

ALLEGED ASSAULT ON GERRY BROWN

Lines to take

Alleged assault on Gerry Brown

- Aware of the very serious allegations made by Mr Brown. Understand that he has now made a formal complaint to Merseyside Police.
- The allegations are being investigated by the Disciplinary Section of Merseyside Police. The independent Police Complaints Authority (PCA) has been informed of the allegations. It is open to the PCA to supervise the investigation into the complaint if they so wish.
- Cannot comment further on the details of the case while it remains under investigation.

If needed

- Mr Brown was not arrested or detained under the Prevention of Terrorism Act.

[Not for public disclosure: he was apparently arrested for disorderly conduct]

If asked about the PTA powers:

- The Government recognises that the powers in the Prevention of Terrorism Act are exceptional. When there is a reduced level of threat from Irish terrorism, as at present, the powers are used much less frequently. You will appreciate that the powers of the police to stop and question travellers at ports apply equally to international terrorism.
- The Government is currently considering the long-term future of the prevention of terrorism legislation.

Port powers

- The port powers are designed to enable the power to detect, deter and disrupt the movement of terrorists and their equipment. In 1996, thousands of examinations were conducted, most of which lasted just a few minutes. 465 people were examined for more than one hour, of whom 12 were charged with an offence.
- It is open to individuals who feel they have been treated unlawfully or unfairly to make a formal complaint to the chief officer of the force concerned.

Background - not for disclosure

Mr Brown arrived on a flight from Dublin at Liverpool airport on Tuesday afternoon. He was travelling to Liverpool to take part in a play at the city's Neptune Theatre. The flight also contained a large number of football supporters travelling to see the Liverpool versus Celtic match that evening. A number of passengers on the flight, including Mr Brown, were asked to complete disembarkation cards.

We understand from Liverpool Special Branch that Mr Brown reluctantly agreed to complete the card. The police have told us that he pushed away a policewoman when she pointed out that he had not completed the form properly. She then arrested him for disorderly conduct at approximately 13.15. He was taken to Belle Vale police station where he apparently apologised for his behaviour. He did not complain about his treatment at this point (if he had alleged that he had been assaulted he would have been examined by a medical officer). The police released him with a caution at 15.26 (which required him to admit the offence of assaulting a police officer in the exercise of her duty).

At 00.05 hours on Wednesday morning at Walton Lane police station Mr Brown walked into a police station in Liverpool and made a formal complaint. He alleged that he had been abused, kicked and punched by Special Branch officers. He was immediately examined by a medical officer whose report will be made available to the investigation. We understand from the police however that there were no obvious signs of any injuries to him.

These allegations are currently being investigated by the Disciplinary Section of Merseyside Police. The Police Complaints Authority has been informed. It is open to the PCA to supervise the investigation into the complaint.

Mr Brown and his colleagues have since attempted to publicise the allegations (see attached press article). This has led to media and Parliamentary interest in the Republic. We understand that three TDs have tabled a motion calling for an Adjournment Debate this evening about the incident.

It is normal practice to make no comment about the circumstances of a case once a formal complaint is made about police actions since the matter is then under investigation. Any comment before the investigation is complete could be prejudicial to that inquiry and cast doubt on the validity of its findings.