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1. At its meeting (the Seventh) on 13/5/1974 the Inter-Departmental National Security Group received an instruction from the Cabinet Sub-Committee on National Security to consider the options open to the Government in the event of confrontation with the I.R.A.

2. In the context of immediate options a quick assessment has been made by the Departments of Justice and Defence jointly regarding accommodation and legislation and is as follows:-
 - (a) Portlaoise (Civil prison).
Could take immediately up to 50 additional high-risk prisoners.

 - (b) Detention Barracks Cork (transferred by Defence to Justice 1972).
Use as prison must be discontinued this year to enable essential reconstruction work to be completed.

 - (c) Limerick (Civil prison).
Not suitable security-wise.

 - (d) Mountjoy (Civil prison).
Because of extensive reconstruction works in progress, not suitable as accommodation for additional prisoners.

 - (e) Arbour Hill (transferred by Defence to Justice 1973 and under reconstruction).
Not intended to be nor suitable as a high security prison: not expected to be ready for use before October 1974.

(f) Detention Barracks Curragh
(Military prison).

Holds 31 "special" prisoners-
agitators, "Saor Eire" etc.

Considered essential by Department
of Justice for this purpose.

(g) Curragh (other than Detention Barracks).

Former Internment Camp would need
complete rebuilding; if such a project
were contemplated, the military
authorities would favour some other site
at Curragh, as the former Camp is near
the Army magazines.

(h) Spike Island.

Minimum works needed to make it usable
would include perimeter fencing, reconstruction
of prisoner accommodation, kitchen and
dining accommodation, sanitary accommodation,
recreational facilities, sick bay, visitors'
rooms, electric works, accommodation for
military personnel.

Minimum time for doing works (rough estimate):

* Eighteen months.

Potential capacity: 240 prisoners
(12 per billet
- 20 billets):

* Based on a waiving of normal contracts procedure, no labour
difficulties and no difficulties regarding materials a
military estimate is 6 to 9 months.

(i) General.

A more detailed assessment of military properties is being made, but it is clear that in the short term no additional military accommodation for prisoners is available.

3. Legislation regarding detention (internment).

Part II of the Offences Against the State (Amendment) Act 1940 which deals with the exercise of Ministerial powers of detention may be brought into force by proclamation made and published by the Government. If Part II of the Act were brought into force it would be necessary for the Minister (in practice the Minister for Defence) to make regulations under Section 7 to govern the places and conditions of detention.

Compliance with Article 15 of the European Convention on Human Rights would also be necessary. The relevant portions of the Article are as follows:-

"(1) In time of war or other public emergency threatening the life of the nation any High Contracting Party may take measures derogating from its obligations under this Convention to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with its other obligations under international law."

"(3) Any High Contracting Party availing itself of this right of derogation shall keep the Secretary-General of the Council of Europe fully informed of the measures which it has taken and the reasons therefor. It shall also inform the Secretary-General of the Council of Europe when such measures have ceased to operate and the provisions of the Convention are again being fully executed."

Extract from Report on 7th Meeting of
Inter-Departmental National Security Group

Date 13/5/77

5. The Chairman indicated that the Cabinet Sub-Committee wished to have the views of the Group on the options open to the Government in the event of confrontation with the IRA - arising out of reaction to the publication of the Law Enforcement Commission or otherwise - with a list of powers and sanctions required, of the legislative steps to be taken and of emergency detention accommodation. It was agreed that the ^{immediate} only option open in such cases - apart from still further intensification of the present arrest and trial measures - was internment. The problems of apprehending leading suspects and the possible escalatory effect of a policy of intensified measures or of internment were considered in some detail.
6. It was stated that accommodation at the Curragh is limited to 52 and that even this accommodation could not be made available unless the persons (24) at present detained there were transferred elsewhere. At Portlaoise there is room for 40 prisoners in addition to those (120) already there. The most suitable accommodation that could be made available at short notice is on Spike Island, where 120 prisoners could be accommodated. The possibility of using the Detention Barracks in Cork (capacity 100), which is at present in use as an ordinary prison, was also considered. It was agreed that more detailed information on accommodation would be furnished before the next meeting.