

An Chartlann Náisiúnta
National Archives

Reference Code:	2021/52/723
Creator(s):	Department of Foreign Affairs
Accession Conditions:	Open
Copyright:	National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

FACSIMILE DOCUMENT HEADER

Republic of Ireland Department

From: George Fergusson
Tel no: 270 2358
Fax no: 270 3331

Precedence:

To: HE MR E BARRINGTON

Date: 30.01.98

Number of pages: 6
(including cover)

Subject: LIFE TARIFFS - THE BALCOMBE STREET FOUR

Comments

Republic of Ireland Department
W129
Foreign & Commonwealth Office
King Charles Street
London
SW1A 2AH

©DFA/2021/52/723

HOME OFFICE BRIEFING NOTE 29 JANUARY 1998

HOB NO:

SUBJECT: LIFE TARIFFS - THE BALCOMBE STREET FOUR

OFFICIAL: TIM MORRIS - PAROLE AND LIFER GROUP Ext 217 5701

PRESS OFFICER: STEVE PARK

Background

The Home Secretary has decided to set whole life tariffs on the four members of the IRA gang known as the Balcombe Street Four. The men, Edward Butler, Hugh Doherty, Henry Duggan and Martin Joseph O'Connell, were convicted at the Old Bailey in February 1977 of six murders and a host of terrorist incidents carried out in and around London during 1974-75. They were arrested after a siege at a flat in Balcombe Street on 12 December 1975.

The police originally wanted to charge the men with 66 offences of bombings, shootings and other terrorist incidents. The number was eventually reduced to 25 to make the evidence comprehensible to the jury.

Three of the men were eventually sentenced to twelve terms of life imprisonment, Doherty received eleven life terms. In addition all were given eight long determinate terms of imprisonment. The trial judge recommended they each serve a minimum of 30 years.

Lines to take:

See the attached lines to take and summary of offences:

©DFA/2021/52/723

Summary of offences.

- The four men were members of an IRA gang operating in London during 1974 and 1975. They were responsible for many bomb explosions and other terrorist incidents in and around the capital. They became known as the Balcombe Street gang after their arrest in that street following a siege.

- They all took part in varying capacities in the making and planting of bombs at selected targets and indiscriminately killing innocent people. They were each convicted of six murders and numerous other terrorist offences.

- In August 1975 an explosives officer Captain Roger Goad was killed whilst attempting to defuse a bomb outside a shop in Kensington.

- In September a man was killed when a bomb exploded at the Hilton Hotel; one other person died (but a further charge was not proceeded with) and 60 other people were injured. The four were convicted of manslaughter.

- In October a passer-by examining a suspect package near Green Park underground station was killed when it exploded. 20 others were injured.

- In the same month Professor Gordon Hamilton-Fairley was killed when a bomb exploded as he was passing by a bomb planted under a car belonging to Sir Hugh Fraser MP.

- In November a bomb was thrown at the window of a Mount Street restaurant killing one of the diners and injuring 17 others.

- Six days later a bomb was thrown through the window of another restaurant in Walton Street. Two diners were killed (a charge of murder was not proceeded with in relation to one of the victims) and 18 others were injured.

- On 27 November Ross McWhirter was shot in the stomach and head on the doorstep of his home and died shortly afterwards.

- After a police chase the four men held two people hostage at gunpoint in their own flat in Balcombe Street from 6 to 12 December 1975 before surrendering to the police.

- On 10 February 1977 at the Central Criminal Court they were convicted of these and numerous other offences.

©DFA/2021/52/723

BALCOMBE STREET TARIFFS

Lines to Take

- The Home Secretary, having carefully considered all the circumstances, has decided that whole life tariffs should be set for the four Balcombe Street Men (Butler, Duggan, Doherty and O'Connell).

- The men have been informed today 30 January.

- The gravity of their offences (in which nine innocent people died in seven separate attacks) requires a whole life tariff on its own facts and in relation to other whole life tariffs (25 in all) set for murderers convicted in England and Wales.

If raised (timing of the decision)

- This decision is completely independent. It is not a trade off for the announcement being made today on Bloody Sunday. The timing of the Home Secretary's decision reflects the need for him to consider carefully the representations made by O'Connell in December 1997 and then, having reached his decisions, to inform the men as quickly as possible.

If raised (previous decisions on tariffs in these cases)

- These are among about 80 cases where previous Ministers had decided that at least 20 years in custody were necessary to meet the requirements of retribution and deterrence but where no exact tariff had previously been set. Tariffs have now been in most of these cases.

- The House of Lords' judgement in the case of Doody required a tariff to be set and notified in all mandatory life sentences cases.

If raised (opportunities for changes to these tariffs)

- Under present policy the cases of lifers with whole life tariffs are not considered by the Parole Board. They are reviewed by Ministers after 25 years in custody and at five year intervals thereafter.

- Under a recent revision of the policy, announced on 10 November 1997, the Home Secretary is prepared to consider reviewing tariffs on the grounds of exceptional circumstances, including exceptional progress in prisons, and reducing them if appropriate.

©DFA/2021/52/723

If raised (repatriation of the Balcombe Street Gang to the Republic)

- The question of their repatriation to the Republic would be considered on the basis of whatever assurances can be given by the Republic about their continued detention following transfer.

Background

The Republic is already considering repatriation request of another prisoner who has a whole life tariff, Paul Magee (convicted for the murder of an SAS officer in Belfast and then 10 years later for the murder of a North Yorkshire Special Constable, Glen Goodman, committed while on bail from the Irish Supreme Court awaiting extradition to Northern Ireland).

©DFA/2021/52/723

Tariffs for other PIRA prisoners

- There are at present ten PIRA prisoners serving mandatory life for murders committed in England, including the Balcombe Street Four. Of the six set previously four were originally set at whole life and two at thirty years.

- IF ASKED SPECIFICALLY - we can confirm the tariffs if questions are asked on named individuals

Whole Life:

Patrick Magee (The Grand Hotel bomber)
Paul Magee (murdered Captain Westmacott and special constable Goodman)
Kavanagh and Quigley (the Chelsea coach bombers who also murdered explosives expert Kenneth Howorth)

Thirty years

William Quinn (murdered PC Tibble)
Vincent Donnelly (murdered an underground train driver).

The tariffs for Kavanagh and Quigley were quashed earlier this year by the courts in Northern Ireland on procedural grounds and will have to be reconsidered

©DFA/2021/52/723