

NORTHERN IRELAND COMMISSION

The twenty-ninth meeting of the Northern Ireland Commission was held at Stormont Castle on Monday, 5th February 1973.

The attendance of members was as follows:-

Secretary of State, in the Chair

Mr T Conaty

Mr A E Gibson

Professor N Gibson

Mr N Kennedy

Sir Robin Kinahan

Mrs A Malone

Miss S Murnaghan

Mr J H Nicholl

Mr J O'Hara

Mr R B Price

Mr R D Rolston

The Secretary of State apologised for his unavoidable absence from the last meeting of the Commission and for his absence on the previous Monday.

MINUTES OF PREVIOUS MEETING

A reply to the Commission was requested on the RUC matter referred to on page 2 (para 2).

THE CURRENT SITUATION

The Secretary of State expressed his deep concern at the recent spate of sectarian murders. He had always felt that something like this might happen in the run up to the Border Poll and the publication of the White Paper, but he had not expected it so soon. It was particularly difficult to catch assassins who fired from motor cars, and he would consider any new suggestions. He appreciated the importance of being seen to act impartially against all terrorists and, in this respect, his actions would speak louder than words.

The Secretary of State informed members that he intended to make a major speech to the Press Club on Tuesday and indicated that he was considering the possibility of making a television appearance on Tuesday evening.

In discussion of the New Lodge Road shootings, the Secretary of State outlined the explanation which had been given to him and which, on the basis of the available evidence, he felt had the ring of truth about it. One member suggested that an alternative explanation of the incident, from a reliable source, cast doubt upon the version supplied to the Secretary of State. Another member, without taking sides between the two versions, said that it was disastrous that the Army should have killed so many, just after there had been a wave of assassinations of Catholics. On other occasions the Army were fired on and did not return fire.

People in the area would continue to believe that the men were unarmed in opposition to the Army's version of events.

UDA

There was discussion on the advisability of detaining leading members of the UDA at this time. It was suggested that recent statements by the UDA Vice-chairman appeared able to regulate the number of sectarian killings and were an admission that the UDA were importing illegal arms into the country. But it was recognised that many other factors could account for the recent increase in murders and that the consequences of acting against the UDA leadership were likely to be serious.

Some members felt that, at this time, there would be no purpose in proscribing the UDA since its members would simply re-form in alternative organisations. Other members considered that the important point was that the security forces should be used equally and impartially against extremists in both sections of the community. The recent demonstration by loyalist extremists outside RUC headquarters was cited as one example of the UDA behaving as though they were beyond the law. There were suggestions that the Secretary of State should make regulations under the Special Powers Act to revoke gun licences held by prominent UDA leaders, prosecute UDA men when they organised parades or usurped the functions of the police and order the security forces to return fire when they were fired on by Protestant snipers.

The Secretary of State said that in addition to the illegal UVF and the UDA there were other loyalist organisations such as the Red Hand of Ulster Commandos and the Vanguard Service Volunteers. If the UDA was proscribed its membership could transfer to these or to new organisations. The present prime objective was to identify those people who were responsible for taking part in, or organising, the assassinations and to act against them. After the demonstration outside RUC Headquarters the UDA announced that they had been promised a meeting with the GOC. This was quite untrue and had since been denied by the GOC. In fact the demonstration was intended to demand certain privileges for UDA men detained in police headquarters. But each demand was met with the reply that the law would take its course. The Secretary of State also explained that troops had not returned fire during the rioting in East Belfast recently because they had been unable to identify their targets clearly. In riot situations it was imperative that troops identify their targets before opening fire on snipers. Where this could be done the troops would have no hesitation in returning the fire of Protestant snipers.

Concern was expressed about the lack of protection available for Catholic families threatened by the UDA in the Loughview and Redburn Estates in Holywood. Catholic families had already been driven out of the Knocknagoney Estate by the UDA which was now extending its activities into the Redburn and Loughview Estates. But local residents were convinced that the UDA could be resisted if the security forces provided the minimum amount of support. The Secretary of State said that he would look into this matter and see what could be done.

In this context there was a renewed reference to the de facto letting of houses by the UDA and the IRA. The Secretary of State said that both he and the Housing Executive were considering ways of tackling this serious problem. For obvious reasons it was preferable to prevent squatting in unfinished houses rather than to evict squatters once they had got in. Perhaps the best way to deal with the problem was to select an area, possibly outside Belfast, where police power and the Housing Executive's authority could be easily enforced. Once this was seen to be done it should be possible to tackle the problem in the more difficult and sensitive areas.

SECURITY MEASURES

The possibility of imposing further security measures was considered and it was generally agreed that those who advocated martial law had little conception of its implications. The Secretary of State said that martial law was meaningless in the sense that it would confer no powers on the Government that it did not have the ability to exercise already if it so decided.

It was suggested that stiffer and firmer penalties should be imposed on those convicted of serious crimes. There were also suggestions that a curfew should be placed on the movement of cars in selected areas, that licensed weapons should be called in and that the security forces should prevent shots being fired at IRA and UDA funerals. Though it was difficult for laymen to assess military needs, it was felt that an increase in the number of troops might prevent a further spate of sectarian assassinations.

The Secretary of State indicated that severe penalties were now being imposed and he pointed out that since the beginning of January, 60 people had been convicted of serious crimes and sentenced to a total of 292 years. Curfews were generally ineffective because so many exceptions had to be granted. They were also prodigal of manpower and they could involve the exposure of troops as sitting targets in difficult areas. The Secretary of State indicated that he could require licensed weapons to be tested ballistically and that he could take powers to revoke licences. But the basic problem was the number of unlicensed, rather than licensed, weapons and he did not want to unduly alarm those people who lived in isolated areas and who needed licensed weapons for their protection.

Referring to UDA and IRA funerals the Secretary of State explained that because of the emotional nature of these events they were not regarded as occasions on which the troops should interfere. The Secretary of State said that additional troops were available if required. But he pointed out the constraints which had to be considered when requesting them and he questioned whether an increase in the number of troops could effectively prevent further sectarian murders.

There was a suggestion that a survey of Belfast should be undertaken to see if any roads that were not in frequent use could be permanently closed to traffic. This could reduce the arteries of escape open to sectarian murderers operating from cars. The Secretary of State indicated that this suggestion would be given further consideration.

VISIT TO MAZE PRISON

The four members of the deputation indicated their intention to submit papers on their visit to the Maze Prison and it was agreed that the papers should be circulated and discussed at the next meeting of the Commission.

The Secretary of State expressed gratitude for an indication that since the authorities had made some change in their search procedures it had been possible to initiate a move towards the resumption of visits. He said that urgent parole cases would be considered by himself or one of his Ministers and that if they erred it was usually on the side of leniency.

OTHER MATTERS

The possibility of increasing the number of Catholics in the UDR was discussed. It was pointed out that every effort was being made to achieve this but a doubt was expressed about the utility of the exercise. The Secretary of State said that, in general, it was important that Catholics should be given, and should accept, every chance of playing an active role in the life of the community.

The feasibility of bringing people with extreme republican views back to normal politics was considered important especially since the Republican Clubs and the Official IRA seemed to be interested in moving in this direction. The Secretary of State indicated that consideration was being given to this possibility.

The point was made that it was in the interest of extremist factions to prevent the Border Poll and the local government elections taking place. The Secretary of State assured the Commission that both the Border Poll and the local government elections would take place on the dates set for them.

Questions were asked about whether the public were sufficiently encouraged to use the confidential telephone and about why the Task Force was unarmed. The Secretary of State replied that the confidential telephone was used extensively and was well publicised. The Task Force was unarmed because it was primarily engaged in police work. But the Task Force did carry arms with them in their vans and they had been successful in preventing assassinations in East Belfast until the outbreak of last week.

Members expressed their appreciation of the courage of the Army officer who had defused the bomb planted in the petrol tanker in Belfast on the previous Saturday.

Northern Ireland Office

8th February 1973