFAST Pages: 1  
FOR: Pat Hennessy  
FROM: Shane O'Riordain

McAnespie inquest (Log No. 1706)

The other side have come back with the following response to this Log case:

- the Army have no plans to change the instructions governing the handling of weapons because this tragic accident occurred as a direct result of the rules being breached, not because they were inadequate;
- the soldier concerned, who has since left the Army, was disciplined by the Army authorities in December 1988 by the imposition of a heavy fine; this followed the 7 months he had spent in military custody prior to the DPP directing that there should be prosecution against him;
- there are no plans to take any further action in the light of the inquest finding

*MS 2.  
pa. CBSec 8  
451.22*

*House office  
Kefran 1 Jan  
quint: Hennessy*