



Policy Legacy FOI Team
Headquarters 38 (Irish) Brigade
British Forces Post Office 825

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Reference: FOI: 2019/08303

Date: 5 September 2019

Dear [REDACTED]

REQUEST FOR INFORMATION – VARIOUS DOCUMENTS RELATING TO THE DEATH OF MR ROBERT ORR ON 13 MAY 1991

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:

“Under the Freedom of Information Act 2000, I wish to request copies of the following hard copy documents in relation to the murder of Robert Orr on 13 May 1991 in Armagh. The following reports are requested:

Unit Incident Report (Increp) issued by Battalion HQ 2 UDR;

ATO request for the clearance of the vehicle driven by Mr Orr;

NI Report covering the period of his killing;

Weapons Intelligence Report collated by personnel from 3 Inf Brigade Weapons Intelligence Section;

Serious Incident Report covering the whole incident from Initial Report to final clearance.”

The MOD holds some information relating to the death of Mr Orr. As requested please find attached at Annex A, an extract of the Daily Operations Brief and at Annex B, the IED Report. Please note that all information that is redacted using a black box represents information that has been redacted under a Freedom of Information exemption.

By way of further advice this was also previously provided to another requester and has been posted on the gov.uk website:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/795913/15806.pdf

Some of the information you have requested falls within the scope of Section 26 (Defence) of the FOI(A) as its release would or would be likely to prejudice the capability, effectiveness or security of any relevant forces.

Section 26 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 would have in revealing the capabilities of military operational planning by compromising the methodologies and practices employed in the gathering and analysis of information. I have therefore concluded that the public interest supports withholding some information under Section 26.

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).

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).

Additionally, 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 2018 (DPA 2018). 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.gov.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 Extract from Document Relating to the Murder of Robert Orr – 13 May 1991

Daily Operation Brief – 13/14 May 91 (134/91)

3 INF BDE 03 Bde/RURAL PIRA GRH87964510 H/THE MALL (P) 133/001 1 x Expl 10 kgs (Mil) (UCBT) 1 x Civ(K)

1. 130833A. UVBT attack, Armagh (2 UDR). A UVBT functioned killing the driver, a Mr Robert ORR (Prot), a former RUC reservist, in Gaol Square, GR 87964510. PIRA claimed responsibility for the attack.

IED Incident Report

1. Tasking Authority/Formation 3 Bde		2. Police Force/Station/Unit 2 UDR		3. Contact Rank and Name [REDACTED]		4. Report No. 156993	
5. Operator's Name and Code [REDACTED]		7. Type of Incident				5. Multi Task (other Report Nos) NA	
		IED	EXPL	INCDY	FIND	SEARCH ASSIST	HOAX
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. DTG Laid/Found NK		12. DTG Arrival at Scene [REDACTED]			16. Day Code 2		
9. DTG Tasked [REDACTED]		13. DTG Completed [REDACTED]			17. Month MAY		
10. DTG of Explosion 13 0815		14. DTG In [REDACTED]			18. Year 1991		
11. DTG Out [REDACTED]		15. Kms 6					
19. Map No. 19		21. Address/Location		22. Position of Device		23. How Delivered	
20. Grid Ref. 880451		Barrack St and Gaol Sq. ARMAGH		Under car, beneath drivers seat.		TERR.	
24. Device, appearance, size, fastening, etc.				25. Vehicles, make, colour, registration		26. Target	
FUNCTIONED UVIED, KILLING DRIVER.				Vauxhall Senator Light Blue, [REDACTED]		Mr Robert ORR	
				<input type="checkbox"/> Stolen <input type="checkbox"/> Hijacked			
27. RSP Codes [REDACTED]							
28. Explosive Filling (Type and Wt)		29. Booster (Type and Wt)		30. Initiation			
Prob MileX. Est 0.5 - 2Kg		NA		Prob Electric det.			
31. Delay of Initiation		32. Arming		33. Delay to Arming			
NA		NK		NK			
34. Power Source		35. Multi Charge		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		36. Shrapnel (Type and Wt)	
NK				Linked by		Vehicle body	
37. Device Type				38. Effect of Explosion/incendaires			
Under vehicle victim operated IED				(a) [REDACTED] (b) [REDACTED] (c) [REDACTED] (d) [REDACTED] (e) [REDACTED] (f) [REDACTED]			
39. Device Failure Code		40. Forensic		41. If Anti-Handling/Victim Operated, Device Details			
NA		NIFSL		[REDACTED]			

42. Operator's Comments (including Sketches etc)

a. At 0815 on 13 May 1991, Mr Robert Orr, an accountant was driving to work. He had last used his car the previous evening. He had driven approximately 2km and was approaching the junction of Barrack St and Gaol Square when a device functioned under his car, probably in the area of the drivers seat. A small crater was made in the road, 1.5cm deep and roughly 10cm x 10cm. The car suffered severe damage, although by chance no passers-by were injured.

[REDACTED] The car continued to roll forward in a straight line, bouncing over a kerb before coming to rest 70m further on, at [REDACTED]

b. [REDACTED]

c. The Fire Service ^{arrived} soon after and extinguished the fire, which by then had completely burnt out the rear 3/4s of the car, from the dash backwards. [REDACTED]

d. EOD assistance was requested. RSPs used due to action of RUC and Fire Service and the general scenario. EOD action took place and the car and seat of the explosion declared safe. The Operator remained on the scene to assist in forensic identification and gathering of evidence.

e. The victim was a prominent member of the Orange Order. He had also stood for election in the past as a Unionist and had retired from the RUC reserve in 1976. [REDACTED]

f. [REDACTED]

Annex A Yes No

43. Operator

Signature

[REDACTED]

Date

19 MAY 1991

44. OC Unit/Det Comments

Signature

[REDACTED]

Date

4 June 91

45. Tasking Authority Use Only

Signature

[REDACTED]

Date

6 June 91