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WEDNESDAY  
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**Confidential information to be disclosed in McCaughey case**

The father of an IRA man shot dead by the SAS has won a five-year legal battle over disclosure of confidential intelligence reports about the killing.


The Law Lords ruled that the Police Service of Northern Ireland must hand over unabridged information about the 1990 shooting of Martin McCaughey and Dessie Grew by the undercover military unit outside Loughgall, County Armagh to the coroner who will hear the inquest into their deaths.



















Today`s judgment overturned an earlier Northern Ireland Court of Appeal ruling that the PSNI was legally entitled to limit the information passed to the coroner.

McCaughey, a 23-year-old former Sinn Fein councillor, and Grew, 37, were shot dead close to some outbuildings in fields and the nature of their wounds raised fresh allegations about a shoot-to-kill policy being operated by the security forces in the battle against terrorism in Northern Ireland.


The inquests into the men`s deaths have long been delayed and McCaughey`s father Owen, launched his lengthy legal bid after the Chief Constable refused to release the unredacted intelligence reports, together with a copy of the report into the shootings by the RUC Investigating Office to the coroner.

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Following a six day hearing in January the Law Lords ruled today that the Chief Constable must disclose the reports in full.

Delivering the judgment Lord Bingham of Cornhill said after the coroner had been given initial detail by police they needed to be given further information in full.

He said: "It would so plainly frustrate the public interest in a full and effective investigation if the police were legally entitled, after giving the initial section 8 notice, to withhold relevant and perhaps crucial information coming to their notice thereafter."

However, later in the judgment the five Law Lords upheld a Court of Appeal ruling that coroners' courts in Northern Ireland should not be permitted to reach verdicts of "lawful" or "unlawful killing" about the killing of another IRA man.

But they said the jury which hears the inquest into the death of Pearse Jordan may make "relevant factual findings" pertinent to the killing.

Jordan, 23, was shot dead by police in disputed circumstances in the Falls Road area of west Belfast in November 1992.

Witnesses claim the stolen car he was driving was rammed by police and that he was shot in the back as he tried to run away. Police said they were attempting to prevent a pre-Christmas bombing blitz on Belfast city centre and that traces of explosives had been found in the car.

The solicitor acting for both the McCaughey and Jordan families welcomed the decisions which they said would have serious implications for the inquests.

Peter Madden of Madden and Finucane said: "The RUC, now the PSNI, can no longer dictate which information it chooses to withhold from scrutiny.

"A previous challenge by Hugh Jordan led to a change to the rules governing inquests and for the first time members of the RUC and the British army responsible for lethal force shootings are compellable witnesses at inquests and they will be cross-examined by lawyers for the families.

"Now the coroner can make factual findings pointing towards a conclusion that criminal or civil responsibility exists."

Sinn Fein Assembly member Francie Molloy welcomed the judgment as paving the way for full and open inquests into the killings of McCaughey and Grew.

He said: "Sinn Fein share the belief of the families that full disclosure of all relevant documentation will illustrate the fact that the British

government operated a shoot-to-kill policy and we will continue to stand with the families in their search for the truth."

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**STARRING:** George Clooney, Cate Blanchett, Tobey Maguire, Beau Bridges.

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**RATING:** ★★☆☆☆

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