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Statement by the Minister for Justice

Members on all sides of the House will have made their own observations of the extremely serious riots which took place in the vicinity of the British Embassy on Saturday last. The House no doubt will wish to join me in strongly censuring all those among the marchers - constituting a substantial minority - who clearly set out, from the very beginning, to cause serious personal injuries to members of the Garda Síochána and extensive damage to public and private property.

For the benefit of the House I would like to recall the events of last Saturday.

As I have said it is clear beyond doubt that many of those taking part had come prepared to carry out serious attacks on the Gardai. This is underlined by the fact that the Gardai are now aware that passengers on some of the buses from the North actually purchased pick axe handles in at least one town on their way. The violence had started long before the marchers reached the vicinity of the British Embassy. Even in the very early stages of the march, some of the marchers threw stones at or otherwise assaulted Gardai. For instance, outside Leinster House shortly after the march moved off a Garda was struck on the head with a heavy stick or pole, as a result of which he had to receive hospital treatment.

Many of the marchers were seen to be carrying weapons such as pick axe handles, either full length or half length, some of them disguised as flagpoles. As the march proceeded through the Ballsbridge area, all the bollards in the centre of the road were ripped apart and some of the debris was carried on by the marchers for use in the subsequent assault on Gardai in the vicinity of the British Embassy. I emphasise these points not only to illustrate the intentions of those concerned but to question the claims that only those at the very front of the march knew anything about the violence until the Gardai made the baton charge.

When the march reached the Garda barrier at the junction of Simmonscourt Road and Merrion Road a small deputation was allowed through the barrier on asking to be permitted to hand in a letter at the British Embassy. I am informed that when the Embassy door was opened an attempt was made by some members of the deputation to rush into the Embassy with one of their members saying: "We're in, lie down". I think it right to balance that by saying that I am also informed that when another member of the deputation, whose name is well known in another sphere, saw what was happening, he informed the Gardai that he wanted to dissociate himself from such activity, and that he considered that he had been "used".

A substantial number of the marchers were at this stage involved in a violent attack on members of the Gardai. The attackers were using bricks, bottles, petrol bombs, golf balls, pick axe handles and a variety of poles, some with steel-pointed tops. The bricks were obtained from nearby garden walls, and sledge-hammers that had been used to break down the walls were subsequently found by the Gardai. Two cars were also removed from the gardens of houses and set on fire and six other cars were severely damaged. Additionally I am informed by the Garda authorities that a white powder which burns the skin and which is similar to a substance which has been used in attacks on policemen in Belfast was used by some of Saturday's demonstrators.

The one redeeming feature was the restraint, forbearance and courage shown by the Gardai in the face of sustained and unprovoked attacks of the most vicious character.

The House will join me in paying them a special tribute for their performance. Despite their restraint, the attacks continued for twenty-five minutes during which time almost 150 Gardai suffered injuries requiring hospital treatment. It is a matter of great concern to the Government that any Gardai or any civilians should have been injured.

From what I have said I think there can remain little doubt as to what at least a significant section of the demonstrators had planned. The use of violence on this scale against the Gardai was clearly designed to break through the Garda cordon and to enable those concerned to march on to the British Embassy. What a group who had behaved in that way to the Garda Síochána intended to do - and what they would, if allowed, have done - to the Embassy does not need to be spelled out.

Various suggestions have been made that the demonstration planned for next Saturday should be banned. The Government have carefully considered the various factors involved and have decided at this stage not to take this course. The Government's decision is based on a desire to reduce not increase tension, to uphold the right of citizens to peacefully protest while at the same time taking every step open to them to protect the general public. Some criticism may be levelled at the Government for insisting, despite last Saturday's violence, on defending the right of the citizen to protest. I can understand that criticism but cannot agree with it.

The right to protest is not an unconditional one nor can it be superior to the right of citizens at large not to be subjected to serious street violence. The right to protest is conditional on it being peaceful, and a grave responsibility lies on protest organizers to ensure either that their protest is peaceful or else is not held at all.

Events not only here but in many cities in many other countries force us to recognise that if a significant sector of a crowd is bent on violence, a great deal of destruction can take place. I must therefore now appeal to members of the public who wish to register their views by way of peaceful protest to think very carefully before they again join protest marches such as that mounted last Saturday.

The Gardai accept, as I do, that some innocent people can be caught up in a baton charge and that is why they issued repeated warnings over loud-hailers on Saturday. I think it is better that everybody should understand that a baton charge, although recognised everywhere to be both necessary in certain circumstances and effective in its objective, is of its very nature not something that can readily discriminate between those who are leading the violence and others who may be passive or even innocent. I hope therefore that for their own sake innocent people, if there should be a recurrence, will not make things more difficult for the Gardai and more risky for themselves by remaining at the scene after acts of violence have been committed, should this happen again. The central point is that the Gardai are there, on duty, protecting us and our rights. It is they who are being subjected to assault. They are entitled to our support.

I do accept, as the Gardai do, that journalists have a particular problem in that their duty may require them to be in a danger area. On this point, I think

it right to read to the House the text of a letter I have sent to the National Union of Journalists.

"I am writing to you with reference to the meeting I had on Monday with a deputation from your Union to discuss matters arising out of the riotous behaviour in the vicinity of the British Embassy on Saturday, 18th July.

You mentioned in the course of the discussion that a number of Dublin-based journalists, members of your Union, who were on duty covering the march to the Embassy, were assaulted, attacked or harassed by members of the Garda Síochána. I wish to reiterate the assurance which I gave you at the meeting, and which I understand had separately been given by Garda Headquarters, that any specific complaints your members wish to make in relation to those allegations will be fully investigated by the Garda authorities.

It is hardly necessary to say that I accept that the exercise by your members of their role to report the news in an objective way is essential to the well-being of a democratic society and I would deplore anything that would prevent the Press from carrying out that role.

In a situation such as that which developed last Saturday it is clear that some innocent bystanders, and some members of the Press, were at risk of being injured and, given the sustained level of unprovoked attacks on members of the Gardai, the Force themselves would be the first to accept that a few members - there were almost 2,000 on duty - possibly did in the heat of the moment go beyond what was necessary. If it is said from a responsible source that some journalists were hit, the Garda authorities are prepared to accept that as being a regrettable fact. I have asked the Commissioner to ensure that members of the Force on duty on such occasions will again be made aware of the need for members of the Press to be facilitated in carrying out their work consonant with the needs of security.

What may not be widely appreciated, because fortunately baton charges are rare in our Society, is that the purpose of a baton charge (which is employed only as a last resort) is to clear the street of all persons, and in such a situation the likelihood of Gardai engaged in this duty being in a position to discriminate in respect of particular individuals is greatly diminished. I therefore now repeat the invitation that I put to you orally that if you have any suggestions as to how these difficulties may be overcome for the future they will be very fully considered.

The complaint has been made that members of the Garda Síochána were not wearing numbers on their tunics. I believe that that complaint is based on a misunderstanding. Very many of the Gardai on duty in the vicinity of the Embassy were drawn from various parts of the country and they do not have numbers on their tunics. (Outside Dublin, the only Gardai who have numbers are those in Cork City). Apart from that, epaulettes were torn from some Garda uniforms by the protestors in Saturday's demonstration."

/That is the end of the letter/

I should add that the Government are willing to make arrangements for special methods of identification of journalists assigned by the Irish and foreign press to cover such events. This offer has been conveyed to the N.U.J.

Another important point which I think the House and the public have a right to know about, is what the costs of operations of this kind can be. The costs of the malicious damage cannot be estimated for some time but clearly they are enormous. What I would emphasise is that the policing of last Saturday's march in Dublin will cost the Irish taxpayer something of the order of £310,000 in Garda overtime, subsistence allowance etc.

Finally, I would stress that the Government recognises that there is in international law an absolute obligation on the State to protect the premises of foreign missions

against intrusion or damage and further recognises its obligation to protect society from the commission of criminal acts and from public disorder. I undertake that the Government will take such steps as the exigencies of the situation may require to fulfil these obligations.