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THE STEERING GROUP ON ECONOMIC ACTIVITIES OF PARAMILITARIES :  
INTIMIDATION

I. INTRODUCTION

Intimidation is endemic to Northern Ireland. Its exercise is not confined to organised paramilitary groups. It affects individual members of groups and factions within groups. It is also a weapon employed in Northern Ireland, as elsewhere, in support of crime unconnected with politically motivated groups. In particular however, intimidation is practised on the Catholic side by PIRA, and on the Protestant side by the UDA, UVF and RHC, in order to promote the interests of those groups.

2. Intimidation may be both specific and general; both overt and inferred. Some people support the paramilitaries because of positive threats; others do so because of a pervading atmosphere of fear of reprisal if they do not lend at least tacit consent to their actions.

3. This paper aims to:

- (a) examine the methods used by paramilitaries on both sides of the divide;
- (b) consider the specific case of the building industry;
- (c) analyse the use made of intimidation in the UUAC strike;
- (d) suggest ways in which intimidation may be countered.

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II. THE WAYS

4. There are 5 main ways in which paramilitaries on both sides of the divide make use of intimidation:

- (a) to threaten members of the other community;
- (b) to find and keep recruits;
- (c) to provide support and protection for their operations;
- (d) to obtain logistic and other financial support;
- (e) to enhance their status or further their objectives in the community.

Each of these is examined briefly in the succeeding paragraphs.

5. Intimidation of members of the other community was serious in the early years of the present troubles. In Belfast it reached high proportions where 10% of the population were intimidated to such an extent that they were obliged to move from their houses. This produced a polarisation of the communities in attitudes and geography. The latter in particular contributed to the ease with which paramilitaries were able to control their own communities. Although this kind of intimidation is now less pronounced it continues to occur particularly in interface or enclave areas. Horn Drive and the Belvoir estate are recent notable examples.

6. Intimidation does not seem to play a large part in obtaining recruits for the paramilitaries; but it is used extensively to retain them. This is true both for the UDA/UVF and the PIRA.

7. PIRA in particular use intimidation to prevent informing or

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people leaving the organisation. The same is true in degree of the UVF and to some extent of the UDA. The paramilitaries also use it to obtain cars and safe houses, and to prevent witnesses from testifying in Court.

8. The paramilitaries need money to maintain and equip their organisations. Much of it comes directly from intimidation or from economic activities which themselves often flourish because more legitimate business is subject to intimidation. Businessmen are often a target; their living tends to be tied up in easily destroyed premises and stock. Payments can range from £10 per week from a taxi driver to £100 per week or more from clubs. The use of intimidation to pad payrolls or to prevent or secure contracts in the building industry is considered in greater detail in Part III.

9. Intimidation in an attempt to enhance the status of a paramilitary organisation or to further its objectives has been growing. It was used by the UDA to further the aims of the UUAC during the recent stoppage. On the PIRA side it is used to show that they can run a business or quasi/government organisation more efficiently than private enterprise or the Government. Examples of this are to be found in the allocation of houses in hard areas; in the provision of employment through "front" companies; in the intimidation of other businesses to prevent competition with their own. A major example of the last of these is the Andersonstown Co-operative.

### III. THE BUILDING INDUSTRY

10. There is much hearsay but very little hard evidence of the extent of intimidation in the building industry. It is therefore

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difficult to quantify. In all some 40 cases were drawn to the attention of our Sub Group by Government departments or other public bodies. While present throughout the Province, intimidation in the industry is most rampant in Belfast.

11. The motives for intimidation have been found in opposition to the Security Forces (in the case of Dungannon Police Station); and in opposition to Special Category status in the case of firms working at HMP Maze. In general, however, the motive is economic.

12. There are various ways in which paramilitaries attempt to gain financially through intimidation. The most direct is where demands are made to contractors for protection money. The best documented example of this is the case of Snugville Street DHSS Office.

Intimidation is also used to obtain money from workers. This extra cost is often passed on to the consumer in demands for higher wages <sup>(as</sup> ~~in the building of the Ballysillan Telephone Exchange)~~ The third way in which intimidation has been used is to prevent other firms from tendering thus permitting only a 'front' firm such as the Andersonstown Co-operative to secure a contract. Intimidation has also been an element in the choice of particular sub-contractors, and in the employment of 'security men' to prevent "vandalism". These examples of intimidation have effect upon the prices paid for work done, site discipline, and the influence of paramilitary organisations as providers of employment. <sup>(</sup> Losses arising from delays due to shooting incidents or to vandalism have been quantified. In some cases 12 to 25 working weeks are lost at a cost of between £500 and £2,500 per week. <sup>)</sup>

13. Apart from direct intimidation, there are areas where legitimate firms do not work because of anticipated intimidation. The fear of

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violent action also seriously hampers the mobility of labour in a highly mobile workforce. Although some 1400 building workers are unemployed, employers complain of a shortage of labour. Catholics are reluctant to work in Protestant areas and vice versa.

IV. THE UUAC STOPPAGE

14. The abortive attempt to call a general strike in Northern Ireland from 2 to 13 May this year focused attention on intimidation. Recognised as being a weapon in use for a long time to further the aims and economic desires of paramilitaries, it was seen in open and extensive use by the UDA during this period. Altogether during the period [1836] cases of intimidation were reported to the Police.

15. The form used varied widely. It was seen

- (a) in the inflammatory appeals to "loyalty" by prominent politicians;
- (b) in bullying tactics on the streets;
- (c) in attempts to bring pressure to bear on workers particularly at Ballylumford through threats to families;
- (d) in threats against business premises which did not comply with UUAC closing hours;
- (e) in shooting attacks on bus and tanker drivers;
- (f) in silent but ominous pickets;
- (g) in telephoned threats;
- (h) in threatening leaflets;
- (i) in the statement of the UFF that they had to coerce the Protestant population in its own interest.

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16. The fact that the strike call was largely unsuccessful was due to a number of factors. Some of these provide useful lessons on how intimidation may be resisted in other circumstances. The most significant of these are:

- (a) the determined application by the police of their powers;
- (b) the skilful and pre-emptive use of public information services;
- (c) the use of counter intimidation by insisting on business as usual with no hint of special arrangements for those who do not attend work;
- (d) the efforts of those of influence in the community to persuade people to resist intimidation;
- (e) the recognition by the community that a united stand afforded greater protection than individual "heroism".

Each of these is considered briefly in the following paragraphs.

17. Before the 'strike' began, consideration was given to the legal powers to counter intimidation. This concluded that any constraints upon police action were not imposed by the provisions of Statute or Common Law. In the wake of the stoppage a further examination has been made of the state of the law. The conclusions reached are worth setting out in detail. They are that by Section 1 of the Protection of the Person and Property Act 1969 any person who causes by force, threats or menaces or in any way whatsoever any other person to do or refrain from doing any act is guilty of a criminal offence. The act need not be by individual to individual. The coercive effect of statements made by politicians or by paramilitary leaders could be caught by the provisions of the Act. The intimidatory act need not

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be successful; attempts to intimidate are crimes. Nor need there be direct evidence of intimidation as such; a conspiracy by two or more persons to bring about a situation where others involuntarily do or refrain from doing something is an offence at Common Law. Even if the effect is inchoate and the conspiracy is unsuccessful, a crime will have been committed. As in so many areas the problem is law enforcement and in particular, the difficulty of finding people who will stand up and give evidence in the courts.

18. The importance of effective public relations work in countering intimidation cannot be overestimated. Police leaflets urging victims of intimidation to tell the police were useful, as were the appeals by press and on TV and Radio. The most significant contribution was made by the skilful use of news releases which without making exaggerated claims indicated that people were resisting intimidation and reporting for work. The cumulative effect on the workforce was marked. Close co-ordination of the information work of all government departments and the Security Forces ensured that the campaign was properly orchestrated.

19. No encouragement was given, during the course of the stoppage, to any thought that those who stayed away from work would find it easy to claim social security payments. Firms were advised to remain open and to carry on business as usual as far as possible. Those which closed have become liable to make some contribution to their workforce under the terms of new legislation about minimum wage levels. The resolute attitude taken by the Government undoubtedly contributed to the failure of the stoppage.

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20. In addition to the public appeals made by Ministers and by political, church, and trade union leaders, use was made of those close to the grass roots in the community to stiffen resistance to the tactics employed by the UDA. Officials of the NIO and of the Department of Commerce got in touch with police divisional commanders who met Chambers of Commerce, traders and other employers' groups to discuss methods of safeguarding their interests and employees from intimidation and to devise suitable counter intimidation schemes. Dept of Commerce officials also talked to employers' groups, and such organisations as Rotary to encourage them that business as usual should be the order of the day. They also met representatives of chain stores and such organisations as "Spar" to urge common policies in the face of threats. Advice was also given to larger firms on the need for experienced telephonists to minimise the risk of rumours leading to walk-outs.

21. The political circumstances of the 1974 UWC stoppage are not directly comparable with those which obtained this year, and the reaction of the community was distinctly different. Although the different political circumstances was a significant factor, the actions and activities considered in the paragraphs above also contributed to the different community reactions. Once people appreciated that threats could not be realised against everyone, and that they could resist, they did so in ever increasing numbers as the days went by. Many instances were noted of workers consulting together and reaching a common determination to work. Similar events occurred amongst traders and businessmen. In such ways the effects of threats real or apprehended were dissipated.

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## V. THE FUTURE

22. Endemic diseases are by their very nature difficult to eradicate. There is clearly no single remedy which can be applied to all the manifestations of intimidation which have come to light during our investigation. We have considered 4 areas where action may be appropriate. These are:

- (a) by strengthening the law;
- (b) by encouraging people to report to the police;
- (c) by promoting a stronger community will to resist;
- (d) by strengthening administrative practices where public contracts are concerned.

Our conclusions on each of them are set out below.

23. We have concluded that the law as it stands provides a comprehensive framework for effective action against all types of intimidation provided that evidence is forthcoming. We have been unable to identify any areas where there are gaps which need to be filled. We have recognised that in certain circumstances, it is the atmosphere of apprehension rather than a specific threat which provides the coercion. We do not, however, believe that any alteration to the law would make it easier for the police to tackle this aspect. We also accept that in some instances the intimidation is provided by the utterances of the leaders of amorphous organisations and an occasion as in the recent 'strike' by political leaders. In these instances the Law on Sedition may provide an additional remedy. But we recognise that it is in need of overhaul. As it stands there may be reluctance to invoke it.

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24. We were encouraged in our examination of attitudes to intimidation, by the action of the Spugville Street contractor, and by many instances of reports to the police by firms and individuals during the UUAC stoppage. It remains regrettably true, however, that the full extent of intimidation is probably very great. It is equally true that without endangering themselves, victims of intimidation can provide the police with useful information which may go towards producing a provable case against intimidators. We consider that the information services and the police themselves should make extensive use of the media, radio, TV, the Press and leaflets to bring this fact home to the population at large.

25. The efforts made by the Police and the Department of Commerce to ensure that employers were aware of means to combat intimidation during the UUAC "strike" were valuable. We recommend that these efforts should be continued and extended to cover all areas where evidence or intelligence suggests that intimidation is a problem. We recognise that the particular circumstances of the "strike" differ in degree from those which generally obtain in Northern Ireland today. We are conscious, however, that the essential element of fear, real or apprehended, is present in many areas of the Province. We believe that use should be made of other influential persons. In particular, priests and ministers of religion, teachers and social workers, all of whom are close to their communities, can impress on the people that it is only by uniting in a stand against intimidatory tactics that the intimidators can be overcome. Government can also avoid making it too easy for people who give way to the threat of intimidation.

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26. Our sub group on intimidation in the building industry gave very careful consideration to means of defeating the intimidation which it concluded was rife within that industry. We believe that it would be helpful if the Government's Contract letting agencies could consider making it clear to contractors that requests for increases in prices caused by losses or rises due to intimidation or its effects will not be considered <sup>normally</sup> ~~unless detailed reports of the causes are made to the authorities at once.~~ <sup>except in the context of losses on the contract as a whole where the contract might be affected.</sup> Legal Advisers have advised that the withholding of a contract by a public authority, or a direction to withhold, on grounds not directly relevant to the statutory function of the authority (such as links with undesirable organisations) could be challenged in the Courts. They have also advised that the existence of a "black list" would be libellous and if challenged could only be defended by proving the truth of the libel which in most instances would be impossible.

27. We suggest that there should be further consultation with legal advisers on these points and that the possibility of amending the law to exclude paramilitary linked firms from public contracts should be examined further. Finally, we concluded that although we had no reason to doubt the efficiency of existing contract initiation procedures and cost control machinery, we should recommend that it be subjected to further scrutiny to ensure that there are no possibilities for paramilitary groups to obtain advantage from weaknesses in government administrative practices in this area.

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