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QUESTION NO. 1.

DÁIL QUESTION addressed to the Taoiseach
by Deputy Dr. Noel Browne for answer
on ~~Tuesday~~, 16th November, 1977.

Wednesday

QUESTION:-

To ask the Taoiseach if, in the course of his recent discussions with the SDLP any reference was made by the delegation to allegations about brutality carried out against Irish citizens in the Six Counties by the British army or the RUC.

REPLY:-

A joint communique was issued following the meeting between certain members of the Government and a delegation from the SDLP on 22 September last. It would not be in accordance with practice to reveal other details of the discussions.

Note for the Taoiseach's information

SEPTEMBER MEETING

1. At the meeting with the SDLP on 22 September reference was made, in passing, by Mr. Seamus Mallon to the allegations about brutality at Castlereagh Barracks. The reference was made in the context of his evaluation of the low morale of the nationalist community in Northern Ireland, earlier this year and particularly throughout the summer months. No reference to these allegations being raised at this meeting appeared subsequently in the media as far as I am aware.
2. A copy of the communique relating to the meeting is underneath. The kernel of it reads as follows:-

"The recent SDLP policy document and the current situation in Northern Ireland were fully discussed".

October Meeting (PRIVATE)

3. On 26 October last the Taoiseach had a private meeting with Messrs John Hume and Austin Currie (at their request). Official(s) were not present at this meeting and no statement was issued afterwards. As far as can be judged this meeting can be regarded as secret.

4. NOVEMBER MEETING

The Tanaiste accompanied by the Ministers for Agriculture, Industry, Commerce and Energy, Foreign Affairs and Economic Planning and Development met an SDLP delegation on Thursday, 3 November. The meeting was sought by the SDLP to enable them to put forward their proposals for various projects and opportunities in the context of cross border co-operation.

5. This meeting was concerned with economic matters and allegations about brutality as envisaged in Deputy Dr. Browne's question did not arise. The main extract from the agreed communique issued after the meeting reads:-

.....
"The arrangements for economic co-operation between both parts of Ireland were discussed in detail and there was a review of current and proposed cross-border studies. The S.D.L.P. put forward proposals in the areas of energy, mining, tourism, agriculture and industrial co-operation and the Government delegation undertook to give careful consideration to these matters".

6. A confidential note on ill-treatment in Castlereagh is attached.

DJ

Confidential

Ill-Treatment of Persons in custody at Castlereagh

1. The Emergency Provisions Act allows for the detention of persons in custody by the Army for up to four hours. At the end of this period they must either be released or handed over to the RUC. In the Belfast area persons who are to be detained further are usually transferred to the joint Army and RUC Special Branch Holding and Interrogation Centre at Castlereagh. This is the Belfast area headquarters of the Regional Crime Squad. We are aware however from reports of ill-treatment which we have received that Castlereagh is used for the interrogation of suspects from all over Northern Ireland, particularly in the aftermath of serious terrorist offences. Persons detained under the Emergency Powers Act, which replaced the Northern Ireland Special Powers Act, may be detained for up to 72 hours. The Prevention of Terrorism Act however allows the police to hold persons in custody in the first instance for 48 hours and for a further 5 days with the permission of the Secretary of State.

2. Since the beginning of the year allegations of ill-treatment by the RUC of persons in custody at Castlereagh and elsewhere have become widespread. The case of Mr. Bernard O'Connor, a school teacher from Enniskillen who was held at Castlereagh (Belfast) RUC Station was highlighted in a special programme on BBC in March of this year. It was announced in July that no RUC officers would be charged in respect of Mr. O'Connor's allegations. The allegations of a number of men charged with the murder of Captain Robert Mairac on 15 May 1977 who were also reportedly ill-treated at Castlereagh Station and of another group who were detained, also at Castlereagh, in connection with the murder of 3 RUC men at Ardboe, Co. Tyrone, on 2 June also received particular publicity. The Department's policy in such cases is to request from the ALJ or from solicitors and other interested parties copies of personal statements, medical reports and such other primary material as may be available. We have received to date material in respect of 29 cases of ill-treatment by the RUC since January 1977, including 15 relating to Castlereagh. The names of those involved, the

nature of the available material and other relevant information are listed in Annex 1 and to this note. Allegations of ill-treatment relating to a further 46 cases, including 33 at Castlereagh, for which primary material is either not available or is not yet to hand are listed in Annex 2.

3. The SDLP in a statement on policing in Northern Ireland on 23 June mentioned "Allegations about continued ill-treatment of suspects to obtain confessions, particularly at Cookstown and Castlereagh RUC stations" as one of the factors "inhibiting many people in this community from accepting their (RUC) impartiality". Mr. Gerry Fitt called for an enquiry into the allegations when speaking in the House of Commons on 30 June. The SDLP issued a further statement on 6 October alleging that "illegal, obscene RUC behaviour" continues at Castlereagh and expressing concern at the proposed opening of a new interrogation centre at Gough Barracks, Armagh. The Chief Constable in a statement rejecting the allegations said that "Of the 1,559 persons interviewed at Castlereagh in the first nine months of this year, complaints were made by or on behalf of 215. The investigation of all these complaints has not yet been completed. However, of the cases so far submitted to the DPP in respect of Northern Ireland as a whole this year, in only one instance has the DPP directed a prosecution for alleged assault against a prisoner. This is not in respect of Castlereagh and the matter has yet to be decided by the courts."

4. Mr. Michael Canavan, the SDLP spokesman on legal matters, and Dr. Joe Hendron, the party's constituency representative in West Belfast, both ^{representing} issued statements critical of the Chief Constable. Dr. Hendron revealed that the Northern Ireland branch of the Association of Police Surgeons had requested a meeting with the Chief Constable to discuss the continuing allegations. This report was confirmed on 9 October by a spokesman for the Association. It is likely, though not certain, that this meeting has in fact taken place though there have been no further references to it in the press. ITV (Thames Television) broadcast a programme on

27 October concerning the methods of police interrogation in use at Castlereagh. The programme detailed ten cases in respect of which medical evidence was available of brutal treatment. These included multiple beatings to all parts of the body, spread-eagling suspects against the wall for long periods, forcing them to squat in a sitting position and pulling suspects by the hair. This is the sort of treatment which is detailed to a greater or lesser extent in all of the complaints which we have received from sources in the North. This physical abuse is of course in addition to the psychological pressure relating to repeated and lengthy periods of interrogation over a period of 2 or 3 days. The programme was particularly interesting in that it showed a number of Protestant victims of ill-treatment at Castlereagh and because of the fact that three Belfast solicitors, whose clients are mainly from the majority community, allowed the presenter to state their concern at the situation. Paddy Duffy, who was also interviewed, said that many senior officers who had been assigned to investigate complaints had admitted to him that they invariably met with a wall of silence from the police officers involved. The Chief Constable refused to be interviewed but agreed at a late stage to read a prepared statement which argued that the injuries were in most cases self-inflicted or otherwise contrived for the purpose of embarrassing the security forces.

5. As indicated in Annex 3 to this note there have been in the recent past two separate instances at Belfast City Commission where judges have refused to accept confessions of guilt signed by the defendants because of doubts as to the manner in which these confessions were extracted. At Belfast High Court on 15 June an award of £4,000 was made to a man in respect of brutality and ill-treatment at Cookstown RUC station in January 1977. Arising out of that assault 5 detectives were subsequently charged but acquitted when each refused to testify about the others' actions.

6. It is almost certainly true that many allegations are unfounded and are invented for propaganda purposes by the Provisional IRA and its front organizations. It is also accepted by observers that in some cases injuries are self-inflicted or

otherwise contrived for the purpose of embarrassing the security forces. It would appear however both from the material available to the Department in the form of signed statements by those allegedly ill-treated, corroborated in a number of cases by independent medical reports, and the known assessment of representative and moderate persons in the minority community, and more recently in the majority community, that there are grounds for disquiet in regard to the manner in which interrogations are being conducted at Castlereagh. What is unclear is whether these methods are officially sanctioned for use in the interrogation of suspects or whether those in authority are simply unwilling to interfere with, or ^{acquiesce} ~~acquiesce~~ too closely into, methods of operation which have been highly successful in terms of obtaining confessions and securing convictions in the courts. In any event the fact that in only 38 of the 1,100 cases referred to the DPP in 1976 were criminal prosecutions instituted, leading to 29 convictions (of which only 3 were for assault), indicates either an absence of any real effort to curb brutality or, at best, a very ineffective complaints investigation machinery.

D. Hennessy

3 Nov 1977