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4th February 1972

Text of speech made by Mr. Desmond O'Malley T.D., Minister for Justice, during the special Adjournment Debate in Dail Eireann on the Northern Ireland situation

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In the aftermath of the tragic events that took place in Derry last Sunday, the most striking development, so far as we are concerned, has been the tremendous unity of purpose displayed by all our people in giving expression to their sympathy for the victims of these events and their solidarity with the bereaved citizens of Derry. The Government have been greatly heartened by this manifestation of unity. It will, I believe, be a source of strength to all of us in our efforts to bring about a solution of the Northern problem based on justice and peace. I hope it will promote goodwill and be the basis of reconciliation for all our people, North and South.

As Minister for Justice, I want to avail myself of this opportunity to pay tribute to the magnificent work of the Garda Síochána in the face of the great difficulties with which they have to contend in recent days. In particular, I have in mind those members of the force who had to contend with events at the British Embassy. The patience, restraint and discipline with which they discharged their very onerous duties have put the whole community in their debt and I know I am speaking for all our people when I offer them our sincere thanks for what they did. Regrettably, quite a large number of gardaí received injuries and some are still in hospital. I am, however, happy to say that none was really badly injured. To all of them I send my best wishes for a speedy recovery.

I should like now to answer what I regard as a particularly vicious misrepresentation disseminated by some of the cross-channel news media, namely, that the gardaí on duty at the British Embassy stood by and allowed certain elements in the crowd to set fire to and destroy the Embassy. This a travesty of the truth and a libel on the force. All Members of this House will, I am sure, join with me in protesting against this sordid and ill-founded allegation. The fact of the matter is that at the height of the troubles outside the Embassy there were at least 20,000 people assembled there. The control of a crowd of these proportions presented the gravest difficulty for the gardaí. Not alone had they to concern themselves with the protection of the Embassy but they also had to have regard to the safety of the people present, the overwhelming majority of whom were gathered to demonstrate peacefully against the events of last Sunday. The very size of the crowd made it impossible for the gardaí to deal effectively with the small element that engaged in criminal acts of arson and violence. In the particular circumstances the gardaí were virtually powerless to prevent the throwing of petrol bombs at the premises and the gaining of access to the premises by a number of people who proceeded to complete the work of destruction.

Again, when the fire brigade arrived on the scene to deal with the fire, the presence of so large a crowd hampered the gardaí to such an extent that they were unable to prevent some of those present from deliberately interfering with the fire brigade units in their attempts to get to grips with the fire. Those who engaged in this work brought discredit on themselves and on all of us. This building as well as being an embassy was an integral part of a beautiful square. It would be interesting to speculate on how many of these criminals and arsonists have on other occasions demonstrated about the destruction of Georgian buildings. They destroyed a fine building and they landed the taxpayer with a huge bill.

It has been alleged by a number of commentators that these events should have been anticipated and that fairly simple precautions, if they had been taken in time, could have prevented the destruction of the Embassy. Yesterday Deputy Ryan talked about the erection of barricades to keep the crowd back from the vicinity of the building and today Deputy L'Estrange spoke on the same lines, of the necessity for barbed wire barricades and similar obstructions between the gardaí and the people of Dublin. I should like to record, for the benefit of Deputies and others who have made these statements, that the Garda Síochána had considered

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all the problems that might arise and had carefully assessed what measures were necessary and what measures were desirable. The measures that were taken by them were the measures which, in their professional judgement, were demanded by the overall situation. One of the obvious factors they had to consider, as they have to consider in relation to any other building which might call for protection, is that they cannot and should not concentrate all their resources on that one building. To do so would be clearly to invite destruction elsewhere.

I can tell the House that one of the measures considered by the Garda Síochána was the erection of barricades of various types. They, the Garda Síochána, decided against it. Another measure which the Garda had to consider was the possibility of enlisting the assistance of the Army. Here, again, the Garda took the deliberate decision not to enlist this support as they believed that in the particular circumstances it could make little or no contribution but would, undoubtedly, exacerbate the kind of situation likely to arise, and while this judgement, this decision was made entirely as a result of the professional judgement of the Garda Síochána, I may say as a layman that I fully subscribe to the decisions they took in this respect and in other respects regarding the protection of the building.

One of the absurdities one finds in all this criticism, or in these suggestions now made after the fact, is that when something happens which ought not to happen in an area in which the Garda Síochána are in some way involved, a number of people are quick to rush in to blame me and the Government for, as they put it not anticipating events and not making proper plans or not taking what these critics regard as suitable preventive action. On other occasions mostly these very same critics and their friends keep on alleging in the Dáil and in newspaper publicity that I and my Department are interfering in the making of what are properly and solely matters for the professional judgement of the police. The fact is that neither I nor my Department interfere in the making of decisions of this kind. The decisions that had to be taken in relation to the protection of the British Embassy were matters for the professional judgement of the police and for them alone and it was they and they alone who made the decisions. Furthermore, I am satisfied that the decisions they took were reasonable in the light of all the facts and of all their responsibilities. Certainly, the British Embassy is gone, but it could have been saved only at great risk to innocent human life and this Government and their security forces have more respect for innocent human life than another Government in this part of the world.

Turning now to another aspect of the situation I want to refer back to what the Taoiseach has said about the danger signals that have made their appearance in recent days. Indeed, not only the Taoiseach but the Leader of the main Opposition Party and other Opposition spokesmen have shown that they, too, recognise the danger. As Minister for Justice, it is my special duty to direct attention to this danger. It is a fact that known habitual criminals were prominent among those concerned in the violent scenes witnessed in Dublin over the past few days. People of this kind will always take advantage of any such situation to do destruction, but I am not too worried about them. What I am worried about is the participation of certain others and the leading role played by them particularly when considered against the background of a number of incidents of intimidation that have occurred over the past few months, involving persons known to be associated with illegal organisations.

The incidents I am referring to, although known to a fair number of people, have not in all cases been publicised and I myself am inhibited to a great degree from referring to them more specifically, as there is a possibility of the Garda being able to take proceedings against the persons concerned. I say "a possibility" because the indications are that witnesses have been threatened with reprisals if they make statements to the Garda, or if, having made statements, they give evidence in court. We cannot allow a situation to develop in which our citizens could be made so afraid of such groups that intimidation of this kind would have to be tolerated. Threats have also been made in recent times to British-owned or British-controlled businesses here.

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Bomb threats were made on Wednesday to several Government offices; private buildings have been attacked by anarchist thugs. This is a sorry situation that has grown up over the past few days, fomented out of the genuine sorrow of the Irish people for the events of last Sunday.

Side by side with this, we already have people some of them speaking out of genuine sympathy for the people of Derry who are calling for the release of certain prisoners and for a policy of the blind eye towards illegal organisations. There can be no question of any such policy being adopted. The fundamental fact is that we have here a freely-elected Parliament and a freely-elected Government. No private group have any right under any pretence whatsoever to disregard the law as enacted by this Parliament. To claim such a right is a challenge not just to the Government in office at the moment but to the basic institutions of the State. There is in this matter no room for ambivalence. A public speaker, a writer, a commentator in the Press, on radio or television, be he lay or cleric, who in present circumstances seeks to excuse or explain away the actions of illegal bodies here or who tries to go a bit of the road with everybody bears grave responsibility. So too does the person who, invoking the principle of free discussion, provides either in newspaper or otherwise a public platform for views which, if put into action, would destroy our institutions. It is a grave responsibility at any time, but it is particularly so now. So far as the Government are concerned, I want to assure this House again that we accept as one of our most fundamental duties a duty to protect the institutions of the State and to see that the authority of Parliament is not flouted particularly in the areas of life and death and peace and war. This duty we will discharge.