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OTRs - The scale of the problem

1. Out of the then known on the run cases (OTRs), 17 were not caught by the Secretary of State's announcement at the end of September because they are pre-conviction cases and therefore do not qualify for early release under the Sentences Act.

2. The Attorney General has concluded that 4 of these cases should now be dropped, reducing the number to 13 and he is currently considering whether it would be in the public interest to pursue a further 2. However, for the remaining 11 cases the Attorney General has concluded that sufficient evidence exists to prosecute and that conviction is in the public interest. (These 13 cases are listed below.)

3. Most of the offences for which these 13 OTRs are wanted were committed over ten years ago. Four offences were committed in the 1970s, five in the 1980s and two in 1990. Only two are suspected of committing scheduled offences after the 1994 IRA ceasefire — [redacted] for the bombing of Thiepval Barracks in 1997 and [redacted] suspected of the murder of a drugs dealer in 1995 and suspected of the kidnap and murder of Paul Anthony Downey and Brendan Fagin near Newry in 1999. [redacted] offences would not qualify for amnesty as the former is not a relevant offence (see paragraph 63) and the latter was committed after April 1998. However [redacted] is also suspected of murder and attempted murder in two incidents committed in 1992 & 1993 – both of which would count as qualifying offences.

4. Of the remaining 11 qualifying OTRs, most are suspected of serious offences. Three are suspected of possession of firearms and explosives, three for attempted murder, one for possession of firearms and conspiracy to murder and four for bombing offences including the Brighton and Bognor bombings in 1984.

5. Five OTRs are wanted for offences committed in England. They are [redacted]
6. Five cases are currently subject to live extradition proceedings. Four relate to offences in the UK, one to offences in Northern Ireland. These five are

7. As far as is known, none of the identified unconvicted OTRs are currently involved in dissident activity.
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OTRe – CASE BY CASE SUMMARY

1. Pre-trial: Northern Ireland

Extradition proceedings started in 1987 but currently on hold.
Recent review by DPP concluded that prosecution still justified.

2. Pre-trial: England

Extradition proceedings continue. Attorney General concluded that the evidence remains sufficient to require a prosecution.

3. Pre-trial: England

Extradition proceedings currently on hold but will be reactivated on his release.

4. Pre-trial: England

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Extradition warrants were issued in 1995 and executed in 1998, on his release from Portlaoise. Extradition proceedings ongoing, awaiting the outcome of an appeal.

The Attorney has concluded that the evidence is sufficient to justify prosecution.

5. Pre-trial: England

Extradition proceedings ongoing. The Attorney has concluded that the evidence is sufficient to justify prosecution.

6. Pre-trial: Northern Ireland

No extradition proceedings outstanding. Attorney General of the view that the evidence remains sufficient to justify prosecution.

7. Pre-trial: Northern Ireland

The DPP has concluded that the evidence is sufficient to justify prosecution.
No extradition proceedings mounted. The police and DPP are reviewing his case.

The DPP has concluded that the evidence remains sufficient to justify prosecution.

The Attorney has concluded that the evidence remains sufficient to justify prosecution.

The Attorney has concluded that the evidence is sufficient to justify prosecution.
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The Attorney has concluded that the evidence is sufficient to justify prosecution.

13. Pre-trial: England

No longer believed to be wanted for questioning by the GB police; this is being checked by the NIO.