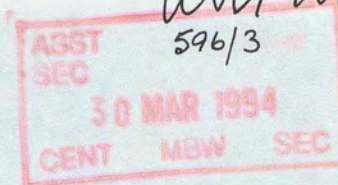


From: James Turner  
Security Policy and Operations Division  
30 March 1994



DESK IMMEDIATE

cc PS/Secretary of State (B&L) - B  
PS/PUS (B&L) - B  
PS/Mr Fell - B  
Mr Legge - B  
Mr Steele - B  
Mr Williams - B  
Mr Bell - B  
Mr Watkins - B  
Mr Maccabe - B  
Mrs Collins - B  
Mr Leach - B  
Mr Marsh - B  
Mr Maitland - B  
Mr McCaffrey - B  
Mr Perry - B  
Mr McCartney - B  
Mr Kyle - B  
Mr Lemon

*1419/3*  
30 MAR 1994  
*hmc*

1. Ms Johnston [AJ 30/3/94]
2. PS/Sir John Wheeler (B&L) - B

GLEN ROAD JOYRIDERS APPEAL

The judgement is due this morning in the appeal of the two paratroopers found guilty in connection with the deaths of joyriders Karen Reilly and Martin Peake in West Belfast on 30 September 1990. This submission provides background information on the case and suggests line to take in case of any press interest.

Background

2. On 4 June 1993 Private Clegg was found guilty of the murder of Karen Reilly and sentenced to life imprisonment, and of attempting maliciously to wound Peake, with a four year concurrent sentence. Private Aindow was convicted of attempted murder, conspiracy to

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ever, the course of public justice, and making statements with intent to pervert the course of public justice; he was sentenced to seven years on the first count, with concurrent sentences of 2 and 3 years respectively for the other offences.

3. The incident, which led to the charges and subsequent convictions, arose as a patrol was moving at night down a road on the outskirts of Lenadoon and encountered the joyriders. The car slowed down and then accelerated through the soldiers, who thereupon opened fire. The case centered around differing version of events given by members of the patrol and by Constable Gibson and another civilian witness. Although the Judge accepted that the car had passed sufficiently close to Aindow, at speed and with its headlights full on, for him and his colleagues to believe that he was in danger, he did not accept that a soldier had been struck by the car. Constable Gibson and another civilian witness testified that the leg injury received by Aindow had been fabricated. In sentencing Clegg and Aindow, Mr Justice Campbell said that the Courts would not tolerate members of the security forces acting outside the law. He gave them credit, however, for serving society as soldiers and recognised that they had found themselves in a very difficult and stressful situation which had not been of their making and that their actions were not predominated.

4. Lines to take are attached.

(Signed)

JAMES TURNER  
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## LINES TO TAKE

### If conviction affirmed

- It would be inappropriate to comment on the Judgement which was reached after careful consideration of all the evidence.
- [If life sentence is given, when will the soldiers be released from prison?] Release will be considered in due course under the normal arrangements which apply to all life sentences.

### If conviction quashed

- [Whitewash] The decision was reached after careful consideration of all the available evidence. [It is quite wrong to suggest that there was a whitewash].

### General

- The police and Army are expected to operate at all times within the law. HM forces are subject to military discipline as well as the ordinary criminal law.
- [Should there be a lesser charge than murder available?] This is a highly complex and difficult area of the law. It is an area we keep constantly under review.
- The Rules under which soldiers may open fire in Northern Ireland are fully consistent with the principles of reasonable force and the protection of life. Every incident in which a member of the public is killed or injured, involving a member of the security forces, is fully and professionally investigated.

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- The public is entitled to expect the highest standards of behaviour from members of the security forces, and the Government and security force commanders have made it clear on a number of occasions that nothing which falls short of these standards will be condoned.

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