



Head Policy and Legacy  
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Reference: FOI 2020/03869

Date: 21<sup>st</sup> September 2020

Dear [REDACTED]

**REQUEST FOR INFORMATION – INFORMATION RELATING TO THE DEATH OF R/CON WILLIAM CLIFFORD EVANS ON 5 JANUARY 1976**

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 the following:

***“FOI request for Army Records (case of Reserve Constable William James Clifford Evans, murdered by the IRA on 5 January 1976)***

***[REDACTED] Reserve Constable William James Evans, was murdered by the IRA when he was shot at on the Blackpark Road, Creagh, on 5 January 1976.***

***Under the Freedom of Information Act 200 I would like to request the Army records between 4<sup>th</sup> and 6<sup>th</sup> January 1976 in relation to this incident.”***

I can confirm that the MOD holds some information relating to the death of R/Con William James Clifford Evans. This information has been located in a range of documents and relevant extracts of these have been provided at Annex A.

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. Some information has therefore been redacted under Section 38 of the FOI(A).

In addition, 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.

I appreciate that this incident took place 44 years ago and the passage of time can be a factor in diminishing the applicability of exemptions to information. However, in this instance the overall balance is in favour of partial exemption.

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](mailto: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 Extracts from Various Documents - Death of R/Con William James Clifford Evans on

5 January 1976

Director of Operations Brief Northern Ireland – 5 - 6 January 1976

4. Rural Areas

b. 8 Inf Bde

(1) A RUC Constable was shot dead and 2 Constables wounded when their patrol car was ambushed near Toome. The wounded men are not seriously ill.

8 INFANTRY BRIGADE

4. 1 WFR (POLICE DIVISIONS O AND P) ↓ SHOTS AT SF

a. The SF were involved in the only shooting incident reported when at 2240 hours a routine RUC mobile patrol was fired at when the vehicle stopped at the junction at GR 968916, approximately 3 km north west of TOOME. The following was shot dead:

Reserve Constable Clifford EVANS, from BELLAGHY ← 1 RUC(k)

The following were admitted to the MID ULSTER Hospital with minor injuries 1 RUC Constable shot dead  
and were later released: 2 Constables injured Nr TOOME

(Redacted) ← 2 RUC (W)  
(Redacted) ↓ (Redacted)

The shots first came from the yard of the ELK Bar nearby and then from a van, thought to be a VW van, as it drove off past the police car. In the follow up 10 x 7.62 empty cases were found by the wall round the ELK Bar yard and a further 8 Armalite and 7.62 live rounds and empty cases scattered along the road. The RUC MAGHERAFELT are investigating.

**COMCEN 3 INF BDE – 6 Jan 1976**

3 INF BDE NIREP AS AT 060200Z JAN 76

2.A. QDG POLICE DIVS K AND M EAST

(1) AT 2255 HRS, A RUC PTL WAS AMBUSHED AT GR 967917-TWO KMS WEST OF TOOME (8 BDE AREA) THE FU (INITIALLY NTR) CONTINUES IN DAYLIGHT.

**HQ 3 Inf Bde Log Sheet dated 5 Jan 76**

Serial	DTG	To	From	Event	Action	Sign
(a) 36	(b) 2340	(c)	(d) HQNI	(e) RUC PTL AMBUSHED Ambushed at CASTLEDAWSON (9293). One dead.	(f) QDG informed	(g) (Redacted)

**C Coy 1 KOSB Log Sheet dated 6 Jan 76**

Serial	DTG	To	From	Event	Action	Sign
1	0100	3	9	At 2330 hrs near Toome an RUC mobile patrol was ambushed 1 x RUC RESERVIST dead 2 x RUC wounded. Toome is just outside the Brigade area.	All subunits info	

**1 KINGS Log Sheet dated 5 Jan 76**

Serial	DTG	To	From	Event	Action	Sign
(a) 13	(b) 2345	(c) Ops	(d) Bde	(e) Shooting at Castle Dawson (sic). 1 Res Con shot dead. 2 Res Con injured.	(f) Passed to all sub units	(g)

**G Ops HQ NORTHERLAND Log Sheet dated 5 Jan 76**

Serial (a)	DTG (b)	To (c)	From (d)	Event (e)	Action (f)	Sign (g)
33	2326		8 Bde	Initial report. CASTLEDAWSON 967917 ELK Bar initial report. Shooting ambush poss 2 injured. <i>RUC patrol</i>	PR	
35	2333		8 Bde	ELK BAR SHOOTING CASTLEDAWSON 1 reserve constable dead, 2 injured. FUJP.	PR	

**G Ops HQ NORTHERLAND Log Sheet dated 6 Jan 76**

Serial (a)	DTG (b)	To (c)	From (d)	Event (e)	Action (f)	Sign (g)
3	0030		Wkpr	CLF/MO4/NIO duty officer/G2/3 Bde/PR/Int informed of RUC ambush near TOOME.		
5	0106		PR	2255 hours. Castledawson police car fired at near ELK BAR 1 Reserve constable head injuries other 2 slight injuries. It was a routine mobile RUC patrol.		

**Diary of Events 31 December 1975 – 14 January 1976 (ANNEX A TO 1024/7, DATED WED 14 JAN 76)**

Mon 5 Jan A RUC constable was shot dead and two constables wounded when their patrol car was ambushed near Toome.

**DEATHS DUE TO THE SECURITY SITUATION IN NORTHERN IRELAND – 1976**

NAME	DATE OF DEATH	LOCATION
EVANS, WJC RUC	05.01.76	Toome

**Death Log**

Ser	NAME	ADDRESS	KILLED	DATE	RUC
1403	Const C EVANS	Bellaghy	Shot when the veh in which he was travelling was fired at Nr TOOME	5 Jan 76	1

**RUC DEATHS – 1969 – 1990**

Ser	Date of Death	Rank	Initials	Surname	Location
(a)	(b) 5 Jan 76	(c) Const (R)	(d) WJC	(e) EVANS	(f) Toome shot

**RUC FATALITIES**

Ser	Date	Rank	Name	Details of Incident
71	5 Jan 76	Const	EVANS	Shot in TOOME. 5 Jan 76