



Head Policy and Legacy
Headquarters 38 (Irish) Brigade and Northern Ireland
Garrison
British Forces Post Office 825



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Reference: FOI 2018/15806

Date: 8 February 2019

Dear [REDACTED]

FREEDOM OF INFORMATION REQUEST – MURDER OF ROBERT ORR IN ARMAGH ON 14 MAY 1991

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 for the following:

“I wish to request a copy of documents referred to in your final response to request 2018/15277 that you can locate easily within the time limit.”

As you are aware the MOD holds some information relating to death of Mr Orr. This information has been located in a range of documents which I have provided relevant extracts at Annexes A - C. These have been highly redacted as the remaining information they include is outside the scope of your request. Information redacted using a black box indicates that an exemption has been applied.

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 required 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.

Some of the information located falls within the scope of Section 26 (Defence) of the FOI(A) as its release would or would be likely to prejudice the capability, effectiveness or security of any relevant forces.

Section 26 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 would have in revealing the capabilities of military operational planning by compromising the methodologies and practices employed in the gathering and analysis of information. I have therefore concluded that the public interest supports withholding some information under Section 26.

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).

In addition, 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 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 especially where release would be likely to endanger, the physical or mental health of any individual. 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.

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.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) Bde FOI Team

Enc.

Annex A Extracts from various documents (2 Pages)

Annex B IED Incident Report dated 13 May 1991 (2 Pages)

Annex C Extracts from Intelligence Summaries (1 Page)

Verbatim Extracts from Various Documents Relating to the Murder of Robert Orr – 13 May 1991

FOI 2018/15806

Daily Operation Brief – 13/14 May 91 (134/91)

3 INF BDE 03 Bde/RURAL GRH87964510 H/THE MALL PIRA 133/001 1 x Expl 10 kgs (Mil) (UCBT) 1 x Civ(K) ^(P)

1. 130833A. UVBT attack, Armagh (2 UDR). A UVBT functioned killing the driver, a Mr Robert ORR (Prot), a former RUC reservist, in Gaol Square, GR 87964510. PIRA claimed responsibility for the attack.

HQNI Log Sheets – 13 May 91

Serial	Time	To	From	Event	Action
2	0833		3x	UVBT gone off in Armagh. Gr [Redacted] VRN [Redacted] No details of cas	[Redacted]
3	0840		DO	ATO Request A. Exploded UVBT B. 8764510 C. [Redacted] D. Direct	
4	0930		3x	L13 0840 1 x Fatality Details unknown. Victim confirmed as Mr Robert Or (<i>sic</i>) Ex RUC	[Redacted]

**DEATHS, DUE TO THE SECURITY SITUATION
 IN NORTHERN IRELAND**

1991

NAME	DATE OF DEATH	LOCATION
ORR, RJ	13.05.91	Armagh

DEATHS -1991

SER	DATE	NAME	ORG	DETAILS
25	13 May 1991	Robert Orr (Ex RUC)	P	Fatally wounded when a UVBT detonated beneath his car in Goal Sq, Armagh. (PIRA). He was a former RUC reservist & prominent loyalist (Sectarian)

DEATHS -1991

1991						
(A)	(B)	(C)	(D)	(E)	(F)	(G)
1970	13 May	MR	R	ORR	P	56
						ARMAGH
						EXPL
						PIRA
						1991133001
						(J)

42. Operator's Comments (including Sketches etc)

a. At 0815 on 13 May 1991, Mr Robert Orr, an accountant was driving to work. He had last used his car the previous evening. He had driven approximately 2km and was approaching the junction of Barrack St and Gaol Square when a device functioned under his car, probably in the area of the drivers seat. A small crater was made in the road, 1.5cm deep and roughly 10cm x 10cm. The car suffered severe damage, although by chance no passers-by were injured.

[REDACTED] The car continued to roll forward in a straight line, bouncing over a kerb before coming to rest 70m further on, at [REDACTED]

b. [REDACTED]

c. The Fire Service ^{arrived} soon after and extinguished the fire, which by then had completely burnt out the rear 3/4s of the car, from the dash backwards. [REDACTED]

d. EOD assistance was requested. RSPs used due to action of RUC and Fire Service and the general scenario. EOD action took place and the car and seat of the explosion declared safe. The Operator remained on the scene to assist in forensic identification and gathering of evidence.

e. The victim was a prominent member of the Orange Order. He had also stood for election in the past as a Unionist and had retired from the RUC reserve in 1976. [REDACTED]

f. [REDACTED]

Annex A Yes No

43. Operator	44. OC Unit/Det Comments	45. Tasking Authority Use Only
Signature [REDACTED] Date 19 MAY 91	Signature [REDACTED] Date 4 June 91	Signature [REDACTED] Date 6 June 91

INTELLIGENCE SUMMARIES

Report Number D479915 TRB INT NEWSLETTER

8. The murder of Mr Robert Orr in Armagh on Mon 13 May 91 will probably provoke a violent reaction by PPM, possibly targeted against East Tyrone PIRA and maybe into the Armagh City area. However, PPM are more likely to murder some totally innocent Catholic taxi driver in Belfast, By way of mindless retribution.

Report Number D480049 – INCIDENTS IN 3 BDE TAOR FM 10 – 16 MAY 91

Incidents in this report have been taken from 3 Bde NIREPS, and must not be taken as the full report on the incidents. This report is for internal use only

10. 13 May UVBT Armagh At Approx 0816hrs Barrack Hill Armagh City [Redacted] UVBT exploded underneath a blue Vauxhall Senator, [Redacted] driven by Mr Robert Orr, [Redacted] Armagh resulting in his death. [Redacted]