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Title: Letter from HJ McCann, Secretary of the Department of Foreign Affairs, to NS Ó Nuallain, Secretary of the Department of the Taoiseach, providing material for answering Dáil Questions on the Compton Report on allegations of security force brutality in Northern Ireland during August 1971.

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ROINN GNÓTHAÍ EACHTRACHA

DEPARTMENT OF EXTERNAL AFFAIRS

Foreign

BAILE ÁTHA CLIATH 2

DUBLIN 2

22 Samhain, 1971

An Rúnaí
Roinn an Taoisigh.

I am to refer to minutes S.18610 of 17th and 18th November concerning Dail Questions (Provisional No.67 and No.99) and to the Dail Question (Provisional No.35) subsequently forwarded. The questions are as follows:

To ask the Taoiseach if in the light of the findings of the Compton Commission he proposes to discuss the matters referred to with the British Government.

- Deputy J. O'Connell

To ask the Taoiseach what action he intends taking arising from the recently published Compton report; and if he will make a general statement on the matter.

- Deputies J. Dowling and
S. Moore

To ask the Taoiseach if he is now in a position to say whether a definite decision has been taken to raise the terms of the Compton Report at the European Commission on Human Rights.

- Deputy Liam Cosgrave.

It is suggested that the three questions be taken together. Subject to any developments between now and Question Time on Tuesday an appropriate reply would seem to be as follows:

The Government are gravely concerned by the allegations of brutality, torture, inhuman and degrading treatment and unlawful deprivation of life in the North - concern which has not in any way been alleviated by the Compton report. The collection and evaluation of evidence, sufficient ^{x (see note below)} to sustain a case before the European Commission on Human Rights, are nearing completion and the Government will take a decision in the matter shortly.

There will almost certainly be supplementaries pressing for a decision to take action at Strasbourg. In dealing with such supplementaries the Taoiseach may wish to have the following information:

x N.B. The reply as approved by Taoiseach, contains a revised second sentence to omit word "sufficient", in order not to throw doubt on the strength of the evidence reviewed

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- (i) it appears that the British Government, according to a remark made by Lord Carrington in the House of Lords on Thursday, 18th November, are considering extending the Compton Inquiry to include more recent allegations of brutality etc.;
- (ii) Compton excludes from his examination anything other than the question of physical treatment (para. 19 of his report). This means that he did not consider the psychological damage that may have been done by the special interrogation tactics and the mental cruelty that may have been felt by those subjected to that procedure and to other kinds of physical ill-treatment. This is a serious matter and does not justify the statement made by Mr. Maudling in the House of Commons on Wednesday, 17th November, that no permanent injury of a mental nature had been done;
- (iii) Amnesty International are conducting an independent international inquiry. They are receiving direct cooperation from us in tracking down material. Their report is highly likely to be unfavourable to Britain. The inquiry will probably sit either in Belfast or London from about 27th November to about 3rd December.
- (iv) an unofficial inquiry consisting of Lord Gifford, a Labour Peer, Mr. Paul O'Dwyer and Mr. Albie Sachs, a South African lawyer, issued their report last Friday and found against the British authorities in relation to the deaths of Cusack and Beattie in Derry - the refusal of an official inquiry into the circumstances of these deaths is what led to the decision of the SDLP to withdraw from Stormont.
- (v) Cardinal Conway and the five Northern Bishops issued a statement yesterday and described interrogation in depth as "immoral and inhuman". They also claimed to have "disturbing medical evidence of the physical beating of arrested persons even in recent weeks".
- (vi) in general, the Taoiseach is aware of the serious considerations for and against going to Strasbourg. Some of the considerations against cannot appropriately be explained to the public at large.

There is enclosed herewith a very brief summary of the Compton findings for convenience.

Rúnaí