



DATE	25 AUGUST 2010
COMMITTEE/PANEL	POLICE AUTHORITY
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HM CORONERS REPORT

PURPOSE

1. The Police Authority is required to consider and respond to a report by the Assistant Deputy Coroner Karon Monaghan QC under the Coroner's Rules 1984, Rule 43, regarding the Inquest into the deaths of John and Joan Stirland. The Police Authority and Chief Constable are required to respond to this report. The report remains the property of HM Coroner and publication of the responses to the report will be the decision of the Lord Chancellor.

RECOMMENDATION

2. That the recommendations of HM Coroner be accepted and whilst there is no specific recommendation of the Police Authority, as the governance and scrutiny body of Nottinghamshire Police, the Authority needs to satisfy itself that the recommendations required of the Force have, or are being addressed.

That the Police Authority formally responds to HM Coroner by 22 September 2010 at the latest. Copies of the response will be sent to the Lord Chancellor who may publish the response or summary of it, and may send a copy of it to any person who the Lord Chancellor believes may find it useful or of interest.

REASONS FOR RECOMMENDATION

3. The recommendations set out above reflect the advice and instructions given by HM Coroner in her report as to action required to review arrangements in relation to intelligence assessing, sharing, storing and gathering. The Force is also required to review its management of threats to life and the protection of vulnerable persons.

SUMMARY OF KEY POINTS

4. BACKGROUND

An inquest into the death of John and Joan Stirland was conducted with a jury between 1st February 2010 and 24th February 2010. At the conclusion of the jury's deliberations the Coroner announced that she considered it necessary to make a report to the relevant

authorities, pursuant to Rule 43. She has decided to make such a report having regard to the evidence she heard.

Mr and Mrs Stirland were unlawfully killed on 8th August 2004. The cause of their deaths was, in both cases, gunshot wounds. They were unlawfully killed at Trusthorpe, Mablethorpe, Lincolnshire, having moved out of fear from Nottinghamshire. Thereafter on 29th June 2006, three persons were convicted of conspiracy to murder in connection with their killings, namely Colin Gunn, Michael McNee and John Paul Russell.

The inquest explored what was known by the police about the risks posed to Mr and Mrs Stirland by, in particular, an organised crime group led by Colin Gunn. The risk to them emanated from the fact that the Gunn organised crime group planned retribution attacks for the murder of a Mr Marvyn Bradshaw. Marvyn Bradshaw had been murdered on 30th August 2003 whilst in the driver's seat of a vehicle containing, amongst others, Jamie Gunn (who perhaps was assumed to be the intended victim), a relative of Colin Gunn. Mr Michael O'Brien, Mrs Stirland's son, was convicted of the murder of Marvyn Bradshaw on 12th July 2004 and was identified as a suspect very early on after his shooting. Intelligence received by Nottinghamshire Police within days of the murder of Marvyn Bradshaw indicated that the Gunn organised crime group was offering a reward for information to trace Mr O'Brien and if he could not be located, his family. A good deal of intelligence was received thereafter which pointed to a risk to Mr O'Brien's family, including Mr and Mrs Stirland.

Within approximately two weeks of the murder of Marvyn Bradshaw, on 14th September 2003, there was a firearms attack on the home of Mr and Mrs Stirland in Nottinghamshire. The circumstances indicated that it was a deliberate attempt on their lives. This was obviously a very serious incident and one that caused Mr and Mrs Stirland, unsurprisingly, considerable fear, stress and anxiety. Further intelligence emerged thereafter pointing to a continuing risk to Mr and Mrs Stirland.

Mr and Mrs Stirland relocated to Lincolnshire and contact with Nottinghamshire Police was maintained, however insufficient action was taken to assess the risk to the couple and review that risk on an ongoing basis. Adequate and timely intelligence and information regarding the presence of, and circumstances surrounding the Stirland's was not shared with Lincolnshire Police, to the extent that there were inadequate early warning mechanisms in place should assistance be required.

Inquiries after the murder of Mr and Mrs Stirland revealed that their address had been located through employees at British Telecommunications plc. The employees concerned did not know the purpose for which the address was being sought. They were convicted of crimes relating to the disclosure of the address of Mr and Mrs Stirland.

On the direction of the coroner the jury returned a verdict of unlawful killing in respect of the deaths of Mr and Mrs Stirland.

As to the acts and omissions of Nottinghamshire Police, by their verdicts the jury concluded that they failed to act, as they should have done, both in respect of the management of the intelligence received, relevant to the risk to Mr and Mrs Stirland, and in respect of the protection provided to Mr and Mrs Stirland. The jury found that those failures contributed to the deaths of Mr and Mrs Stirland.

SUMMARY OF ACTION TAKEN

A full Independent Police Complaints Commission investigation followed the murders and was concluded in 2008. Nottinghamshire Police have robustly reviewed their practice and policies in relation to the management of intelligence and witness protection on a regular basis since 2004 which include external inspection by HMIC in 2006, 2008 and 2010, implementation of the IPCC recommendations, and reporting of progress to the Police Authority.

The recommendations from the Coroner's Report are due to be inspected by HMIC 23/24 August 2010 who will report their findings to the coroner and subsequently the Lord Chancellor.

There are also recommendations that affect the police service nationally and these are being progressed via HMIC, ACPO, Home Office and NPJA.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

5. There are financial implications which are currently being assessed. IT and training and significant resources and budgets have been invested in this area to ensure full compliance with all recommendations from all inspections and reports.

RISK MANAGEMENT ISSUES

Failure to implement the recommendations of the Coroner would constitute a breach of Coroner's Rules. The issue of management of intelligence witness protection, critical incidents and threats to life is included on the Force Risk Register and is managed by Assistant Chief Constable Crime.

POLICY IMPLICATIONS

7. Local and Regional policies and procedures have been created and subject to annual review.

DETAILS OF CONSULTATION

8. Nottinghamshire Police and Nottinghamshire Police Authority are in regular dialogue with other agencies and will continue to do so.

BACKGROUND PAPERS

9. Report by the Assistant Deputy Coroner Karon Monaghan QC – Inquest into the deaths of John and Joan Stirland.

FURTHER INFORMATION – ACC BROADBENT (CRIME)