



Ministry  
of Defence

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Mr Robert Hayhoe  
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11 April 2014

Dear Mr Hayhoe

Thank you for your email of 7 April requesting:

*Details, including autopsy report, regarding the death by negligent discharge for Private John Connor 1st battalion [sic] the Duke of Wellington's Regiment Palace Barracks, Belfast 1988. Please include any action taken against the perpetrator of the incident including the conclusions of the general court martial if they are held by your office.*

We are treating your correspondence as a request for information under the Freedom of Information Act 2000.

We are writing to advise you that following a search of our recorded information, the Ministry of Defence holds only limited records relating to your request. The Royal Military Police database records the following entry dated 8 April 1988:

"Jurisdiction in this matter has been retained by the Royal Ulster Constabulary who at the completion of their enquiries intend to submit a copy of their case file to the Director of Public Prosecutions (NI) for favour of a decision as to whether or not any charges should be brought."

Following this it is recorded that at a trial in Newtownards on 2 December 1988 there was a guilty plea made to a charge of Manslaughter and an individual was sentenced to 6 years imprisonment. From the earlier entry it is assumed that this was a civilian trial rather than a court martial as suggested in your question. We do not hold autopsy records.

We have withheld certain details from these extracts as they constitute sensitive personal data. Information of this nature is exempt from release under section 40(2) of the Freedom of Information Act. This is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

Given that the civil authorities seem to have retained jurisdiction for this case we can only suggest that you may wish to make a similar request for information to the Police Service of Northern Ireland or the Public Prosecution Service of Northern Ireland. Information about how you can do this is available on their websites at: <http://www.psnl.police.uk/index/about-us/publications.htm> and <http://www.ppsni.gov.uk/Freedom-of-Information-5027.html>.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact this office in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Deputy Chief Information Officer, 2<sup>nd</sup> Floor, MOD Main Building, Whitehall, SW1A

2HB (e-mail [CIO-FOxxxx@xxx.xx](mailto:CIO-FOxxxx@xxx.xx)). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.gov.uk>.

Yours sincerely,

Army Secretariat