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STALKER/SAMPSON INVESTIGATIONS:

DIRECTIONS BY THE DIRECTOR OF PUBLIC PROSECUTIONS  
NORTHERN IRELAND

With permission, Mr. Speaker, I wish to make a Statement on Directions given by the Director of Public Prosecutions (Northern Ireland) following the investigations carried out by Mr. Stalker and Mr. Sampson.

In November and December 1982, in three separate incidents in County Armagh, six persons were killed and one person was seriously wounded by shooting by members of the Royal Ulster Constabulary.

The circumstances of each shooting were investigated by the CID of the RUC and three files reporting the results of these investigations were submitted by the Chief Constable of the RUC to the Director of Public Prosecutions for Northern Ireland for his consideration and decisions.

In relation to the incident which occurred on 11 November 1982 at Tullygally East Road, Craigavon, in which three persons, Eugene Toman, James Gervaise McKerr and John Frederick Burns, were killed, the Director directed that three members of the RUC be prosecuted for the murder of Eugene Toman. These three members were subsequently tried for murder and acquitted.

/In relation to the

In relation to the incident which occurred on 12 December 1982 at Mullacreevie Park, Armagh, in which two persons, Peter James Martin Grew and Roderick Carroll, were killed, the Director directed that one member of the RUC be prosecuted for the murder of Peter James Martin Grew. This member was subsequently tried for murder and acquitted.

In respect of the other incident which occurred on 24 November 1982 at Ballynerry Road North, Lurgan, in which Michael Tighe was killed and Martin McCauley was seriously wounded, the Director concluded that the evidence did not warrant criminal proceedings and directed no prosecution.

Upon consideration of the evidence and information in the files initially submitted to him, the Director required further investigations to be undertaken and the results of these reported to him. When the results of such further investigations were reported to the Director it appeared to him that in certain of the statements of evidence furnished for his consideration, material and important facts had been omitted, and that matters which were untrue and misleading in material and important respects had been included.

/In consequence of this

In consequence of this on 11 April 1984 the Director formally exercised his statutory power to request the Chief Constable to ascertain and furnish to him full information/with regard to the circumstances in which false or misleading evidence/was provided by any member or members of the RUC. He also requested him to investigate whether there was evidence to suggest that any person was guilty of an offence of perverting, /or attempting or conspiring to pervert/the course of justice, or of any other offence in connection with the investigation of the three shooting incidents.

On 24 May 1984 the Chief Constable of the RUC appointed Mr. John Stalker, Deputy Chief Constable of Greater Manchester Police, to conduct an investigation. Mr. Stalker was furnished with a full copy of the Director's request dated 11 April 1984.

On 18 September 1985 Mr. Stalker delivered to the Chief Constable of the RUC an Interim Report on the investigations which he had conducted up until that date.

On 13 February 1986 the Chief Constable of the RUC furnished to the Director Mr. Stalker's Interim Report together with the Chief Constable's observations upon it.

/On 4 March 1986 the

On 4 March 1986 the Director directed that further investigations be undertaken.

On 29 May 1986 Mr. Stalker ceased to have responsibility for the investigation which he had undertaken. Mr. Colin Sampson, Chief Constable of West Yorkshire Police, then undertook responsibility for the continuing investigation assisted by the same team of detectives and by an Assistant Chief Constable from West Yorkshire Police.

On 22 October 1986, 23 March 1987 and 10 April 1987, reports were delivered by Mr. Sampson to the Chief Constable of the RUC and on the same dates to the Director of Public Prosecutions for Northern Ireland.

The Interim Report by Mr. Stalker and the Reports subsequently delivered by Mr. Sampson together provided the Chief Constable and the Director with the full results of detailed and thorough investigations undertaken by the investigation team of Greater Manchester Police, initially under the leadership of Mr. Stalker and subsequently under the leadership of Mr. Sampson.

In regard to the shooting incidents to which I have referred the Director has considered all the facts and information/ascertained and reported by Mr. Stalker

/and Mr. Sampson,

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and Mr. Sampson and he has re-examined the original RUC investigation files. He has concluded that the evidence does not warrant any further prosecution in respect of those shootings which occurred on 11 November 1982 and 12 December 1982, which have already been the subject of prosecutions. He has further concluded that the evidence does not warrant any prosecution in respect of either the fatal shooting or the wounding which occurred on 24 November 1982. I have considered the Director's conclusions and I agree with them. He has given directions accordingly.

The Director has however concluded that there is evidence of the commission of offences of perverting, or attempting or conspiring to pervert, the course of Justice or of obstructing a Constable in the execution of his duty and that this evidence is sufficient to require consideration of whether prosecutions are required in the public interest; and he has consulted me accordingly.

I have therefore taken steps to acquaint myself with all relevant circumstances, including matters concerning the public interest and in particular considerations of national security which might properly affect the decision whether or not to institute proceedings.

/I have informed the

I have informed the Director fully with regard to my consultations as to the public interest, and in the light of all the facts and information brought to his notice the Director has concluded, with my full agreement, that it would not be proper to initiate any criminal proceedings. He has given directions accordingly.

The Director has arranged to discuss with the Chief Constable and Deputy Chief Constable of the RUC/safeguards to ensure that in the future/facts and information reported to the Director are in all respects full and accurate/whether or not any security interest is involved.

In respect of other matters arising from these investigations, the Secretary of State for Northern Ireland has already informed the House that he would wish at the earliest opportunity to make a Statement/on those issues that affect his responsibilities. Now that the decisions on prosecution have been taken, I understand that he hopes to report shortly to the House.