16 SEP 1983

DUS(B)/83/43423/16(2)

PS/SECRETARY OF STATE (L&B) - Myfax

ésk by 11.30 am

POLICE SHOOTING INCIDENTS

cc PS/Mr Scott (L&B) - M PS/PUS (L&B) - M PS/Sir Ewart Bell Mr Brennan - M Copy 1'L Rodallite Mr Angel - M
Mr Buxton
Mr Doyne-Ditm Mr Doyne-Ditmas Mr Gilliland Mr Merit BWJB

16 SEP 1983

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N.I.O. BELFAST

In my minute of 15 September (not to all, or needed) I reported on the agreement I had reached with the Attorney General's Legal Secretary and the DPP about the announcement of the Attorney General's decision to prosecute three policemen for the murder of Mr Tomans. I said I intended to discuss the next steps with the Deputy Chief Constable after he had received the news of the Attorney General's decision.

- I accordingly saw the Deputy Chief Constable late yesterday 2. afternoon; he gave me the attached copies of the DPP's directions, which were on the lines foreshadowed in my minute. Mr MacAtamney agreed that the RUC's press release should:
 - a. cover both incidents ie the three deaths on 11 November and the one death on 24 November;
 - bring out that charges were to be brought in relation to only one of these deaths;
 - c. be couched in the terms I had agreed with the Attorney General's office and the DPP.
- The Deputy Chief Constable said that the RUC's plan was 3. to take action on the directions on 18 September, but we both recognised that an earlier statement might be necessary to pre-empt any leakages. We also agreed that Mr Gilliland and Mr McGookin should liaise on timing and detailed wording.
- In the event it became clear during yesterday evening that the risk of leakage was high and the advantage lav in early action.

with the statement forthwith; and this was done. The DPP's office was also informed.

6.

- the discussions that the Secretary of State will be having in the period immediately ahead eg in Oxford over the weekend and with Mr Molyneaux on 18 September. Obviously, no comment can be made on the detail of cases which ame now to come before the courts. But it can at least be said that the decisions to illustrate the care with which all cases are investigated by the RUC; the strict legal standards followed by the DPP and Attorney General in reaching their decisions; and the fact that of the six deaths in the three incidents of 11 and 24 November 1982 and 12 December 1982, the evidence submitted warranted prosecution in two cases scarcely evidence of a "shoot to kill" policy.
- 6. I shall, of course, be reporting on further developments in these cases; on the issues they raise; and on how we can best proceed.

Pr DUS(B)

16 September 1983