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File reference: FOI 2023/00421

25 July 2023

Dear [REDACTED]

**REQUEST FOR INFORMATION – RELATING TO THE MURDER OF MICHAEL LEONARD**

Thank you for your letter, 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:

***“May I have information relating to the tour of duty of 16<sup>th</sup>/5<sup>th</sup> the Queen’s Royal Lancers in Northern Ireland in 1973, please?”***

***Specifically, and to narrow your search, may I have sight of information from MoD files, dates 15<sup>th</sup> – 22<sup>nd</sup> May 1973:***

- 1. From 16/5 Lancers Company records relating to the killing of civilian Michael Leonard by Royal Ulster Constabulary on 17<sup>th</sup> May 1973 – see attached file relating to 16/5 L near St. Angelo in County Fermanagh. Dates from Watchkeeper’s Logs required 15<sup>th</sup> – 22<sup>nd</sup> May 1973:***
- 2. From 16/5 Lancers Battalion records relating to the killing of civilian Michael Leonard by Royal Ulster Constabulary on 17<sup>th</sup> May 1973. Dates required 15<sup>th</sup> – 22<sup>nd</sup> May 1973***
- 3. Any other information from the files relating to the killing of civilian Michael Leonard by the Royal Ulster Constabulary on 17<sup>th</sup> May 1973”***

I can confirm that the MOD holds some information relating to your request. This information has been in a range of documents and relevant extracts of these have been provided at Annex A.

You asked for sight of 16<sup>th</sup>/5<sup>th</sup> The Queen’s Royal Lancers records. Despite an extensive search of our Archive, I can confirm we do not hold these records. Under Section 16 of the Freedom of Information Act 2000 (FOI(A)) (Duty to provide advice and assistance), I



have been able to locate 16/5 L Army Unit Historical Records and Reports at the National Archive under reference WO 305/4433. (however, you should note this is record is closed) WO 32/17867 is an open record. This information can be located via the links shown below:

[16th/5th The Queen's Royal Lancers | The National Archives](#)

<https://discovery.nationalarchives.gov.uk/details/r/C2551013>

To submit a FOI request to TNA you should forward your request to their FOI Team:

By post – Freedom of Information Team, The National Archives, Kew, Richmond, Surrey, TW9 4DU; or

By E-mail- <https://www.nationalarchives.gov.uk/contact-us/make-a-records-and-research-enquiry/make-a-records-and-research-enquiry-form/>.

Some of the information you have requested could be exempt under Section 23(1) of the Freedom of Information Act, 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 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.

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).

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 (Health and Safety) 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)

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.

I appreciate that this incident took place over 49 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 deaths and 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

Encs:

Annex A - Verbatim extracts from various documents

**Verbatim Extract from Documents Relating to the Murder of Michael Leonard on 17 May 1973**

**Director of Operations Brief – 14 – 15 May 1973**

**3 INFANTRY BRIGADE**

1. 16/5 L (POLICE DIVISIONS L AND M)

- a. No shooting incidents were reported.
- b. At 1300 hours at PETTIGOE, north east of BELLEEK, the following was found by the SF on a farm:

112 lbs [Redacted] <sup>1</sup>in Hand find (c)

The farm is owned by: [Redacted]

- c. Late Report. At 131600 May in a quarry at GR 398405, north of LISNASKEA, the following was found by a SF search team:

60 feet of Cordtex in Hand find (c)

**Director of Operations Brief – 15 – 16 May 1973**

**3 INFANTRY BRIGADE**

1. 16/5 L (POLICE DIVISIONS L AND M)

No Incidents were reported.

<sup>1</sup>The content that we have highlighted throughout this document was a handwritten addition to the original document

**Director of Operations Brief – 16 – 17 May 1973**

4. Rural Areas.

- c. 3 Inf Bde. It was a day with little terrorist activity: [Redacted]  
(1) 16/5 L recovered over 40 lbs of explosive and other bomb making kit from a farm west of Derrygonelly (sic).

**3 INFANTRY BRIGADE**

1. 16/5 L (POLICE DIVISIONS L AND M)

\* Find

- a. No shooting Incidents were reported.  
b. At 1110 hours at a Farm at GR 075525, west of DERRYGONELLY (sic), the following was found by the SF in a routine search:

111 x 4oz stick plastic gelignite  
30 x 8oz sticks Polar Ammon Gelignite  
98 x No 6 Detonators  
6 feet blue sump fuse  
104 assorted rounds of ammunition 104 Ammo(?)  
£573 in cash.

98 Dets + 43 lbs Find

The owner of the farm is:

[Redacted] [Redacted]

[Redacted]

<sup>1</sup>The content that we have highlighted throughout this document was a handwritten addition to the original document



**Director of Operations Brief – 17 – 18 May 1973**

1. **Province Statistical Summary** 13 Shooting Incidents, 12 involving the SF  
5 civilian casualties (3 dead, 2 SI)

**Rural Areas**

b. **3 Inf Bde.**

(2) A young Catholic man from Co Donegal was killed near Belleek. He was recognised by the RUC, was challenged and failed to halt. As he drove off, the RUC fired 2 shots at his car and, in the subsequent car chase, the man appeared to draw his weapon so the RUC fired again and fatally wounded him.

**3 INFANTRY BRIGADE**

1. **16/5 L (POLICE DIVISIONS L AND M)**

a. There was 1 shooting incident reported. AT 1740 hours at LETTER (SW of PETTIGOE) a routine RUC patrol recognised:

**MAN FROM REPUBLIC KILLED** MICHAEL LEONARD (RC) Address in EIRE,

And attempted to question him. He fled and ran to his car and drove away inspite (*sic*) of challenging. 2 rounds were fired at the car. Chase was given in a landrover and a further shot fired, hitting LEONARD. Who later died of his injuries.

After Leonard 'went for a weapon'

I Terr killed

<sup>1</sup>The content that we have highlighted throughout this document was a handwritten addition to the original document

**Director of Operations Brief – 18 – 19 May 1973**

**3 INFANTRY BRIGADE**

1. 16/5 L (POLICE DIVISIONS L AND M)

No Incidents were reported.

**Director of Operations Brief – 19 – 20 May 1973**

**3 INFANTRY BRIGADE**

1. 16/5 L (POLICE DIVISIONS L AND M)

No Incidents were reported.

**Director of Operations Brief – 20 – 21 May 1973**

**3 INFANTRY BRIGADE**

1. 16/5 L (POLICE DIVISIONS L AND M) I RTR

a. No Incidents were reported.

**Director of Operations Brief – 21 – 22 May 1973**

<sup>1</sup>The content that we have highlighted throughout this document was a handwritten addition to the original document

4. Rural Areas  
 a. 3 Inf Bde  
Deployment. 3 Inf Bde. 16/5 L on completion of their tour of duty handed over to 1 RTR at 201700A May.

**HQNI Ops Log Sheets**

**16 May 1973**

<b>Serial</b>	<b>Time</b>	<b>To</b>	<b>From</b>	<b>Event</b>	<b>Action</b>	<b>Sign</b>
34	1548		3	16/5 L – 1245 hrs [Redacted] hrs [Redacted] PI Coy A 4 UDR [Redacted] 075525 found in [Redacted] farm.  111 x 4oz sticks of Plastic Gelignite 30 x 8ozs St Polar Gelignite 98 x dets plastic 60 x ft B Sump Fuze (15 x 7" Crater when blown by ATO) 100 x rds assorted £500 in cash  as a result of random search using helicopter	PR INT	
52	1916		3	Ref 16/5L find of [Redacted] rds routine search		

**17 May 1973**

<b>Serial</b>	<b>Time</b>	<b>To</b>	<b>From</b>	<b>Event</b>	<b>Action</b>	<b>Sign</b>
39	1815		3 Bde	1740 16/5 L St ANEELO <i>(sic)</i> VCP manned by RUC 085652 – car trying to get through – driver wounded by RUC shooting details to follow	PR	
61	2212		3 Bde	16/5 ref St Angelo shootings 1715 shots fired by RUC – cas has now died.		

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				Michael Joseph LEONARD (RC 25) [Redacted] lives in Republic – driving red car from over border – driving whilst disqualified so did not stop at VCP – RUC open fire – only occupant in car.		
75	2342		3 Bde	16/5 RUC on routine patrol entered shop 0865 recognised ( <i>sic</i> ) Michael LEONARD and he ran away – refused to stop, jumped into car and drove off. 2 x shots fired at car and gave chase in landrover 1 more shot fired, hit LEONARD subsequently died.	PR	

22 May 1973

Serial	Time	To	From	Event	Action	Sign
28	1545		3 Bde	Ref LEONARD – [Redacted]	GSO 2 Ops briefed	

Death Logs

NAME		DATE	BY WHOM SHOT			
<u>1973</u>	DIV		ARMY	UDR	RUC	RUCR
Leonard <sup>24</sup>	L	17/5/73			RUC	
RECOGNISED BY RUC/CHALLENGED TO STOP GAVE CHASE & SHOT HIM						

NAME	DATE OF DEATH	LOCATION
LEONARD, MJ	17.05.73	Pettigoe

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)
540	17 MAY	Mr	MJ	LEONARD	RC	23	PETTIGOE	SHOT	N/K

<sup>1</sup>The content that we have highlighted throughout this document was a handwritten addition to the original document.

### Intelligence Logs

Dated 17/05/1973

Subject	Shooting victims
Information	Michael Leonard was shot by the RUC when he would not stop to be questioned.

Dated 18/05/1973

Subject	Shooting Victims
Information	At 1740 hours an RUC patrol recognised Michael Leonard and attempted to question him at Letter SW of Perricoe ( <b>sic</b> ). He ran to his car and drove away inspite ( <b>sic</b> ) of being challenged. 2 rounds were fired at the car. Chase was given in a Landrover. A further round was fired hitting Leonard who later died of his wounds.

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