

NATIONAL ARCHIVES

IRELAND



Reference Code:	2009/135/701
Creation Date(s):	8 May 1979
Extent and medium:	3 pages
Creator(s):	Department of the Taoiseach
Access Conditions:	Open
Copyright:	National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

ROINN AN TAOISIGH

Uimhir.....

BENNETT REPORT

1. The Bennett Report was made public on 16 March. While being careful to emphasise its appreciation of the work of the RUC under difficult conditions and explaining in regard to allegations that these were not tested in cross-examination it nevertheless concludes that there were cases where injuries were sustained in police custody which could not have been self-inflicted. The recommendations in the Report include the adoption of a code of conduct for interrogation which would specifically prohibit many of the practices which have figured in complaints over the past two years; as well as:

- (i) installation of close-circuit T.V. in interrogation rooms;
- (ii) guaranteed access by suspects to solicitors every 48 hours;
- (iii) tightening-up of procedures governing interrogation as regards e.g. meals, number of officers who may be involved, prohibition on continuous interrogation;
- (iv) greater use of officers from police forces in Britain in investigating complaints;
- (v) improved access to complaint files for the Police Authority and the Police Complaints Board.

2. The Secretary of State told the Commons on 16 March that the Government accepted the recommendations and that in particular (i) and (ii) above would be implemented immediately

3. The Government's initial reaction to the Bennett Report is summarised in the following text used by a Government Spokesman in discussions with the media:-

"If normality is to return to Northern Ireland and the evolution of political ideas towards reconciliation and agreement is to be advanced, the Government consider essential that the entire community in Northern Ireland should have confidence in its police..... Grave allegations have been made regarding the treatment of persons undergoing police interrogation in Northern Ireland. The Government note that the Northern Ireland authorities are proposing certain measures in the context of the

ROINN AN TAOISIGH

Uimhir.....

- 2 -

Bennett Report and hope that the outcome will be such as ultimately to increase public confidence in the process of law in Northern Ireland".

4. In reply to P.Q.'s which the Minister for Foreign Affairs will be answering this week on the Bennett Report he will be stating that:-

"The Government consider it of fundamental importance that interrogations by the security forces in Northern Ireland should be carried out with full respect at all times for the human and legal rights of the person held and avail of the contacts which take place with the British authorities both at political and official level to ensure that they are fully aware of the concern of the Government in this regard. In the course of these contacts we have been repeatedly assured that the British Government stand by the undertaking given by the British Attorney General before the European Court of Human Rights in February 1977 and that they do not authorise or condone any maltreatment of suspects. In the light of the recent and disquieting allegations we have again raised the matter to reiterate our grave concern to the British Government, to establish the scope of the action proposed by them in the context of the recently published Bennett Report and to express the hope that the outcome of this will be such as ultimately to increase the confidence of the entire community in Northern Ireland in the process of law, something which the Government consider essential if normality is to return to Northern Ireland and the evolution of political ideas towards reconciliation and agreement to be advanced".

5. Deputy Blaney has put down a P.Q. for answer by the Minister for Justice asking if in view of the disclosures in the Bennett Report he will order a cessation by our security forces of all co-operation with their counterpart in the six counties.

6. In reply the Minister for Justice will be saying:-

"As far as the present Question is concerned, the answer is no. I am satisfied that the co-operation that exists between the Garda Síochána and the R.U.C. is of vital importance not alone in curbing the incidence of crime in this jurisdiction but also

ROINN AN TAOISIGH

Uimhir.....

- 3 -

in the context of achieving peace in the whole of this island.

I consider that a decision to do as the Deputy suggests would be extremely harmful to the interests of the Irish nation and that it would represent a positive rejection of the aspirations of the majority of the people for a peaceful and agreed solution to the problem of Irish unity."

7. In keeping with its present policy position the SDLP response to the Bennett Report included a call for the removal of emergency legislation whose continuing existence the party argues creates a climate conducive to heavy-handed police methods at a time when the police are under pressure from the Secretary of State to keep up the rate of convictions and thereby justify his own concentration on security at the expense of movement on other fronts. The party has also attacked Mason's claim that accusations against RUC men guilty of brutality were accusations against the whole force. 'By refusing to ensure that the guilty policemen are made answerable to the law', Michael Canavan, justice spokesman, said 'the Secretary of State had failed to vindicate the remainder of the force who only wish to uphold the law. In the process he has damaged the reputations of the RUC as a whole thus seriously weakening its capacity to defeat violence whether criminal or political'.

8 May 1979