



Policy Legacy FOI Team
Headquarters 38 (Irish) Brigade
British Forces Post Office 801

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Reference: FOI: 2018/05263

Date: 23 July 2018

Dear [REDACTED]

REQUEST FOR INFORMATION – INTELLIGENCE REPORTS RELATING TO THE MURDER OF MR WILLIAM MONTEITH

Further to our e-mail dated 14th June, I can confirm that your request has been considered under the provisions of the Freedom of Information Act 2000 (FOI(A)), and the process is now complete.

You asked for the following:

"I am writing under the Freedom of Information Act (2000) to request a copy of all intelligence reports either held electronically or hard copy relating to the murder of William Monteith prior to 28/11/1988 and immediately after."

I can confirm that the MOD holds intelligence material relating to the death of Mr Monteith on 21 November 1988. Some of this information has been located within the Commanders Diary for 3 Infantry Brigade. I have provided relevant extracts at Annex A. These would have been highly redacted as the remaining information they include is outside the scope of your request. If you wish to receive the documents in the redacted format, we can provide on request. I have also located an intelligence report which is enclosed at Annex B.

Some of the information you have requested could be exempt under section 23(1) of the FOI(A), which relates to the bodies dealing with security matters, although it is also possible that the information relates to none of the bodies dealing with security matters. Sections 23(1) and 24(1) are being cited in the alternative as it is not appropriate, in the circumstances of the case, to say which of the two exemptions is actually engaged so as not to undermine national security or reveal the extent of any involvement, or not, of the bodies dealing with security matters. Section 23 is an absolute exemption and, if it were engaged in this material, the MOD would not be required to consider whether the public interest favours disclosure of this information.

Any information that is not exempt from disclosure under section 23(1) could be exempt under section 24(1) of the FOI(A), which exempts information from disclosure if its exemption is required for the purpose of safeguarding national security. We cannot say which of the two exemptions is actually engaged, but to the extent that S24(1) might be engaged. We acknowledge the public interest in openness and transparency, but we consider that there is a stronger public interest in protecting national security.

Additionally, all Police Service of Northern Ireland (PSNI) cases remain open and if new evidence comes forward the PSNI will reinvestigate. Release of these documents must be carefully considered under Section 31 (Law Enforcement) of the FOI(A). I have completed this consideration through a public interest test including consultation with the PSNI who have advised that release of some of the information could adversely impact on any investigative process, and

may jeopardise any future prosecutorial process. On this basis I am withholding some of the information under Section 31 of the FOI(A).

I appreciate that this incident took place 30 years ago and the passage of time can be a factor in diminishing the applicability of exemptions to information. However, in this instance the passage of time is less relevant as the PSNI continue to investigate Troubles-related murders and the overall balance is in favour of partial exemption.

In addition, some of the information falls within the scope of Section 38 (Health and Safety) of the FOI(A), as its release could endanger the physical or mental health of any individual, or endanger the safety of any individual.

Section 38 is a qualified exemption and we have conducted a public interest test to determine whether the information should be released or withheld. The factors for this public interest have determined that whilst disclosure would demonstrate openness and transparency this is outweighed by the detrimental effect disclosure could have on those mentioned in the documents, or their family members and friends. I have concluded that whilst disclosure may be of historical interest, the health and safety of individuals must be taken into account especially where release would be likely to endanger, the physical or mental health of any individual. Some information has therefore been redacted under Section 38 of the FOI(A).

Some of the information contained within the disclosure constitutes personal information, such as names and addresses. Under FOI(A) this information is exempt under Section 40 (2) by reason of the first condition under Section 40 (3) (a) (i), as disclosure would contravene data protection principles under the Data Protection Act 1998 (DPA 98). This is an absolute exemption and does not require a public interest test to be conducted in order for this information to be exempt from disclosure. Therefore all personal information has been redacted.

If you have any queries regarding the content of this letter, please contact this office in the first instance

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the FOI(A). Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely

38 (Irish) Brigade FOI Team

VERBATIM EXTRACTS FROM 3 INFANTRY BRIGADE INTELLIGENCE SUMMARY

3 Inf Bde INTSUM No 10 For the period 14 Nov 88 – 28 Nov 88

REVIEW

1. A period of uneasy calmness throughout the TAOR¹, being interrupted by the fatal shooting of an RUC constable in CASTLEDERG.

Shoot – CASTLEDERG – 21 Nov 88 [Redacted] refers. About 1740 hrs 2 x gunman attacked 2 x RUC on duty at a barrier guarding the town centre. 1 x RUC on the barrier was fatally wounded, the other, in the sanger, was slightly injured.

COMMENT: The gunman with the 9mm pistol wore a crash helmet since he was possibly a local, as disguise. [Redacted]. The second man, [Redacted]. He wore a balaclava.

It is believed that they had arrived (from ROI?) by motor cycle but that the extraction went wrong. There was a delay in PIRA claiming this, – possibly due to the time taken by the 'external' to cross the border.

It is assessed that this was an externally driven op, but with internal participation, and targeting (*sic*). The gunman who killed the RUC man is likely to have been an OTR (MID DONEGAL). [Redacted]

This is the first incident since the [Redacted] murder, but it fits into the usual time frame for this area/group. Attacking SF on duty would appear to be a step up, [Redacted]

a. Castlederg Area Past levels of activity point to a pause, possibly f for a couple of months. However the shoot (21 Nov) was an attack against 2 on duty SF, as opposed to an attack against off duty SF as is more usual. MID DONEGAL appear to be the driving force.

2. On 25 Nov 88 about 1930 hrs the GD Comd of Rockwood SF Base reported hearing several shots from the Castlederg area. The QRF were deployed but found nothing. The following morning [Redacted] Castlederg reported that [Redacted] car had been damaged by [Redacted].

COMMENT: It is believed that this was a sectarian attack, possibly in revenge for the R/Con Montieth killing earlier in the week.

¹ Tactical Area of Operations

Document 1

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POLICE SERVICE OF NORTHERN IRELAND
Intelligence Report

Date/Time of Report	22/11/1988 00:00 GMT	Report URN	D419956
Intelligence Type	WISREP	CHIS PIN	

WARNING - BEFORE TAKING ANY ACTION OR DECISION IN RELATION TO THIS INFORMATION, THE ATTACHMENT MUST BE REVIEWED.

Grading User

Report	
Subject	BRIEFING.SHOOTING MDR R/CON RUC
Date/Time of Information	[REDACTED]
Information	<FF> 3 WIS BORDER(W) BRIEFING WISREP TYPE OF INCIDENT: SHOOTING.MDR RUC R/CON. WISREP FILE No: 3 WIS/BORDER(W)/S/30/88. REPORT DATE: 22 NOV 88. 1. DATE AND TIME: 21 NOV 88, about 1740hrs. 2. LOCATION AND GRID: RUC ROAD SANGAR, J/O JOHN ST AND HIGH ST,CASTLEDERG. GRID 26298463.

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3. TARGET: ON DUTY RUC PERSONNEL MANNING ROAD SANGAR.

4. CASUALTIES: R/CON WILLIAM MONTEITH
FATAL GUNSHOT WOUNDS.

5. PERSONS ARRESTED: NIL.

6. INVESTIGATORS:

BRIEF SUMMARY OF EVENTS

7. On Mon 21 Nov 88, about 1740hrs, was sat inside the RUC road sangar at the junction of JOHN ST and HIGH ST, CASTLEDERG, GRID 26298463, when he heard what he thought to be shots coming from outside the sangar. As he rose to investigate, came face to face with a man wearing a blue/white full face motorcycle helmet and brandishing a hand-gun. The man raised his weapon and shot at was struck on the top of his head by the round and fell backwards into the sangar, the gunman then ran off. As the injured policeman got up to give chase, he came across his fatally wounded colleague, R/CON MONTEITH lying next to the traffic barrier he had been manning.

8. gave chase to the gunman who by now was running towards the junction of THE DIAMOND and MAIN ST. As he did so he saw the gunman turn and point a weapon at him, but nothing happened, the gunman continued to run away for a few yards before turning again and this time managing to shoot a round at but which fortunately missed. The terrorist then made good his escape. returned to his colleague to give first aid assisted by members of the public. R/ CON MONTEITH had

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received a wound to the left shoulder and at least one wound to the area of the jawthroat and subsequently died whilst being treated for his injuries. The area was immediately cordoned off and all relevant agencies were tasked.

FOLLOW UP SEARCH

9. On completion of a follow up search by SOCO/WIS, the following items of forensic interest were recovered at the scene of the incident;

a. In the area of the road sangar, remains of possibly two bullet heads, type or calibre not yet known.

b. Inside the sangar, remains of copper jacketing from at least one bullet head.

c. From the area of the final shooting point [REDACTED] was one misfired 9mm round complete [REDACTED] Also approx 5m further away was one 9mm spent case [REDACTED]

All of the above items of forensic interest were retained by SOCO for his examination and subsequent onward transmission to NIFSL.

10. During the subsequent cordon control, a suspicious motorcycle was found in the area of the incident, a check was made on the motorcycle and it was found to have stolen registration plates, this, along with the fact that the gunman was wearing a helmet suggested that this was a possible secondary device or a come-on, the area was again cordoned and ATO was tasked. Just after EOD action was started in the area, CASTLEDERG suffered a total power cut, as a result of which it was decided that due to the lack of light, a follow up operation would take place AM 22 Nov 88.

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INVESTIGATORS COMMENTS

11. A very daring and well carried out operation by this particular Grouping. It would appear that the terrorist(s) involved had an extensive knowledge of the lay-out of the interior of the sangar and exactly how many RUC personnel would be inside at the given time.

12. It is not known how many gunmen were involved in the shooting, but the fact that there were no empty cases found around the sangar suggests that at least one of the weapons used was a revolver, the "ejected" misfire and empty case found further down the road suggests that an automatic weapon may have been present also, though not necessarily a pistol. Confirmation of the type of weapons used will hopefully be available in the near future from NIFSL.

13. The uses of the motorcycle helmet to disguise the features of the gunman was a good idea, as it does not arouse much suspicion to see someone walking around with one on, which is probably how the gunman got so close to his intended target without alarming him.

██████████
CPL
For Officer Commanding

DSL	General Release
Readership	
Evaluation	
Source	██████████
Intelligence	████████████████████
Handling	
Operation Name/Number	

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NIM Level	
Office Of Origin	1WIS/DERRY
Action	
Business Area	
Detailed Handling Conditions	
Dissemination	Historic DSL [REDACTED]
Statistical Information	
Activity	

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