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AN RÚNAÍOCHT ANGLA-ÉIREANNACH
BÉAL FEIRSTE

ANGLO-IRISH SECRETARIAT
BELFAST

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DATE : 21 June 1999 **NO. OF PAGES (including this one): 3**

TO: Colm O'Floinn
Anglo-Irish Division

Read 22.6 am

GI Section

FROM: Val O'Donnell

Copied directly to T. Cotter, Department of Justice, Equality and Law Reform

SUBJECT: Lunch with the Chief Constable: Security Related Matters Discussed

1. The on-going problem of attacks by loyalists on catholics/ nationalists was the main "security" item touched on during the lunch at the Secretariat on 21 June. We said that it appears from our information that five persons have now been charged with offences relating to the above attacks. They have been charged at Carrickfergus, Larne, Lurgan, Lisburn, and Armagh most recently. We asked the Chief Constable for his assessment of the significance of these charges.

2. The Chief Constable said that in his view two of the persons charged to-date were "significant players". But he could not say, at this stage, that the recent police successes have "broken the back of the problem". He mentioned that some of those who have been charged are setting up the defence that the pipebomb components which were found by the police on or near their premises , came into their possession through the bona fide purchase of other goods, for example, tool boxes.

3. We referred to the fact that although five persons have now been charged, that there was no indication of any charges being brought against anyone in

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connection with directing this campaign of terrorism. There was continuing speculation in the media about the identities of those who were, allegedly, directly the campaign. The Chief Constable said that it was very difficult to obtain sufficient evidence to charge anyone with directing a campaign of terrorist attacks. He said that the evidential threshold was very high for bringing a charge of "directing a terrorist organisation" [such an offence was created by Section 29 of the Northern Ireland (Emergency Powers) Act 1996]. He said the DPP had set a very high threshold for such charges which isn't easy to meet in practice. It would be necessary to link such a person by sufficient evidence, directly to those involved in carrying out the attacks. The "directing of a terrorist organisation" charge had been brought successfully in the case of Johnny Adair, but the Chief Constable said that particular circumstances had applied in that case. He did not appear to be aware of any other successful prosecution of such a charge.

The Paramilitary Ceasefires

4. The Chief Constable referred briefly to the security assessment which he had provided to the Secretary of State for Northern Ireland recently regarding the current state of the various paramilitary ceasefires. He said that he suspects LVF involvement in the murders of Mrs Elizabeth O'Neill and Rosemary Nelson. He referred to the relatively amorphous nature of the LVF organisation. This enabled him to conclude if that organisation was involved in terrorist acts. By comparison, the more structured organisations through which PIRA, the UVF and UFF operated, made it more difficult to conclude whether individual acts of violence by their members are being carried out with the approval and sanction of those organisations, or by individual members acting on their own. Where there was enough evidence of leadership sanctioning of terrorist acts in the past he had fulfilled his duty and advised the Secretary of State accordingly.

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UFF Violence

5. The Chief Constable mentioned that the recent worrying attacks which had been associated with the UFF (murder attempt at Carrickfergus, shooting at Grahams Bookmakers in North Belfast, an attack at the Red Devils Pub in West Belfast) appeared to have halted. He thought that this may have arisen due to the fears by the UFF that a renewed campaign of violence on their part would result in their re-specification under the Northern Ireland Sentences Act, with the result that releases of their prisoners would stop. He mentioned that the UFF was generally seen as the less disciplined of the two main loyalist paramilitary groups.

Inter-Loyalist Feuding

6. The Chief Constable referred to growing evidence of violent feuding between the UVF and the UFF. The most recent of these, in Bangor on Sunday last, followed the gun attack at Sandy Row Belfast last week. He said that there was a lot of tension about and he was concerned that there could be a further upsurge of loyalists feuding.

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