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CAB/4/1503/22

1970/6

CONCLUSIONS OF A MEETING OF THE CABINET HELD AT STORMONT CASTLE
AT 10.30 A.M. ON THURSDAY, 19TH FEBRUARY, 1970

PRESENT: The Prime Minister
Minister in the Senate
Minister of Finance
Minister of Home Affairs
Minister of Health and Social Services
Minister of Education
Minister of Agriculture
Minister of Commerce
Minister of Development
Minister of Community Relations
Minister of State
Minister and Leader of the House

ALSO PRESENT: Attorney-General (for Item 1 only)
Inspector-General, R.U.C. (for part of Item 1)

Secretary to the Cabinet
The Principal

1. INVESTIGATIONS INTO THE SHOOTING OF JOHN GALLAGHER IN ARMAGH ON 14TH AUGUST, 1969

The Prime Minister recalled the Home Secretary's suggestion (made at the meeting in London on 4th February) that consideration should be given to the calling in of Scotland Yard in this case. The decision was really one for the Inspector General to make but in view of the political overtones Sir Arthur Young had felt he should ascertain the views of Ministers.

The Minister of Home Affairs and the Attorney-General outlined the main considerations involved: insufficient evidence to justify a prosecution for manslaughter or murder against any member of the Tynan Platoon of 'B' Specials who were suspected of being responsible; further and more recent evidence to suggest that a case of unlawful shooting could possibly be substantiated; the Inspector-General completely satisfied that the R.U.C. had investigated the case thoroughly and impartially. The argument for seeking assistance from Scotland Yard was in essence that as their efforts were unlikely to take the case any further, the R.U.C. would be vindicated and an answer given to Roman Catholic allegations that the local police were at fault for not pressing the case with sufficient vigour. On the other hand, once called in it might be

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SECRET

SECRET

CAB 4/1503/22

difficult to limit Scotland Yard intervention to one isolated case in view of the charges of police culpability which had been made in a number of other cases; no doubt pressure would also come from extreme Protestants for Scotland Yard to render similar assistance in the case of some unsolved murders of Protestants. Many people too would regard the arrival of Scotland Yard detectives as another unwarranted intrusion into a matter within the Northern Ireland Government's responsibility. The Minister and the Attorney indicated that while they were not opposed to the proposal to seek outside assistance, the political implications would have to be carefully weighed.

In discussion it was pointed out that to call in Scotland Yard now after such a long lapse of time and in face of civil rights demands for this step would be seen as a further act of appeasement; that the ^{ARMAGH} ~~Army~~ shooting would be investigated by the Scarman Tribunal which would have power to subpoena witnesses including 'B' Specials who were present at the time; that it would be difficult in practice to confine an investigation to one case and that the Home Secretary's willingness to defend the restriction of any Scotland Yard investigation to the Gallagher fatality alone (on the ground that this particular case was viewed with intense emotion by the Roman Catholic community) had to be regarded as subject to reconsideration if new cases or new facts came to light.

The Inspector-General joined the meeting and was invited to give his views. He said the case for calling in outside assistance was finely balanced; it might do some good and could not do much harm. If a decision in favour of inviting Scotland Yard to assist were to be taken he would like it announced before the weekend in the hope of lowering the temperature at the civil rights march in Armagh on 21st February. The decision, whatever way it went, had some relevance to the situation he was currently facing in the Falls Road area. New and serious allegations had been made to him about police action during the August riots; when he asked for evidence in order to carry out investigations he was told that he was expected to live up to his promise to have investigations of this kind carried out by an officer from another Force and the evidence could not be handed over till this was confirmed.

After further discussion the Inspector-General said that, while on balance he would be inclined to call in Scotland Yard for the Gallagher case, he did not feel that the advantages were more than minimal and accordingly did not feel he could press his view in face of the difficulties which were foreseen by Ministers.

/2.

SECRET

SECRET

CAB 4/1503/22

2. PROPOSED EGG QUALITY CERTIFICATE SCHEME

On consideration of his Memorandum dated 29th January, 1970, the Minister of Agriculture said that he had been in touch with the President of the Ulster Farmers' Union and he was hopeful that the Union would not campaign against the scheme. The Leader of the House, while seeing the matter as politically difficult, agreed that there was no economic alternative to the proposed scheme. The Minister pointed out that phasing the scheme in gradually, which was suggested by the Minister of Education, would not be possible within the time available.

In discussion Ministers expressed concern for the future of the small producer and in order not to penalise those who might have erected special poultry houses decided that the scheme should be modified to include producers selling 75 dozen eggs per week (equivalent to the production of about 250 hens).

3. STATE INDUSTRY

Introducing his Memorandum of 17th February, the Minister of Commerce said he wished to take the initiative in proposing to the Economic Council that the Council should study the feasibility of the State successfully establishing manufacturing industry to give worthwhile additional employment. The Minister of Finance suggested that publication of the Consultants' Report which was due in April and which contained broad views on the subject should be awaited, but Ministers did not consider this would serve any useful purpose. The Minister of Commerce's proposal was approved.

4. PROPOSED GRANT TO ST. JOSEPH'S CHILDREN'S HOME, TERMONBACCA

On consideration of his Memorandum of 3rd February, 1970, the Minister of Home Affairs assured the Leader of the House there would be full consultation with the Welfare Authorities about the grant applied for by St. Joseph's. The Minister's proposal to offer a grant of 50 per cent of the cost of the improvements agreed with his Department was approved.

5. LAND REGISTRATION BILL

Approval was given for presentation of the Bill circulated with the Minister of Finance's Memorandum of 6th February, 1970.

6. ADDITIONAL PROTOCOL TO EUROPEAN CONVENTION ON HUMAN RIGHTS

The Minister of Home Affairs referred to the recommendation of the Consultative Assembly which had been circulated to Permanent Secretaries and
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SECRET

said that so far as his Department was concerned he saw no difficulty in regard to the sub-section relating to equal voting rights. The Prime Minister suggested that more time should be allowed for consideration of the position by other Departments before any reply was given on behalf of Northern Ireland and further discussion was deferred until the next Cabinet meeting.

It was agreed that the Ministry of Community Relations should be the Department responsible for co-ordinating departmental views in this and other matters relating to human rights.

7. POLICE BILL

The Minister of Home Affairs mentioned an amendment to clause 1(2) in terms unacceptable to the Government which was being sought by some Unionist Back Benchers who might accordingly vote against the Government. It was agreed that the Leader of the House should take the appropriate steps to meet this contingency.

8. CANCELLATION OF VISIT TO IRISH REPUBLIC

The Minister of Commerce raised the question of his attendance at a dinner of the Historical Debating Society at Trinity College, Dublin, and, having heard the views of his colleagues against visits even of this kind at the present time, said he would now cancel the engagement.

John P 16/3/70