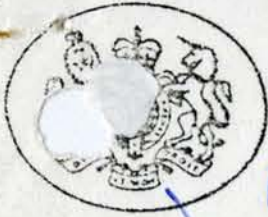


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cc

PS/PUS (L&B)
PS/Sir Ewart Bell
Mr Brennan
Mr Doyne-Ditmas
Mr Merifield
Mr Gilliland
Mr Coulson
Mr Radcliffe ✓
Mr Boys Smith
Mr Reeve



~~Mr Mott~~
~~Mr Veyh~~
18 MAR 1983

Mr. Stone

MR BOURN

THE HANDLING OF SECURITY INCIDENTS AND THE PUBLIC PRESENTATION OF THE MATERIAL FROM POLICE REPORTS TO THE DPP

In your minute of 3 March you asked me to consider how we could give effect to the Secretary of State's request for advice, in controversial cases involving the security forces, on the need for and content of any Ministerial statements.

2. As you indicated in your note, we have already instituted arrangements for providing initial factual reports on such incidents, and for advising Ministers on the need to issue statements at an early stage. As regards monitoring progress of these cases through the judicial system, you may know that we already have such a system for following up cases in which deaths have been caused by plastic baton rounds. In such cases LOB Division charts the progress of each case through the judicial machinery - ie through the police investigation, the DPP's consideration and decision, any subsequent criminal proceedings and finally the coroner's inquest. A tabular ... progress chart, a copy of which is attached, is regularly updated and given a limited distribution. As each case reaches the end of its particular process, the Division considers whether it sheds any light on current security policy or security operations which ought to be brought to the attention of Ministers.

3. This scheme appears to have worked satisfactorily, and we would propose that LOB Division should now extend its monitoring role to cover other controversial cases involving the security forces. A tabular progress chart, on the same lines as the PBR chart, could be distributed to all those interested. Such a chart, for the moment at least, would be confined to cases in which the actions of the security forces have caused death. In such cases the coroner's inquest represents the end of the legal process of inquiry, and it is agreed that it would be improper to comment before this point.

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When LOB advises that this process is complete we can extract from the coroner's findings, together with any preceding criminal hearings, the publicly available information about the circumstances surrounding each death. This could, if necessary, form the basis of a Ministerial statement.

4. Inquests in controversial cases arouse a considerable degree of interest in the media even when long delayed, which might often obviate the need for a Ministerial statement, which could only echo the findings of the court. Certainly this would be true of the local media; for example, the Irish News of 10 March gave considerable space to the findings of the inquest into the deaths of two PIRA men who met their deaths at the hands of a soldier on plain-clothes duty in Londonderry in 1981. However, this is not true of the national and international press, and I presume that one of the main objects would be to attract much more widespread attention to an inquest's findings where these are largely favourable to the security forces. We shall have to take care that the terms of any Ministerial statement faithfully reflect the findings of the court; similarly we must ensure that anything which the police say on the subject is based upon the same principle, and thus consistent.

5. To summarise: we propose to extend the monitoring process which LOB currently applies to the cases involving deaths caused by plastic baton rounds to all controversial deaths caused by members of the security forces. The progress of such cases through the legal process would be charted by LOB and distributed in tabular form. When a particular case has reached the end of this process LOB will provide a short summary of the court's finding. We can use this, and any other information we wish to call for from the police, as the basis for advising the Secretary of State on whether or not to make a public statement.

P W J Buxton

P W J BUXTON

18 March 1983

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