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Stormont Castle, Belfast

17 December 1976

1. Mr Mc Carthy To see. in (why for security names?).
2. Blair → get a photocopy for file (S19284) →
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SPEECH BY THE SECRETARY OF STATE FOR NORTHERN IRELAND, THE
RT HON ROY MASON MP, IN THE DEBATE ON THE RENEWAL OF THE
NORTHERN IRELAND (VARIOUS EMERGENCY PROVISIONS)(CONTINUANCE)
(NO 2) ORDER 1976 IN THE HOUSE OF COMMONS ON 17 DECEMBER 1976

I beg to move.

That the Northern Ireland (Various Emergency Provisions)
(Continuance) (No 2) Order 1976, a draft of which was laid before
this House on 18 November, be approved.

This is my first speech in the House since I became Secretary of
State for Northern Ireland. I think it is sad that my first
such speech should be about security, because there are other
aspects, good aspects, of life in Northern Ireland which are all
too often ignored in the concentration of public interest on the
security problem. However, it does give me an opportunity to
re-state the essential elements of the Government's security policy
in Northern Ireland. They are: first, the development and
increasing acceptance of the police as the major instrument for the
detection, arrest, and charging of criminals to be brought before
the Courts, and second, for the Army to remain as the essential
buttress of this policy for as long as needed - in present
circumstances, a sensible, solid, understandable course.

7/ I must say and indeed warn that those who argue for a "withdrawal"
and campaign for "troops out" would deliver Ulster into increased
violence; also, those who argue for harsh and punitive measures,
such as reintroducing the death penalty, would do more lasting harm
by the resentment they would arouse than any temporary good they
might achieve. The paramilitaries on both sides of the divide would

haviour a martyr on the end of the rope, having publicly given his life for the cause in which they fervently believe.

So I must tell the House I reject the calls of both the "troops out" brigade and of the "hard measures", both of which play right into the hands of the paramilitary extremists.

I believe our way forward is through the rule of law. People are, and will be prosecuted, for what they have done and not for why they did it. People are not prosecuted for the peaceful expression of legitimate views. They are punished for the murders they have committed, and the explosions they have caused, and not for any political or other motives by which they seek to justify the depraved nature of these actions. Those convicted will be treated as the criminals they are, and not as political prisoners which they are not. Bombings and killings will not change that.

I do not want the House to think that I have a false sense of euphoria about the security situation. The House knows only too well from the quarterly statistics published in the Official Report what the situation is. But the nature of violence has changed. No longer do we see riots and mass confrontation across the sectarian interfaces. This was the pattern when paramilitaries claimed to be protecting their own communities and those claims were believed. The falseness of those claims is now apparent.

The momentum of the Peace Movement has confirmed that there is no longer popular support for violence. The mass demonstrations which have taken place in Northern Ireland this year have been in support of peace. These demonstrations have arisen from the spontaneous feeling of the people; from their weariness and disgust with the violence; and from their growing realisation that those who preach and practise violence can bring nothing but loss, misery and death to the communities whom they claim to protect.

These thoughts have been echoed in the success of the Government campaign of slogans and wall posters under the theme "Seven Years is Enough". There have been campaigns before. But this one above all has captured the popular mood. The people at large will no longer support those who advocate violence. They seek only peace and

normality. The trade unions too are making their own contribution to the cause of peace, with their campaign for a Better Life for All. They are also dedicated to opposing sectarianism and are pledged to bringing about reconciliation with the community.

There is much loose talk about the paramilitaries and particularly the Provisional IRA. Some people are led by the high-sounding and phoney titles which it confers on itself - Brigade Commanders, Intelligence Officers and so forth - into believing that it is a vast organisation administered on military lines. Youngsters can be overawed by this presentation and its image. Protestants and Catholics are drawn by the extremists into what they claim are military operations, but is really old-style Chicago gangsterism.

Within Northern Ireland, the leading terrorists of this rabble, while playing their part in planning crimes, in running supplies of weapons and explosives, also frequently take part themselves in the commission of acts of violence. All these activities are directed towards murder, arson, robbery and other similar atrocities.

Whether they commit these criminal acts themselves or organise and assist in the preparations, or conspire with others, they are committing criminal offences under the law. Virtually every step that a terrorist takes in pursuit of terrorism is a crime.

I want now to say something about what the forces of law and order are doing about all this. And in this context, I want to lay special emphasis on the vital and increasingly successful partnership between the Army and the RUC in their fight against terrorism and crime.

First, the Chief Constable has been making important improvements in police organisation and methods. He has established regional crime squads, which have already demonstrated their value. The collection and collation of information and intelligence has been further improved and is being used to target criminals, many of whom have as a consequence been caught red-handed on bombing missions.

The Crime Department and the Operations Department have been re-organised, a fraud squad has been set up and, with help from other forces - particularly the Metropolitan Police - a backlog that was accumulating on the recording and searching of fingerprints is now being overcome.

Particular emphasis is being given to the task of ensuring that every available detective is out on the ground and that administrative matters do not divert them from their task. Recruitment to the RUC continues at an encouraging rate and I am glad to be able to tell the House that already 1976 has proved to be the best year for recruitment in the whole history of the force. During 1976, some 600 recruits have joined the force and the current strength is now 5,268.

The security forces have an increasingly detailed inventory of who the significant terrorist figures are; of what they do, of where they go; of how they get their money; of their friends and associates. They are matching these life histories and personal profiles against the full range of criminal offences, including conspiracy, the whole corpus of ordinary criminal law and the special criminal law in Northern Ireland deriving from the emergency legislation. By comparing life-styles and the range of offences in this way, they are increasing their knowledge of the weak spots of individual terrorists, building up the evidence against them, and preparing to arrest them on the best and most apposite charges.

What is important in Northern Ireland is that the resources are being built up, and it is in this way that we shall get more and more of the leading terrorists behind bars.

The leaders face a chilly prospect. As our knowledge of them increases, their room for manoeuvre diminishes. They must be increasingly on their guard. There are less people they can trust and fewer places they can go. They cannot match the power brought against them and they will be tracked down, arrested and charged, and brought before the Courts.

Intelligence, surveillance and the efficient deployment of forces are showing increasingly valuable results. In one recent case, a plain-clothes patrol of the RUC's Special Patrol Group in Belfast observed a

car and a van in suspicious circumstances, and after a chase they detained five people. A 25 pound bomb was in the car, which later exploded, causing considerable damage. Three others escaped but were located in a private house close by, where a hostage situation developed. Police surrounded the building, and after three hours, those inside surrendered.

In another case, a hijacked van and a car being used in a bombing mission were intercepted by the Special Patrol Group and the Royal Military Police. Shots were exchanged and five persons were detained and three pistols recovered.

Now red-handed arrests may make the headlines. But arrests some time after the crime often do not, and hence the capture and conviction of the criminals may pass unnoticed. For example, on 8 November, two persons were sentenced to life imprisonment for the murder of the electricity meter reader killed by a booby-trap bomb in February, a crime that had outraged public feeling when it was committed. These examples are perhaps more illuminating than the statistics that I regularly give. But the statistics do show the successes of our present policy. The Chief Constable tells me that so far this year, 690 members of the Provisional IRA have been charged, compared with 320 in 1975.

This success applies to other subversive and paramilitary organisations whose members commit criminal acts: a total of 443 of their members have been similarly charged in 1976, and a majority of these charges are in respect of so-called Loyalists. In recent months, terrorist charges have been running at the rate of about 30 a week.

Since the beginning of August, no fewer than 63 people have been charged with murder and 60 with attempted murder. In addition, 101 persons have been charged in connection with explosives offences, as many as in the whole of 1975. This reflects very great credit on those responsible for criminal investigation in the police.

Increasingly, evidence is being provided by the community or through police work - for example, in respect of fingerprints or forensic data - and there have been no fewer than 376 convictions for scheduled offences in the three months from September to November, including 15 persons who received life sentences and 62 who received 10 or more years imprisonment. The latter included 18 persons who are considered

By the security forces to have been organisers of violence, and sentences ranged from 10 years upwards. This clearly demonstrates that the organisers of violence are not immune from arrest and conviction, if the necessary evidence can be obtained.

As the Government has made clear on a number of occasions, no person who is convicted of offences committed after 1 March this year has been, or will be, given special category status. Let me once again repeat that the Government will not countenance any return to special category status.

Then there is the law. I have considered very carefully what further steps should be taken in the legal field. In the first instance, I have examined whether any of the offences committed against society and humanity by the terrorists are not already covered by the law as it stands in Northern Ireland. I cannot find any such offences.

Given the nature of the organisations under which they operate and the nature of the crimes they commit, the law itself is fully adequate. I am asked, however, why it is that known ringleaders walk the streets without being arrested. But I have to ask, "Where is the evidence?" It not infrequently happens that persons in Great Britain as well as Northern Ireland, known to be criminals from police intelligence, walk the streets free from arrest - for a time. Known in this sense, however, does not constitute guilt in a court of law. Guilt has to be proved beyond reasonable doubt; and, I am glad to say, this is one of the bulwarks of our society.

I have re-examined and re-appraised all the work that has been done in this sphere. I am clear that the present approach is the correct one. Under no circumstances must we allow myths and misconceptions to lead us into false moves which would lower the standard of justice or bring the courts in Northern Ireland into disrepute. Our policy is to maintain the rule of law, not to lower its values.

The way forward is not to change the law or legal procedure but to continue with our existing policy of catching the terrorists and

their leaders. This is certainly achieving results. As I have mentioned already, this year over 1,200 persons have been charged with terrorist-type offences, including [118] with murder and [117] with attempted murder. Those who continue to commit such acts know that their time at large is running out. They know that justice will prevail, especially with improved public co-operation. And we know that they are frightened because of the success of the security forces in operating within the present law.

My remarks do not, of course, imply that the present laws are immutable. We have taken steps recently to improve them. On 2 July, my Rt Hon and learned Friend, the Attorney General, made certain proposals. He said that the Government intended to apply to Northern Ireland the provisions of the Criminal Damage Act 1971. A proposal for a draft Order has been published and an Order will be debated in due course. The Attorney General said that the Judges Rules applying in Great Britain would be applied in Northern Ireland. This has been done. He said that the penalty for carrying firearms was inadequate. An Order has been made doubling the maximum penalties, so that the law can deal effectively with the travelling gunmen.

The Attorney said that there was a case for increasing the maximum penalty for membership of a proscribed organisation and we shall bring this forward when a suitable legislative opportunity occurs. The Attorney General referred to a further matter then under consideration, the case of a person who participated in a crime, but who subsequently claimed to have had no knowledge of the intended crime. The question here was whether existing law was adequate or not. In fact, just such a case has arisen in practice and the defendant was found guilty on four counts. I will say no more about that as an appeal is pending. But it can be seen that progress on that front is being made.

Now I have already made clear that the Army will remain - and in sufficient numbers - for so long as required. The exact number at any one time will depend on a number of things: the level of violence, the operational requirements, and the effectiveness of the police. This is essentially a matter of military judgment and the GOC is in a better position than anyone else to know what forces he needs and

How best they should be deployed. He has, for instance, recently come to the conclusion that if he were to introduce some minor modifications to the dispositions of certain units, he would have no further operational requirement for about 500 out of his total 14,500 men. He is, therefore, intending in the next few weeks to slim his forces down by roughly this number, spreading the reduction across the three Brigade areas.

An important factor in enabling him to take this step is the progress which is being made between the police and the Army towards working out common operational boundaries, demonstrating once again the partnership between the Army and the RUC.

This reduction, while quite small in itself, will make a significant contribution to easing the Army's roulement problems. If the GOC needs to bring the soldiers back or replace them, then he can have them without delay. This is in addition to the call that he has on the Spearhead Battalion. Let me make clear that this change does not represent any change of policy. The number of troops in Northern Ireland has changed frequently over the years, in accordance with the needs of the situation. If more troops should be needed again, they will come back.

At the same time, I am particularly pleased to announce that a start will be made to increase the number of full-time UDR. The initial expansion will be by 200 men; and it is our intention that the establishment should be increased further. The UDR, with their local knowledge and skills, are especially valuable soldiers in the current type of operations, and the building up of their full-time element is an important move forward. Naturally enough, the highest standards will continue to be applied to this new recruitment.

In addition, as announced by my Hon Friend, the Under Secretary of State for the Army, on 9 December, the flexible deployment of the SAS is now available to areas where their special skills and experience can be used to best advantage. Their value in County Armagh has been amply demonstrated by the reduction in violence in that area. We have made a point of not disclosing the actual numbers of SAS involved and I do not intend to depart from this. But I can assure the House that the numbers will be adequate for the tasks.

They will of course be kept under review and increases will be considered if the security situation so requires.

I want now to pay tribute to the security forces. The UDR have been subject to cowardly and vicious attacks in recent months. As with most of the ill-conceived projects of the Provisional IRA, this campaign is counter-productive. Far from weakening the resolve of the UDR, these attacks have served to strengthen their determination and demonstrate their courage. The RUC and the Army have also suffered grievously and I cannot commend highly enough their courage and dedication and their determination not to be provoked, as the Provisionals would clearly like them to be.

Therefore I think it will be clear to the House that, for the purpose of this present review, we need to retain all the emergency provisions which the Order covers.

I believe there is wide agreement that it would be premature to reintroduce juries for the trials of terrorists: that it would be unthinkable in present circumstances to remove any of the powers of the security forces: and that it would be contrary to the public interest to drop any of the temporary offences, such as those of membership or support for proscribed organisations or training in making or using firearms or explosives. As my predecessor indicated in July, it would be irresponsible to give up the existing provisions including those for detention. The same is true today. Like him, however, I should only have recourse to the detention provisions as a last resort.

The ending of violence in Northern Ireland and the rebuilding of a society at peace with itself will in the end depend on three things: respect for the rule of law: confidence in the fairness of the law, and wholehearted support for those whose duty it is to maintain the law. The three things go together - no-one can pick and choose between them.

Respect for the rule of law is something to which the whole community must give its backing, in practice as well as in theory. The recent joint report by the Protestant and Catholic churches on "Violence in Ireland" put this well when it indicated that the churches should

jointly remind their members that they had a moral obligation to support the currently constituted authorities in Ireland against all paramilitary forces. The very fabric of society depends on support of this kind.

But there is a need for co-operation, not just in respect of security, but across the whole range of Government activity. An ordered society can only be achieved if there is a partnership: the Government provides resources to meet the needs of the community and the community provides the co-operation necessary for the successful use of those resources.

This is true of civil Government. It is especially true of security. The Government provides, and will continue to provide, a full range of security resources. For these resources to produce their full dividend, we need full support from the public. There is no instant method of making security policy successful without this support, just as there is no magic law that can secure the conviction of terrorists without evidence. So we look forward to the day when there is full backing for the forces of law and order, and when terrorism is finally defeated.

In conclusion, I want to place on record my growing pride in all those men and women who are daily serving in the security forces: the young soldiers of the regular Army, members of the UDR, the Greenfinches, the RUC and the RUC Reserve. I add to those the prison officers, the nurses, doctors, firemen and others whose involvement necessitates arduous and lengthy working hours. They all have to be at the best when conditions are at their worst.

To them - through this House - let me say: The terrorists are being caught and jailed - common criminals as they are. This is due to your endeavours. We are on course and we must not allow any more of their dastardly deeds to divert us from achieving success.