

NATIONAL ARCHIVES

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ATP

21/10/75

1. Secretary 8/10

2. Taoiseach (on return) 18/10/75.

You may wish to see the attached briefing material which has been prepared here to answer charges that -

- (1) Northern violence is coming from here or
- (2) we are too soft on the men of violence.

DH

6/10/75

VIOLENCE IN NORTHERN IRELAND

1. Origin of the violence

The vast bulk of the violence in Northern Ireland and related violence in Britain originates in Northern Ireland. The following statistics are relevant in this regard.

- (a) There are about 2,000 persons in custody in Northern Ireland at present in connection with violence, having a political or sectarian motivation. Only a handful are from the Twenty-Six Counties.
- (b) The number of persons charged in Northern Ireland for offences connected with the security situation or who were the subject of interim custody orders under the British Emergency Provisions Act since 31 July, 1972 was almost 5,000. Again, only a very small number out of this large total were from the Twenty-Six Counties.
- (c) Much of the violence for which these persons were charged or are in custody relates to areas (like Belfast) which are deep inside Northern Ireland. They are not places to which persons from outside Northern Ireland have any access.
- (d) Further, since the establishment of the Special Criminal Court in the Republic in May, 1972, no more than 250 persons have been convicted before the Court for offences with an apparent political connection committed in Border areas. Moreover, 55% of these were from Northern Ireland.
- (e) Of 114 murders in Northern Ireland in 1975, apparently having, at least partly, a political motivation, only 18 were in border areas and of these 7 were in the South Armagh area around Crossmaglen. It has been alleged by loyalist spokesmen that this area has not been adequately policed by the security forces in Northern Ireland. The experience of the security forces in the Republic would support this view.
- (f) Up to 7 August, 1975, no persons from the Republic have been excluded from Northern Ireland under the British Prevention of Terrorism (Temporary Provisions) Act. 33 persons excluded from Britain under the Act have been sent to Northern Ireland, as against 17 sent to the Republic (and it should be noted that persons excluded were not charged with any offences).
- (g) Over the past two years or so there has been a great decrease in the number of border incidents. In 1974, 159 incidents were reported to the Department of Foreign Affairs by the British authorities. Of these, up to 50% have not been verified. From 1 January to 30 August, 1975, only 31 incidents have been reported, of which 13 have been denied. For 1974 the RUC published a figure of 339, even though only 159, of which many have not been verified, were reported to the Department of Foreign Affairs. Following complaints from the Department to the British authorities about this sort of discrepancy a system of weekly reports of incidents was established in January, 1975. No incidents were reported in the two weeks to 9th September, 1975.

- (h) In the light of these figures it appears that either all incidents are not being reported to us, or the figures published by the RUC are exaggerated. Of the incidents which have been reported, many have, on investigation, been found to be of a trivial nature. On balance the evidence suggests that there has been a real decrease in Border incidents. This adds further support to the view that most of the violence in Northern Ireland originates there.
- (i) As might be expected from the figures already cited, fugitive offenders constitute, in numerical terms, only a marginal problem in the context of the overall security problem in the North.

Action taken by the Irish Government

The Irish Government are fully committed to help to reduce and eventually eliminate politically motivated violence in Northern Ireland insofar as it is able to contribute to this end. Relevant quotations which illustrate this are attached as Appendix 1. The Government's commitment has been fully reflected in action.

Under Section 31 of the Broadcasting Authority Act, 1960, the Minister for Posts and Telegraphs may direct the Authority in writing to refrain from broadcasting any particular matter or matter of any particular class, and the Authority shall comply with the directive. On 1 October, 1971, the Authority was directed by the then Minister under this Section to refrain from broadcasting any matter which could be calculated to promote the aims or activities of any organisation which engages in, promotes, encourages or advocates the attainment of any particular objective by violent means. The Authority is still bound by this Directive.

The strength of the security forces has been greatly augmented in recent years. Total Garda Síochána strength is now 8,400, an increase of more than 2,000 in the past five years. Recruitment is proceeding to bring strength up to establishment of 8,500. Total strength of the Permanent Defence Force is now 12,800. Recruitment is continuing. There are in addition considerable numbers in the Local Defence Force (FCA) and Civil Defence organisations.

The strength of the security forces in border areas has also been greatly increased. Army units are based at ten locations in the border zone. In addition, there is a military presence at five other temporary locations. During the period June, 1974 - June, 1975, over 13,000 joint Army/Garda checkpoints were set up. During this period more than 3,500 patrols were sent out into the road network along the border. The army does this work in border and other areas, in support of the civil power.

On foot of agreement with the British Government that both Governments should promote legislation to introduce extra-territoriality between the two parts of Ireland for certain serious offences, the Irish Government introduced the Criminal Law (Jurisdiction) Bill, 1975, to deal with the limited problem of fugitive offenders from Northern Ireland who were able to avoid being extradited by

successfully claiming the exemption in respect of political offences which the reciprocal extradition legislation in the two countries allows, in line with the European Convention on Extradition and international law and practice generally. The main purpose of the Bill is to extend the criminal law of the State, so far as concerns certain serious offences, to things done in Northern Ireland. If the thing done there would, had it been done in the State, constitute one of these offences, it will be an offence against the law of the State and punishable as if committed in the State. The offences in question include most of the more serious offences against persons and property. The Bill includes provisions for the taking of evidence in the State for use by courts in Northern Ireland trying similar offences committed in the State and for the admission at trials in the State of evidence taken in Northern Ireland.

The Bill also creates offences in relation to certain things relating to explosives done by Irish citizens, not only in Northern Ireland but also in Britain and, indeed, anywhere outside the State. The Bill has been passed by the Senate and is now before the Dáil.

Arrests and convictions for offences related to violence

The following table shows the numbers of persons arrested under Section 30 of the Offences Against the State Act, 1939, and charged with scheduled offences since 1 January, 1973.

	<u>Arrested</u>	<u>Charged</u>	<u>% of those arrested who were charged.</u>
1973	266	171	64
1974	602	271	45
1975 (to 30/6)	292	69	24

Since the establishment of the Special Criminal Court in May, 1972, 844 persons have been charged with offences connected with violence. Of these, 620 have been convicted, as indicated in the following table:

<u>Year</u>	<u>No. of persons convicted</u>
1972	119
1973	204
1974	211
1/1/75-30/6/75	<u>86</u>
	<u>620</u>

Sentences of life imprisonment were imposed in 8 cases of murder while sentences in other cases ranged up to 10 years in prison.

Under Section 3 of the Offences against the State (Amendment) Act, 1972, a statement by an officer of the Garda Síochána, not below the rank of Chief Superintendent, in giving evidence in proceedings relating to an offence of membership of an unlawful organisation, that he believes that the accused was at a material time a member of an unlawful organisation, is admissible evidence that he was then such a member.

Action to deny arms, ammunition and explosives to subversives

The security forces have been active in denying illegal organisations access to firearms, ammunition and explosives, both through seizures and preventive measures. In relation to seizures, five times as many rifles and almost ten times as many rounds of ammunition were captured in the border areas as in the rest of the Republic in the nineteen months up to 31 July, 1975.

Steps have been taken to control the use of explosives for civilian purposes. All explosives for civilian use are stored in Army barracks except in the case of a small number of locations which have military guards or full time police protection. Military escorts are provided during the transport of explosives to destinations in sensitive border areas and for incoming shipments from the docks. The use of explosives is supervised by the Gardai. Military patrols are also provided as required in connection with blasting operations. Quantities of privately-owned arms and ammunition have been taken into and are being stored in military barracks. Certain explosive substances have been classified and brought under strict control. The effect of this has been to take the substances off the market altogether.

APPENDIX 1.

1. A dominant theme running through all the Taoiseach's statements on Northern Ireland matters has been stress on the evil and futility of politically motivated violence and utter condemnation and repudiation of such violence, regardless of whether the victims were Irish or British, Catholic or Protestant, soldier, policeman or civilian or from what side or group the perpetrators, admitted or suspected, came. These sentiments have also been given frequent expression by other members of the Government. They are shared by the Dáil which passed the following motion in February, 1974:

- "Dáil Éireann recognises that the Irish people comprise different elements all of which contribute to Irish life and culture, and each of which has the right to pursue its legitimate aspirations,
- recalls the efforts of successive Governments over the past twenty years to bring about a spirit of harmony, understanding and co-operation between these different elements in the interest of the common welfare,
- declares that the use or advocacy of violence to secure unity is abhorrent to it, and
- affirms that the aspiration towards a united Ireland can be achieved only by peaceful means and with the consent of a majority of the people of Northern Ireland. "

2. The following are some quotations from statements by the Taoiseach on politically motivated violence:-

"Part of the amendment in my name, before the House, is a condemnation of the use or advocacy of violence. In this the amendment reflects the views expressed in the earlier motion moved by me in this House in March, 1971.

It is indeed a sad and regrettable commentary on our times that such a condemnation is necessary. Surely by now the effects of violence are clear for all to see. It hardens divisions. It entrenches hatreds. It perpetuates the partition of minds which has kept our people apart. Its effects will not pass away with the lives of those responsible. For generations, the memory of a son, a father, a brother, a sister, a child or mother killed or maimed in the names of an abstraction will breed its own bitterness and make that abstraction - whether it is loyalist, nationalist or republican in its purpose - abhorrent to those who survive.

I want to make it clear that we do not see action to deal with violence as something which we must do on our part in return for agreement on other issues of more direct concern to us, such as, for example, the Council of Ireland. It is quite clearly in the interests of all of us to ensure that those who insist on having their way by violence will find no refuge anywhere in this country, North or South. That must be accepted and asserted by every Member of this House and by everyone in the community who wants to see peace in Ireland.

There cannot be any escape from that reality and there cannot be any escape from accepting the consequences that flow from it."

- The Taoiseach speaking in the Dáil on 26 February, 1974.

"I assure this House now that, insofar that it is within the power of my Government, those guilty of this offence, if they live within our jurisdiction, will be brought to justice. We dedicate ourselves with the authorities in Northern Ireland to ensuring that no part of this island will be a refuge for those who kill and maim in the name of an ideal which they discredit every day by their acts; and we renew again our commitment to do all in our power in this State to ensure that its people and their representatives can live and work without fear and in toleration and respect of each others' beliefs and traditions.

- The Taoiseach speaking in the Dáil on 12th March, 1974, following the murder of Senator Fox.

"Six years ago who could say that the taking of life in this island might become a casual event or that the executioners might claim to have some kind of mandate from the dead generations to secure what they consider to be "the solution".

If dying in Dublin or Monaghan be not the solution, can death in Belfast or Antrim be so?

Is one the more acceptable to us because it is farthest from us?

There are some people in this country who have an ambivalent attitude to violence and the use of force. They express sympathy and regret for perpetrators of violence who have been caught and imprisoned. They should ask themselves why such people are in jail.

As one of my constituents put to me recently in a letter "the vast majority of Irish people do not in any way sympathise with them. Our sympathies are for the innocent victims of any bomb blast."

Let us for a moment look behind the words and see what this violence really means to the community which suffers from it. Those who practice it seem to imagine that, in some way or other, it is directed against Government or the institutions of Government. While in theory, this may be so, the practice is different. It is directed against people and its victims are people. Let there be no mistake about this. An explosion in a busy city kills men, women and children. It destroys property and jobs and the possibility of jobs. It may have some influence on those in authority. What is certain, however, is that the people it kills and maims are dead or injured. The property and jobs it destroys are destroyed beyond question.

The second point I would make is that in the North today violence is counter-productive. It creates among the majority community there an antipathy - a deep and abiding revulsion - against the ideas which the men of violence profess to believe. What violence has already achieved is a division between the communities there deeper and more bitter than anything experienced before. "

- The Taoiseach, speaking in Dun Laoghaire, on 13th June, 1974.

"Our policy on Northern Ireland is based on a few simple principles. First, we utterly repudiate violence to attain political ends. The suffering it causes is matched only by its futility. One cannot convince a man by killing him - or his friends. Terror may be a form of propaganda but it is, on all the evidence in the North in recent years, totally counter-productive and totally divisive. It can wreck the very basis on which society is built. The Government here will continue, with determination, their actions against those who practice violence or who break our laws. "

- The Taoiseach, speaking at the Annual Conference of the Fine Gael Party in Dublin on 22nd March, 1975.