

Meeting of the Anglo-Irish Intergovernmental Conference
London, 18 July 1996

Item 2(b): Ways of Enhancing Public Confidence in the
Security Forces

The RUC

- You have placed heavy emphasis on the operational independence of the RUC;
- I have to say that the confrontation between the Orange Order and the law which developed last week was far from being a merely operational matter;
- It concerned the essentially political question of the role of the State in Northern Ireland;
- Immense damage has now been done to relations between the nationalist community and the RUC which will take a long time to heal and requires fundamental reform of the police and related institutions;
- The contrast between the methods employed by the RUC in nationalist areas and during the standoff with the Orangemen at Drumcree has had a profound impact right across nationalist opinion and placed the SDLP in particular in an extremely difficult position;
- The action of the RUC in the casualty area of Altnagelvin Hospital in Derry shocked local opinion;
- You should be readily able to establish the facts from the security videos in the hospital. Have these been viewed?
- It is now essential that there be fundamental reform of the RUC if a policing service in Northern Ireland is ever to gain the confidence and support of the nationalist community;
- The various reviews of the RUC which have been underway will certainly not meet the needs of the situation;
- Policing must be a key issue in the political talks.

Plastic Bullets

- An enormous number of plastic bullets have been fired in nationalist areas in recent days by both the RUC and the British Army;
- The guidelines governing the firing of plastic bullets appear to have been widely flouted;
- There are many reports of injuries to the head and upper body inflicted at close range;
- We have disturbing reports that plastic bullets were fired in Derry at people coming out of bars and takeaway establishments.
- I understand that definitive figures for the number of plastic bullets fired for the entire period in question have not yet been made available to us through the Secretariat;
- I also understand that each plastic bullet is logged on issue and on return - we would be glad, therefore, to have the complete official figures;
- From the figures which are available, as well as information provided by the Committee on the Administration of Justice, it would appear that 662 plastic bullets were fired during the standoff with the Orange Order at Drumcree while 5,340 were fired in nationalist areas in the following three day period;
- The widespread use of plastic bullets in nationalist areas reinforces a perception that the Security Forces are far from evenhanded in their approach to the two communities;
- I would urge that the utmost restraint be employed in the use of plastic bullets in the future, particularly in view of the horrific injuries already inflicted in Armagh, Derry and elsewhere in recent days;
- I understand that one incident of serious injury from a plastic bullet may have already been referred to the Independent Commission for Police Complaints
- This is the incident involving Martin Connolly in Armagh which has caused very grave concern and which we have specifically raised through the Secretariat;
- I would hope that all incidents where injury followed from the use of plastic bullets would be fully investigated and action taken where appropriate;

- Nothing should be done which would impede any such investigation - there are disturbing reports of interference with hospital records in Altanagelvin which one would hope are unfounded;
- I do not think that I could exaggerate the immense task that lies ahead in developing any kind of normal relationship between the nationalist community and the police service - it is a subject to which we will have to return at future Conference meetings.

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2(b): Ways of enhancing public confidence in the security forces

Background Note

Overview of Security Situation in Northern Ireland

1. The past week has seen a period of serious violence across Northern Ireland. The initial phase of violence emanated from the loyalist community, protesting at the RUC decision to prevent the Portadown Orangemen from parading down the Garvaghy Road. The violence took the form of rioting and the blockading of many towns across Northern Ireland. In response to the deteriorating security situation, two further British Army battalions were deployed in Northern Ireland, bringing the total army presence at 18,500 to its highest level since 1982 (500 members of the Parachute Regiment have been withdrawn). Following the decision on 11 July to allow the march along Garvaghy Road the loyalist violence abated and was replaced with violence concentrated in Nationalist areas.
2. Widespread concerns have been expressed with regard to the RUC handling of incidents in Nationalist areas which was in stark contrast to the reticence shown loyalists. Over 6,000 plastic baton rounds were fired over the week, 90% of these during Nationalist protests. There was one fatality in Derry (Dermot McShane), one person on a life support after an incident in Armagh involving a police vehicle and a sizeable number of serious injuries, many caused by plastic bullets. There was also a fatality (Michael McGoldrick shot dead on 8 July) as a result of an apparently unsanctioned UVF attack, largely thought to be the work of the mid-Ulster UVF.

Loyalist Violence

3. An article in the *Sunday Times* of 7 July claimed that the security forces were aware of a loyalist plan to orchestrate disturbances throughout Northern Ireland during the marching season. Disturbances began on 7 July following the blocking of the Drumcree march. Roads were blocked in loyalist areas and arson attacks were carried out. Vehicles were hijacked and burned out to serve as barricades. Intimidation forced Catholic families to leave their homes in parts of North Belfast. Numerous petrol bomb attacks were launched at the RUC. While Plastic Baton Rounds were used to disperse rioters during loyalist disturbances, the 662 rounds fired made up only 10% of the number fired over the week. Reports received pointed to RUC officers standing by as loyalists attacked nationalist areas. The RUC claimed to have been overstretched by the protests. Stretches of the Dublin-Belfast and Belfast-Derry rail lines were closed off due to barricades, as were stretches of motorways throughout the North. Belfast International Airport and Larne port were also temporarily blockaded. The disturbances abated once the Garvaghy Road march was allowed through on 11 July.

Army Deployment

4. It was announced on 9 July that two further British Army battalions were to be deployed in Northern Ireland. The battalions comprised 1,000 troops from the 1st Battalion, Princess of Wales Regiment and the 1st Battalion, Parachute Regiment. The deployment brought the British Army presence in Northern Ireland to 18,500, its highest level since 1982. (It was announced on 16 July that the 1st Battalion Parachute Regiment of 500 members is to be withdrawn). The battalions were deployed to support the RUC during the disturbances. A number of troops from the Parachute Regiment were reportedly deployed at Drumcree but appeared to be carrying out training manoeuvres rather than actual patrolling.
5. At the outbreak of violence in Nationalist areas soldiers were deployed in support of the RUC in Derry and West Belfast. With the RUC they were engaged in using plastic bullets to disperse protesters. In some areas it was the first time the army had returned to the streets since early 1995.

Plastic Bullets

6. According to RUC figures, 6,002 Plastic Baton Rounds (PBRs) were fired between 6 and 14 July, mostly by the RUC itself. (However, reports were received of RUC officers collecting spent baton rounds and the final figure will, therefore, be somewhat higher.) Reports have been received of a large number of injuries sustained as a result of plastic bullets. These injuries point to contraventions of the rules of engagement with regard to PBRs that they should not be fired from closer than 20 metres and that they should be aimed at the lower body. More PBRs were fired in this one week than in any year since 1981. On the introduction of new Baton guns in 1994 the British side stated that the increased accuracy of the guns would be expected to lead to a reduction in accidental injuries.
7. The fact that, of the 6,002 plastic baton rounds reportedly fired in the week to 14 July, just 662 were fired during loyalist rioting and 5,340 were fired during Nationalist rioting is seen as an indication of the RUC's propensity to use differing levels of force with either community. The British side have not yet given definitive figures for plastic bullets fired for the entire period.

Casualties

8. The death of Dermot McShane in Derry, after being crushed under a hoarding by an Army Saxon armoured vehicle, is being investigated by a senior RUC officer. As regards injuries sustained as a result of RUC activity, one youth was seriously injured by a plastic bullet in Derry on 11 July. He is thought likely to have sustained brain damage as a result of his injuries. Up to 100 others were treated in hospital in Derry for injuries sustained from plastic bullets. A number of others were treated in hospitals in Sligo and Letterkenny and others were treated at impromptu First Aid points at the scene of the riots.
9. Reports were received of RUC attacks on patients receiving treatment for injuries in Altnagelvin hospital, Derry on 11 July. The reports, and a number of other allegations regarding the RUC handling of events in Derry, have been raised with the British

authorities through the Secretariat. In particular, we have expressed serious concern to the British authorities with regard to reports of unprovoked RUC attacks on civilians outside clubs in Derry in which more than 25 people were reportedly hit by plastic bullets. In another incident, a man was seriously injured when he was struck by an RUC Land Rover in Armagh City. The RUC are investigating the incident. Several individual cases have been raised with the British authorities through the Secretariat. Riots also occurred in Nationalist areas of Belfast and in Nationalist towns throughout Northern Ireland. Violence levels generally abated by 14 July. While the attacks were primarily targeted at the RUC, there were also a number of attacks on Protestant homes and businesses.

Shootings in North Belfast

10. Three RUC officers received shotgun wounds in attacks in North Belfast. It has been speculated that these were carried out by the INLA.

Bombing at Killyhevlin Hotel

11. A bomb containing approximately 1,200 lbs of home-made explosives was detonated outside the Killyhevlin Hotel in Enniskillen, Co. Fermanagh on 14 July. While the British side described the bomb as having "all the hallmarks" of the IRA, it is speculated that the bomb was planted by elements within Republican Sinn Féin. A warning was received prior to the explosion and there were no serious injuries. The *Irish Times* of 18 July reports that the vehicle used in the bombing was located by the RUC after a tip-off from the Gardaí but, having failed to impound it, the vehicle was subsequently driven off.

Accompaniment

12. We continue to receive reports of British army patrols in West and North Belfast which have at best a token RUC presence. This continued presence is seen locally as provocative. We have also received reports of a heavy helicopter presence over North Belfast. On a more general note, we would be anxious to ensure that the security

presence be kept to the minimum consistent with public safety and that the British Army presence be withdrawn as soon as possible from contact with the public.

Policing Situation

13. Given the events of recent days, there is a widespread belief in the need for a fundamental reappraisal of the RUC. As an assessment of the shift in the nationalist perspective, Sinn Féin calls for the disbandment of the RUC are no longer seen as far-fetched by the nationalist middle ground. The relationship between the RUC and the nationalist community has been damaged, possibly irreversibly, by the perceived partisan treatment given to Nationalist protesters following the events at Drumcree. This may be contrasted with the markedly reticent behaviour of officers when faced with widespread loyalist violence earlier in the week. It is also seen as a failure on the part of central authorities to govern Northern Ireland in the face of concerted loyalist disruption.
14. There are indications that intimidation of police officers took place on a large scale both at Drumcree and during riots in loyalist areas. Media reports pointed to threats made against individual officers and their families. Furthermore, up to 100 officers on duty during the Drumcree standoff are reported to be facing expulsion by the Orange Order for trying to "face down their brethren". This issue may be considered relevant in light of the Chief Constable's decision with regard to Drumcree and subsequent events. There were also indications that tensions arose at senior level within the RUC at Drumcree between those who counselled resolve and those who wished to force the parade down the Garvaghy. Sources indicate that a power struggle is underway at the top of the RUC with regard to the succession to Chief Constable on Sir Hugh Annesley's retirement. As such, decisions taken with regard to the handling of Orange marches take on an added importance with regard to the public profile and perceptions of the main contenders for the post.
15. The Government continues to believe that the question of policing is one to be dealt with within the context of the all-party talks. However, recent events have inevitably added a degree of urgency to the matter and tangible efforts are required in the short and long

term to restore confidence in policing and an effective political response to the collapse of nationalist confidence.

NI Political Reactions

16. The following is a selection of public reactions;

- Cardinal Daly said that nationalist confidence in the RUC had been “totally shattered” by the handling of the Drumcree parade. He asked whether two systems of law were operating in Northern Ireland and pointed to a “huge crisis of confidence” within the nationalist community with regard to the RUC. He further called for “truthful” statistics as to the number of injuries. He pointed to his disquiet at the frequency of recourse to plastic bullets and to the death and injuries suffered by many nationalists.

- Bríd Rogers of the SDLP said that the events had proven that the RUC was incapable of treating nationalists with justice and impartiality.

The Alliance Party deputy-leader Séamus Close, in criticising the Drumcree decision, said that the impression had been given that “mass civil disorder and mob violence...can dictate the operational decisions of the police”.

Police Authority member, and former SDLP Councillor, Francis Rocks called for the disbandment of the RUC saying they are incapable of giving a police service in Northern Ireland. However, Police Authority Chairman, Pat Armstrong, defended the RUC’s actions.

Martin McGuinness of Sinn Féin said that the RUC were not prepared to stand up to the Orange Order. Mitchell McLaughlin accused the RUC of being misleading “about the true nature of its repressive treatment of nationalists”.

Reaction within the Police Authority

17. Seán Neeson, Alliance Party Chairman and Police Authority member, has tabled a motion of no confidence in the RUC Chief Constable. The authority is to meet with the Chief Constable in advance of the authority's next meeting later this week. The authority again faces a split within its ranks as support for the RUC actions has already been expressed by the Chairman and authority member. Sheila Davidson.

Public Confidence

18. There have been a number of reviews of the RUC published and pending about which we have conveyed our views to the British side. We noted that the issue was a matter for the party talks. The Tánaiste has already conveyed his concerns to the Secretary of State regarding the White Paper on Policing which was published in May 1996. The Paper does not address the fundamental concerns of nationalists regarding the RUC and may be used by Unionists as a base line for the debate on policing.
19. In the light of recent events and the collapse of nationalist confidence in the RUC, the inadequacy of the White Paper on Policing is all the more apparent. Furthermore, the fundamental review which is being carried out by Deputy Chief Constable Ronnie Flanagan runs the risk of being dismissed completely by nationalists if it does not address the implications of recent events. The Hayes review of Police Complaints mechanism, also due for publication, runs a similar risk if its proposals do not address current concerns regarding RUC behaviour.