

Her Majesty's Inspectorate of Constabulary has been commissioned to conduct a HET review. There follows the terms of reference for this review, as agreed between PSNI and NIPB.

**1. Clarification following consultation with Board**

To examine the adequacy of the policy and procedures in place to ensure that the HET investigation of RMP cases are compliant with the ECHR and current policing standards.

2. The review should focus on those deaths occurring between 1970 and September 1973 in which military personnel form a key part of the investigation. These deaths were investigated jointly by the RUC and the RMP under an agreement arranged between the Chief Constable of the RUC and the General Officer Commanding whereby the RMP had responsibility for interviewing soldiers involved in the incident and forwarding details to the RUC investigators.

**Clarification following consultation with Board**

To determine whether the conduct of all aspects of the HET investigation of RMP cases meet current policing standards and the requirement to provide an independent, effective, prompt and sufficiently transparent investigation of these cases under Article 2 of the ECHR.

3. The Chief Constable seeks reassurance that in accordance with Article 2 of the European Convention of Human Rights, the HET procedures for the interviewing of former military personnel are in keeping with the requirement to provide an independent, effective, prompt and sufficiently transparent investigation.

**Clarification following consultation with Board**

To confirm whether the HET is investigating cases involving the Military Police as effectively as it investigates all other cases, including those where there is no 'state' involvement at all, with a view to ensuring there is no breach of Article 3 and Article 14 of the Convention. The review should include interviews with families and their representatives.

4. The Chief Constable seeks a review which takes into account recognised best practice in dealing with the interviewing of former military personnel.

**Clarification following consultation with Board**

To determine whether HET investigation processes in RMP cases, as outlined in the research conducted by Dr Patricia Lundy, meet the requirement benchmarks and standards.

The review will take cognisance of the standards that applied at the time and obligations in respect of Article 6.

5. The Chief Constable would value any recommendations which HMIC feels would benefit HET investigations in which former military personnel form a key part of the enquiry.

**Clarification following consultation with Board**

To establish if there is consistency and equality of treatment in all of the above investigations and policies, procedures and processes in comparison with other historic cases within the PSNI, bearing in mind the obligation on the PSNI to ensure balance in respect of their approach to such matters.