



An Chartlann Náisiúnta National Archives

Reference Code:	2017/10/48
Creation Dates:	18 June 1987
Extent and medium:	14 pages
Creator(s):	Department of the Taoiseach
Accession Conditions:	Open
Copyright:	National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

es

S 20876^{cc}

A-1
A-1 Secretariat
Embassy London
Embassy Wash.

Meeting with United Campaign Against Plastic
Bullets (UCPB), Department of Foreign Affairs,

to B. O'Carthy
D/Taoiseach

18 June, 1987

to Brice.

Note.

The summary has already been circulated
via last Friday's brief for the Taoiseach.
Consideration is being given to the policy issues
involved.

Summary

1. A delegation from the UCPB, comprising persons injured and immediate relatives of persons killed by plastic bullets in Northern Ireland, met with officials of the Department of Foreign Affairs on 18 June 1987. The meeting was arranged following a letter from the UCPB to the Taoiseach.

[Handwritten initials]
23/6
[Handwritten initials]

2. Mr. O'Donovan, of the Department of Foreign Affairs, in welcoming the delegation, indicated that the Taoiseach and the Tanaiste had asked him to meet them and to listen to what they had to say. A full report on their views and concerns would be made to the Taoiseach and Tanaiste.

3. Among the points the delegation made were the following:

- They regarded the plastic bullet as a lethal weapon which was used indiscriminately to intimidate people and fired on occasions with the deliberate intention of seriously injuring or even killing.
- It has not been effective as a riot control weapon, on occasions even being counter-productive.
- Most of the people killed by plastic bullets, including the relatives of those comprising the delegation, had not been involved in riots or marches but rather had been deliberately killed in "normal, peaceful situations".

- There is no point in talking about guidelines, as these are not observed and would not be observed. Nor would a requirement of prior authority at senior level for the firing of plastic bullets serve any purpose as senior RUC men and Army men have sanctioned deliberate attacks in the past. What was required was a total ban on the use of plastic bullets.
- Plastic bullets are still in regular use in Northern Ireland and it is merely a matter of good fortune that there have not been further fatalities.
- They want the Irish Government to put the issue on the agenda of the Anglo-Irish Conference and to press the British for a total ban on plastic bullets.
- As a first step in their campaign, the Irish Government should dispose of its own stockpile of rubber bullets.
- If there were any further fatalities, the Irish Government should consider taking an inter-state case against Britain or assist the families in taking such a case. (The UCPB intends eventually to take a case against Britain).
- The delegation was critical of the handling of the inquests on plastic bullet fatalities and of the lengths to which they had to go to have their relatives' innocence established.
- They criticised the lack of accountability within the security forces in relation to the use of plastic bullets.
- They had no links with subversive organisations and wished for cross-community support for their campaign which they saw as strictly a human rights issue and

non-sectarian. Their prime motivation was a desire to spare others what they had gone through.

- They were disappointed at what they saw as the inaction of successive Irish Governments on the plastic bullets issue. They regarded the Irish Government as their only ally of substance and hoped that this Government could do something positive to help their cause.
4. The delegation were assured of the Government's concern, that the issue would be raised in the Anglo-Irish Conference and that the views they had expressed would be given close consideration.

T. O'Connor

T. O'Connor,
Anglo-Irish Section,
19 June, 1987.

Meeting with United Campaign Against Plastic
Bullets (UCPB), Department of Foreign Affairs,
18 June, 1987

1. A meeting took place with a delegation from the United Campaign Against Plastic Bullets at the Department of Foreign Affairs on 18 June 1987. The meeting was arranged following a letter by the UCPB to the Taoiseach. The delegation, comprising persons injured and immediate relatives of persons killed by plastic bullets in Northern Ireland, was as follows:

- Mr. Jim McCabe (husband of Nora McCabe (31) killed by a plastic bullet on 9/7/1981)
- Mrs. Eileen Kelly and Mrs. Eileen Murray (mother and sister of Carol-Anne Kelly (12), killed by a plastic bullet on 22/5/81)
- Anne Marie and Frances Donnelly (sisters of Michael Donnelly (20), killed by a plastic bullet on 8/9/80)
- Mr. Archie Livingstone (father of Julie Livingstone (14), killed by a plastic bullet on 13/5/81)
- Mrs. Emma Groves (mother of eleven, blinded when a rubber bullet was fired into her Andersonstown home in November 1981)
- Ms. Clare Reilly (member of Association of Legal Justice, which assists United Campaign Against Plastic Bullets)

- [Mrs. Brenda Downes, wife of Sean Downes (killed by a plastic bullet on 12 August 1984) sent her apologies. She had intended being with the delegation but had to withdraw due to the illness of one of her children.]
2. The delegation was met by Mr. Declan O'Donovan and the undersigned, of the Department of Foreign Affairs.
 3. Mr. O'Donovan, in welcoming the delegation, indicated that the Taoiseach and the Tánaiste had asked him to meet them and to listen to what they had to say. The Government were relatively new in office and were still in the process of formulating positions on the various issues involved in Northern Ireland policy. We would listen carefully to the delegation's views and a full report would be made to the Taoiseach and the Tánaiste.
 4. Mr. McCabe said that plastic bullets were useless as a means of riot control and that instead they were used as a means of repression and intimidation. As evidence of this he pointed to the fact that most of the people killed by plastic bullets, including the relatives of those comprising the delegation, had not been involved in riots or marches, but rather had been deliberately killed in "normal, peaceful situations". (Note: In the case of Mrs. McCabe, Julie Livingstone and Carol-Anne Kelly, inquests had declared them innocent victims who had not been involved in rioting. In the case of Michael Donnelly, the inquest gave no finding as to involvement in disturbances, but evidence made it seem unlikely. His sisters insisted his complete innocence).
 5. It was no accident, Mr. McCabe believed, that 1981 should have been the year of the greatest number of plastic bullet fatalities and the year in which the greatest number of plastic bullets were fired. The hunger strike had the support of all sections of the nationalist community and plastic bullets were used as a deliberate strategy in

non-riot, peaceful situations to undermine that support and to intimidate Catholics away from the hunger strike campaign. Nobody seriously involved in rioting (i.e. throwing petrol bombs etc.) had been hit by a plastic bullet, Mr. McCabe asserted, which reinforced his belief that the aim of the weapon as used in Northern Ireland was to repress.

6. Turning to the funeral of Finbar McKenna in Belfast on 6 May last (when 8 plastic bullets were fired by the security forces), Mr. McCabe said that he had been present at the corner of Cavendish St. and the Falls Road, where the plastic bullets were fired. He said that people attending the funeral had gone to great lengths to avoid conflict with the police. However, the latter seemed bent on confrontation. They passed provocative remarks in the direction of the mourners and fired the plastic bullets "at the first opportunity". It was then that the stone throwing began, with people jumping behind a wall in Cavandish St. and throwing stones at the police. He was insistent, however, that the plastic bullets had been fired first and that the reason for their firing was to intimidate people away from attending such funerals in future.
7. A further grievance of the group, Mr. McCabe said, was the fact that nobody had been made amenable for the deaths caused by plastic bullets, a point developed by the other members of the delegation later. There had been no disciplining of the members of the security forces involved and in the only case where charges had been pressed (Constable Hegarty, the officer responsible for the death of Sean Downes), the defendant had been acquitted.
8. Mr. McCabe said that plastic bullets were still being used in Northern Ireland on a regular basis and it was merely good fortune that there had been no further fatalities. Apart from the McKenna funeral, he instanced an incident in

the Ballymurphy area, roughly six months ago, when soldiers fired plastic bullets at a group of people standing in a doorway talking. There had been other instances as well but because the UCPB does not have the resources to document every case he was unable to give precise details. Because the media no longer viewed plastic bullets as big news many instances went unreported, but Mr. McCabe was supported by other members of the delegation in his contention that plastic bullets were still being fired on a regular basis. Furthermore, the security forces carry the plastic bullet guns as standard equipment in routine patrolling on the streets, so the danger involved in their use is an ever-present threat, he said.

9. Having regard to all these factors, Mr. McCabe said that the UCPB continued its call for a ban on the use of plastic bullets in Northern Ireland and the purpose of their request for this meeting was to ask the assistance of the Irish Government in having the ban implemented.

10. Ms. Reilly and Mrs. Groves said that the UCPB was very much relying on the Irish Government in this regard, as the only avenue of help to which they could turn. They had little resources and little clout. They had nothing to gain personally by the campaign beyond seeking to ensure that other families would be spared what they had gone through. Mrs. Groves insisted that the group had no links with subversive organisations and would very much like to have cross-community support for their campaign. They had sent a wreath to the family of Keith White (the first Protestant (fatal) plastic bullet casualty - he died in April 1986 from injuries received from a plastic bullet in Portadown) and issued an invitation to the family to join their campaign, but had not received a response. Ms. Reilly said that they could understand the White family's reluctance to cross the community divide on the issue. Mrs. Groves added that were sorry about that, however, as this was very much a human rights rather than a sectarian issue. On the

question of support, Mr. McCabe said that several of the families of other plastic bullet victims had declined to join UCPB for fear of harassment by the security forces.

11. Ms. Reilly said that the UCPB had built up good support in England with frequent requests for speakers. The interest, she believed, stemmed from a fear there that their police too would resort to plastic bullets eventually (although stocked by some constabularies, no plastic bullet had yet been fired in England).
12. Mr. O'Donovan referred to the policy of the last Government as being that an alternative should be found to plastic bullets. If none could be found, they should be withdrawn from use. In the meantime, they had pressed for the extension, at the very least, of the tighter guidelines for the use of plastic bullets in England and Wales (announced by the Home Secretary in May 1986) to Northern Ireland. The most notable difference between the two sets of guidelines was that in England/Wales the order to fire a plastic bullet had to be given at Chief Constable level, whereas in Northern Ireland it could be given by a Constable.
13. Mr. McCabe responded by saying that guidelines made no difference. The order to fire the plastic bullet that killed his wife was made by an Assistant Chief Constable. Similarly, in the case of Michael Donnelly, it had come from a British Army Major. Guidelines were not the answer, Mr. McCabe felt, as they were merely broken and would continue to be broken. Only total abolition would suffice.
14. The discussion then turned again to the question of accountability. Nobody was being made amenable or punished for the killings, the delegation felt, something which merely encouraged other members of the security forces in the use of the weapon. Mrs. Groves was critical of the handling of the Constable Hegarty case (the Downes

killing). He was not arrested until six months after the shooting, released on bail and acquitted at the trial, although he had clearly breached two of the guidelines (fired at a distance of 6 feet and above waist-level - regulations demand 20 metres and below waist-level, respectively). The delegation believed that Hegarty should and could have arrested Downes. Ms. Reilly said that Mrs. Downes had asked that representations be made by the Irish Government on her behalf to the British authorities about the handling of the inquest. No civilian witnesses were called. The police involved did not give evidence personally - their statements were merely read out in court. She has been told that there will be no inquest and she has not yet received a death certificate in respect of her husband.

15. The delegation felt that they had to "fight every inch of the way" to clear the names of the victims at the inquests. Mrs. Kelly, Mr. Livingstone and Mr. McCabe recounted their experiences. Mr. Livingstone described the initial inquest into the death of his daughter as a "music hall joke". Three witnesses who went to the RUC to give statements were told that if they made statements they would be charged themselves. He himself was told by the RUC that he had no right to legal representation at the inquest. At the initial inquest, counsel for the crown, Mr. Carswell (now Mr. Justice Carswell) reduced the first two witnesses to, in Mr. Livingstone's words, "a bag of nerves". At that point, the coroner enquired as to why the family had no legal representative. Mr. Livingstone informed him of what the RUC had told him. The coroner quashed the inquest. The family had to go to the High Court to get a second inquest. A different coroner was appointed, this time with a jury, the family had legal representation and Julie was declared an innocent victim. This, Mr. Livingstone said, was the lengths to which they had to go to get justice.

16. Mr. McCabe claimed that the RUC Assistant Chief Constable involved in the incident in which his wife was killed perjured himself at the inquest and that only the fortuitous fact that a Canadian T.V. crew, who happened to be in the vicinity at the time, produced a video of the incident, enabled his wife's innocence to be established and confirmed.

17. The Kelly family, too, were dissatisfied with the inquest into the death of Carol-Anne, although in the event she also was declared an innocent victim. Mrs. Kelly indicated, for instance, that the soldier who had fired the bullet which killed Carol-Anne was not present at the inquest to give evidence, as he was by then stationed in Germany.

18. Ms. Frances Donnelly told of how five of the seven children in her family (including herself) had been hit by plastic bullets over the years. Basically they believed that every person in West Belfast was a potential victim. The youngest casualty had been a 4-year-old child in Turf Lodge and the oldest a 68-year-old woman (Mrs. Maguire). In their view, therefore, nobody was immune and their priority was to get plastic bullets banned before there were any further casualties.

19. Mr. McCabe raised the question of rubber bullets in the South. The first step in any campaign by the Irish Government to have plastic bullets banned in Northern Ireland, they felt, was to remove them from the Defence Forces here. Otherwise the Government would be in an embarrassing and morally weak position in pursuing any case against Britain. Ms. Reilly said that the fact that the Irish Army had stockpiles of rubber bullets was a recurring source of embarrassment to the UCPB in pressing its campaign in England.

20. Ms. Reilly believed that, far from preventing riots, plastic bullets often caused them. She herself witnessed the shooting of Brian Stewart by a plastic bullet in 1976. The shooting took place in a peaceful situation, with "nobody around". Later that day, however, as word of the shooting spread, a full-scale riot developed at the spot. Mrs. Maguire (Carol-Anne Kelly's sister) indicated that something similar had happened on the day of Carol-Anne's shooting.

21. Ms. Reilly believed that the plastic bullet was not an accurate weapon, that it wavered once it left the gun and therefore could hit anybody. Mrs. Groves pointed out that it was not used in any other Western country and felt that there was no justification for its continued use in Northern Ireland.

22. Mr. McCabe and Ms. Reilly said that, if there were any more deaths, the Irish Government should seriously consider taking an inter-state case against Britain on behalf of the families, or assist the families in taking such a case. The UCPB had every intention of taking such a case itself in Europe eventually, but it would be some considerable time before they were ready. The Irish Government were in a position to short-circuit that process by taking an inter-state case.

23. Mr. McCabe also asked that the Irish Government put the plastic bullets issue on the agenda of the Anglo-Irish Conference. Mr. O'Donovan assured him that this had already been done and that we would do so again.

24. Mrs. Groves, supported by the other members of the delegation, felt that successive Irish Governments had not done enough to bring pressure to bear on the plastic bullets issue. There had been promises but no action. She emphasised that they saw the Irish Government as their only

real ally of substance and were relying on this Government to do something positive to help their cause.

25. The delegation gave Mr. O'Donovan a copy of a video, entitled "Plastic Bullets - the deadly truth", which had been made by the UCPB.

26. Mr. O'Donovan recapped on the principal concerns which the delegation wished to have conveyed to the Government, as follows:

- UCPB regarded the plastic bullet as a lethal weapon which was used indiscriminately to intimidate people and fired on occasions with the deliberate intention of seriously injuring or even killing.
- It has not been effective as a riot control weapon, on occasions even being counter-productive.
- There is no point in talking about guidelines, as these are not observed and would not be observed. What is required is a total ban on the use of plastic bullets.
- Plastic bullets are still in regular use in Northern Ireland and it is merely a matter of good fortune that there have not been further fatalities.
- They want the Irish Government to put the issue on the agenda of the Anglo-Irish Conference and to press the British for a total ban on plastic bullets.
- As a first step in their campaign, the Irish Government should dispose of its own stockpile of rubber bullets.
- If there were any further fatalities, the Irish Government should consider taking an inter-state case against Britain or assist the families in taking such a case.

Mr. O'Donovan thanked the delegation for conveying their views to us. He assured them of the Government's concern. Their views would now be fully reported to the Taoiseach and the Tanaiste for their consideration and we would stay in touch with the group in the meantime. (The meeting lasted 1¹/₂ hours).

26. A press statement issued by the Department of Foreign Affairs after the meeting is attached herewith.

T. O'Connor

T. O'Connor,
Anglo-Irish Section,
19 June, 1987.

2586M

STATEMENT ISSUED BY THE DEPARTMENT OF FOREIGN AFFAIRS

18 June, 1987

A delegation from the United Campaign Against Plastic Bullets, comprising persons injured and immediate relatives of persons killed by plastic bullets in Northern Ireland, was received in the Department of Foreign Affairs today. The delegation was told that a full report would be made to the Taoiseach and the Tanaiste of the views they had expressed. The delegation was assured of the Government's concern about the use of plastic bullets in Northern Ireland and that their views would be considered in relation to discussions on this matter in the Anglo-Irish Conference.

cleared. with Govt. seen after before issue

cc Pst
 PSS
 A-1
 A-1 Penton
 Embassy London