



An Chartlann Náisiúnta
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Follow-up to Coalisland Case

Speaking Points

- The outcome of the recent trial in Coalisland of the six members of the Parachute Regiment is an ambiguous and unsatisfactory one;

- While the Magistrate dismissed the charges, essentially I understand because he could not identify individual culprits, he was unhappy with the result as shown by his reported remarks and his decision to order 5 of the defendants to be bound over for two years;

- The outcome of this trial has had a negative effect on nationalist perceptions of the accountability of the security forces and indeed has had electoral impact. This is doubly unfortunate in Coalisland, where some small progress in this area has been achieved since the departure of the Paras;

- The situation was unfortunately aggravated by the clearly precipitate comment from Army sources that the soldiers would not be subject to further disciplinary action. While the Army subsequently appeared to revise its position on this point the harm had been done. Indeed the negative public reaction to the handling of this case was, by all accounts, a factor in the unexpected success of Sinn Fein in that area in last week's elections.

- I would be grateful if you could tell me what disciplinary action will be taken by the Army regarding these soldiers?

- You will not be surprised if I also point to the case as further confirmation of our view that the Parachute Regiment, by virtue of its training and ethos, is unsuitable for deployment in Northern Ireland, and particularly in areas such as Coalisland.

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Cookstown trial of members of the Parachute Regiment
Background Note

1. In the wake of an attack on 12 May last by members of the Parachute Regiment on persons and property in Coalisland, Co. Tyrone, six members of the Parachute Regiment were charged with a range of offences including assault occasioning actual bodily harm; unlawful assault, malicious damage and disorderly behaviour.

2. On Monday 17 May, the Resident Magistrate in the case dismissed all the charges against the soldiers, accepting a submission from the Defence that the Crown had not put forward sufficient evidence and therefore that the defendants had no case to answer. Moreover, the Magistrate also reportedly said that he was satisfied that five of the defendants were not entirely innocent (he had ruled that the sixth had no case to answer) and bound them over on good behaviour and to keep the peace for 18 months on their own recognisance. According to the British side, the Magistrate apparently said that although there was insufficient evidence to proceed with the charges there had been misbehaviour.

3. The outcome of the trial is an ambiguous and unsatisfactory one, and has adversely affected local nationalist perceptions of the accountability of the security forces. This is particularly unfortunate given a modest, if brittle improvement in the Coalisland area following the departure of the Parachute Regiment last year. That improvement was in some part due to thoughtful policing by the local RUC, who have taken account of the concerns of local nationalists such as Jim Canning and Fr. Denis Faul. (We have heard through these contacts that the local RUC are themselves unhappy at the outcome of the trial and have criticised the DPP's handling of the case).

4. In the immediate aftermath of the trial British military sources were quoted as saying that the soldiers faced no further action. This unhelpful response has since been modified to the extent that military sources have spoken of possible unofficial reprimands by the Commanding Officer and adverse effects on promotion prospects. We understand, however, that the decision to dismiss the charges at the Magistrate's Court (which is not the same thing as an acquittal) does not preclude the pursuit of disciplinary, as distinct from criminal, proceedings against the soldiers in question. At a broader level, we have consistently pointed out to the British side that the Parachute Regiment are unsuitable for deployment in Northern Ireland and that RUC accompaniment of the Army must be an effective expression of police primacy. (The Paras, although technically accompanied by an RUC officer in Coalisland on 12 May 1992, were effectively at liberty to run amok).

Anglo-Irish Division
21 May 1993

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