

2020/17/28

S20876L

RUC - Complaints
Against

17/5/90 - 16/10/90

S20876L

START of file

Confidential

h. h. c. Murphy
16.10.90
iykawa
Taoreall agreed with
procedures at X. FASTOLD.
16/10

Hijacked Vehicle at Lifford Bridge

S. Magner, D/Justice rang this morning to say that a van was hijacked last night 2 miles on our side of the border by armed men and that the Gardai have been informed by the RUC that the van is now abandoned on the road between Lifford Bridge and the British Army checkpoint there. Traffic along the road is being diverted.

Magner spoke to his Minister this morning who said that we should provide whatever facilities possible to the other side. In this regard, Magner believes it is very likely that the British will request that they be permitted to fly personnel to Lifford Army camp in Donegal to view the vehicle from our side. In a similar case last May we authorised a British Army helicopter carrying 1 pilot, 1 ATO officer and 1 RUC liaison officer to fly to Lifford Army barracks and for the personnel to proceed by foot to the bridge. This would not be covered by the IED procedures but would be in line with the form of words we used when last renewing the IED Orders, i.e. that we would consider any specific request for cooperation falling outside the scope of the IED procedures on its merits.

Although the British have not yet put in a request Magner feels that it would be useful if we could agree to the same procedure as in May if the British request it.

Rm

Ronan Murphy

16.10.90.



Home Address :
Edenmore Farm,
Lifford,
Co. Donegal.
Tel : 074 - 41553.

SEANAD ÉIREANN
BAILE ÁTHA CLIATH
(Dublin 2.)

Leinster House,
Tel . 01 - 789911 Ext.819
Direct Line 01 - 785226

16th October, 1990.

Mr. Ray Burke, T.D.,
Minister for Justice & Communications,
72-76 St. Stephen's Green,
Dublin 2.

Dear Ray,

We have a very serious situation locally here at Lifford this morning where the bridge between Lifford and Strabane is blocked by a suspect bomb in a van, stopping all traffic on the main route out of Donegal.

The suspect vehicle is parked on high ground just on the northern side of the bridge. Any bomb at this site would have devastating consequences for the town of Lifford, the Hospital and the Council Buildings. This is the second bomb at the same location this year. The British Army were in no hurry to remove the last one and as it turned out they were right as there were booby traps along the river bank where army personnel would have to travel to diffuse the bomb. Actually the British Army had to come to Lifford Military Barracks and cross the bridge from Lifford to reach the suspect vehicle.

I have no doubt that the Authorities will be aware of a similar ploy in this situation today and will be reluctant to move quickly. Unfortunately, the consequences of this for people living in the border area is very serious. As I am living locally, I believe I am expected to make representations to you to take whatever action you consider necessary to stop the disruption of traffic on this main route and to prevent the isolation of Co. Donegal further.

I am sure that we have your sympathy and understanding in this continuing harassment and dilemma that we find ourselves in. I await your urgent response by fax today to (074) 41553, if possible.

Personal regards,

Paddy McGowan.

Senator Paddy McGowan.

Mr. McWilliam
14/9

Calcutt Enquiry into the Colin Wallace Affair

George Fergusson of the British Embassy rang me to say that the Ministry of Defence will be giving information today to Wallace's MP Mr. Michael Marshall about the outcome of the Calcutt Enquiry into Wallace's dismissal from the Ministry. It is not intended that the Ministry make any statement but the story is likely to come out. The Enquiry found that there were defects in the manner of his treatment by the Civil Service Appeal Board in that information reached the Board outside the terms of his appeal hearing. Calcutt concluded that Mr. Wallace's dismissal was not justified. The Ministry of Defence accepts that it has to live with the consequences and will pay Mr. Wallace compensation of £30,000.

Mr. Fergusson commented that the Enquiry was solely into the manner of Mr. Wallace's dismissal and that speculation about other aspects of his case would no doubt continue.

Rm
Ronan Murphy
13. 9. 90.

c.c. PSM
PSS
Mr. Nally
A/Sec Gallagher
Joint Secretary
S. Maguire O/Bastice
Ambassador London

Duffy

For Plastic Bullets file please

3 cases with the recommendation of a P2

15/5/91

*M. Kelly
18.6.90
15/6/90
M. Kelly: 18/6
M. Kelly*

A/Sec Gallagher

Inquest on Seamus Duffy

The Inquest on Seamus Duffy, who was killed by a plastic bullet last August, is scheduled to begin in Belfast on Monday. As you know, there has been considerable controversy on this killing, and a recent background note on the case is attached.

I received a phone call yesterday evening from Clara Reilly of the United Campaign Against Plastic Bullets (UCAPB) informing me that the Inquest is to be held on Monday and asking whether the Government would be sending an observer to the Inquest. I received a further phone call this morning from Paul Cassidy (an uncle of Seamus Duffy who lives in Dublin) asking the same question.

In response to both phone calls I said that I had not realised that the Inquest was to be held so soon and that, given the short notice involved, I didn't think that we would be in a position to have anyone available in Belfast next Monday. However, I added that while we might not be able to be actually present at the Inquest hearing, I assured both callers that we would be taking a particular interest in the Inquest proceedings.

In the past we have been officially represented at

- The Inquest of the Gibraltar Three.
- A number of extradition cases, where a Northern Ireland lawyer attended the subsequent trial in the Northern Ireland Courts of those extradited.
- The Appeal Hearing in the Northern Ireland Courts in respect of Paul Hill, following his release from prison in Britain.
- The Appeal Court hearing on the Birmingham 6.
- The May Inquiry

Comment:

The Duffy case is certainly one which arouses sympathy and which again raises our longstanding concerns about the control exercised over the firing of plastic bullets by members of the security forces in Northern Ireland. It can be argued that sending an observer to the Inquest would be a visible sign of our concern on this issue. [In this regard, there is a proposal for the Minister to meet with the UCAPB to discuss the issue sometime in early July.]

However, attendance on this occasion may create a precedent in that it may well trigger similar requests in the future -eg: the Inquests into the 6 people killed in Armagh in 1982 (including the Inquest on Michael Tighe on which there has already been considerable correspondence); the Loughgall killings; the Drumnakilly killings; the Whiterock Road killings etc.

An additional aspect is that we have in the past expressed concern at the inadequacy of Inquest proceedings in Northern Ireland - an inadequacy which has been reinforced by the recent judgement of the House of Lords in the McKerr case. The result of that judgement is that those who fired the fatal shot are not obliged to attend the Inquest to give evidence. It could be argued that sending an observer would be investing an undeserved credibility in the Inquest proceedings in this case.

In all the circumstances, ^{I recommend that} we should not be represented at the Inquest but, in response to any queries, we should continue to make it clear that we are of course following the proceedings very closely.


Brendan McMahon
Anglo-Irish Division
15 June 1990

cc Mr M. Collins (on return)

CONFIDENTIAL

Background Note

Plastic Bullets - Killing of Seamus Duffy

Background:

Following the killing in the early hours of 9 August, the Government expressed their deep concern and an immediate and detailed report on the incident was requested through the Secretariat.

The initial reaction from the British side, coupled with the RUC statement issued on the matter, betrayed considerable uncertainty as to how Duffy had been killed; where he had been shot; and as to who had shot him. We were informed that the Army had fired 4 rounds and the RUC 96 rounds during the disturbances in the New Lodge that night. Subsequent contact with the British side of the Secretariat has yielded little further information other than indications that the security forces may have a video showing Duffy involved in rioting (though it is unclear whether the same video shows him rioting at the time he was shot); and that the postmortem revealed that he had drink taken at the time of his death.

The Chief Constable appointed Detective Chief Superintendent Caskey as investigating officer and referred the investigation for supervision to the Independent Commission for Police Complaints (ICPC), which appointed its Vice Chairman, Brian Garrett, to supervise the investigation.

That investigation has now been completed and the ICPC have certified that the investigation has been properly conducted. The file was referred to the Director of Public Prosecutions who recently announced that no prosecutions would be instituted in respect of the death of Seamus Duffy.

Comments by the Duffy family:

The parents of Seamus Duffy and one of his uncles called to the Department on 9 April. They were not surprised at the decision of the DPP as they had little faith in any investigation into the RUC conducted by the RUC. [They commented that they had learnt of the DPP's decision on the BBC evening news and were bitter that the RUC had not had the good grace to at least inform them in advance of the outcome of the investigation.]

They now find themselves in the position that the RUC have conducted an investigation (which is confidential) and the DPP has made a decision not to prosecute (also confidential). They

felt that in light of the House of Lords Judgement on the McKerr Inquest, that any Inquest into their son's death will shed no light on the circumstances of his death as those members of the security forces involved can not be compelled to attend the Inquest.

In the circumstances they intend to pursue the matter by

- instituting a civil case against the Chief Constable.
- if possible, instituting a private criminal prosecution.
[NOTE: This is not a very promising course of action as under existing provisions, in order to preclude malicious or spurious private criminal prosecutions, the DPP is empowered to take over any such private prosecution if he considers this appropriate, and to terminate the prosecution.]

Their ultimate intention is to take the case to Strasbourg and in this, they will have the support of the United Campaign Against Plastic Bullets (UCAPB). [NOTE: An earlier case involving the killing of Brian Stewart failed in Strasbourg in 1984, but neither the Duffy's nor the UCAPB appear to have been deterred by this precedent.]

Follow-up in the Secretariat:

We have asked a number of questions in the Secretariat regarding the outcome of this case -viz-

- Did the investigation reach a conclusion on (a) where precisely the incident took place; (b) the circumstances immediately preceding the firing of the fatal shot; and (c) which member of the security forces actually fired the fatal shot?
- Was there a fault with the plastic bullet gun used in the incident and is it the case that new equipment is likely to be issued in the near future?
- Whether the ICPC offered any comments on either the incident itself, or on the overall question of the control over the use of plastic bullets by members of the security forces.
- Whether there will be disciplinary proceedings against any RUC officers.
- When the Inquest is likely to be held.
- When will compensation be paid in this case.
- Whether, based on this investigation, the security forces have drawn any useful lessons regarding the procedures governing the use of plastic bullets.

Comment:

Overall, the Duffy case again raises two important issues

- The absence of any transparent means by which the public can be satisfied that members of the security forces can be held accountable for their actions.
- Plastic bullets and the controls exercised over their use in Northern Ireland.

Brendan McMahon
Anglo/Irish Division
17 April 1990

208

by Seamus Kelters

7-6-90

RUC seen as 'ruthless scheming, unprincipled'

By Seamus Kelters

THE CONTROVERSIAL "Shoot To Kill" programme showed the RUC in the way that Russians used to be portrayed in spy films, a Northern Ireland Office Minister claimed last night.

Security Minister John Cope described the £2 million production as "nearly four hours of slanging the Royal Ulster Constabulary."

Withdrawn from Ulster Television schedules at the start of this week on legal advice the programme is based on the killings of six men in Co Armagh eight years ago.

Speaking to Lagan Valley Conservatives last night, Mr Cope said that he had had the "dubious advantage" of having seen the two-part production.

He claimed that the RUC were portrayed throughout as "ruthless, scheming, unprincipled and as unsympathetically as possible."

He added: "Of course, we all know that some things happened which should not

have happened and that they were investigated and judged."

Referring to the final episode of the Yorkshire Television programme, shown across the water on Sunday and Monday, he said: "My complaint is that these things were last night pumped up and padded out to make out a whole picture of the RUC."

"They didn't show the RUC 'warts and all', they expanded the warts to cover the whole face of the RUC and then scratched them," he told the Lisburn meeting, adding: "It was not the RUC that I know."

The programme's makers have said it was meticulously researched and is fair and accurate.

But Mr. Cope said he would "love four hours of TV time to tell the full story of the RUC's fight against terrorism with teams of

researchers and writers, film crews and actors, locations and film sets.

"I would particularly like the freedom to make up as I wished the bits I didn't know about and present it all as facts," he said.

Mr Cope added: "On second thoughts, I would like four hours on TV to tell the story of PIRA on the same terms and not only the story of their ruthless, careless violence.

"I would expose in detail the futility of their political ideas — the idea that the British are here for their economic and strategic advantage for instance," he said.

Meanwhile, the former Chief Constable of the RUC, Sir John Hermon, last night revealed that he had considered resigning over the so-called shoot-to-kill affair.

The decision to charge four of his men with murder over the killings of six unarmed men, five of them terrorists, moved him to think about quitting, he said.

Suggestions in the programme that the RUC had sacrificed the lives of three officers in order to protect a source were totally offensive and untrue, he said.

Sir John said: "It does reveal the state of John Thorburn's mind during his investigation."

We ed have a look at the programme in a day or so

PS of the Kelly; PIR the British; etc etc Collier #1

Irish News

6/6/90

1008

Mr. Beattie
1-6-90
Mr. Collins
cc P. 2004
PSB
Mr. Kelly
Mr. McArthur
Mr. P. 2004
Mr. P. 2004

The Irish News

Pro Fide et Patria

Telex 747170 DONEGALL STREET BELFAST Phone 33220

Wednesday, May 30, 1990 Ferial Day

A Unionist policeman

WHO said this? "Only the Taoiseach, Mr. Charles Haughey and his government see and hear no evil within their country . . . While your country remains an open house to murderers, bombers and gunmen, your government will stand isolated among civilised nations as lacking in the political guts to acknowledge that the terrorists, in the long term, if unchecked, will also seek your destruction."

Was it Dr. Ian Paisley or his sidekick Peter Robinson?

No, the fact of the matter is that this DUP-style rant was uttered by a policeman.

The speaker was the new chairman of the Northern Ireland Police Federation, Sam Beattie who chose the occasion of the federation's annual conference to launch his savage attack on the Republic. In the same speech he regretted the abolition of capital punishment and called for the introduction of internment on both sides of the border.

Everybody in Northern Ireland wants a fair and impartial police force that does not discriminate against people on the grounds of their religion or politics.

We do not want to see policemen using public occasions to preach extremist politics. And we cannot imagine why on earth Mr. Beattie should express himself in such Paisleyite terms.

Of course, extradition procedures need to be tightened up, of course we don't want the Republic to become a paradise for terrorists. But neither does Mr. Haughey or his government. Peter Brooke knows that, so does Margaret Thatcher. Peter Robinson and Ian Paisley.

The Republic's Foreign Minister Gerry Collins is pledged to plug the loopholes in extradition legislation. Either Mr. Beattie does not read the newspapers or else like Messrs. Robinson and Paisley, he is trying to make cheap political capital out of a problem which the Republic is trying to resolve.

The Nationalist community in Northern Ireland is sick and tired of the quasi-Biblical ravings of the lunatic Loyalist fringe. To hear such language echoed by the chairman of the police federation, a man elected to the post by his colleagues, is profoundly disturbing.

Few Nationalists are jumping up and down with delight at the findings of the Stevens Inquiry. There is considerable disquiet that nobody has yet been charged after this exhaustive investigation into how lists of suspects were passed from police into terrorist hands.

It seems rather strange that this inquiry was not alluded to in Mr. Beattie's speech.

The simple fact is that one of Northern Ireland's most pressing, and most damaging problems is that the police force does not command the respect and support of large numbers of citizens.

Mr. Beattie must have been aware of events in England last week, when the British Police Federation held its annual conference. The British police are also facing a growing crisis of confidence. They have also managed to alienate large groups of people through their conduct.

But at least they are trying to do something about it. They support the principle of holding independent inquiries into their alleged misconduct and are making efforts to win back some of the confidence they have lost.

Mr. Beattie must learn to realise that inflammatory speeches do not solve anything. They serve merely to inflame those ignorant enough to take them seriously, and to cause fear and resentment elsewhere.

Mr. H. Carthy
24.5.90
21/5

SEEN BY

Summary of Stevens Report - Essential Points

NOS

Terms of Reference:

Investigation of disappearance of material from Dunmurray Police Station, and subsequently from Ballykinlar Army Camp;

Alleged leak of information associated with the murder of Loughlin Maginn;

Following consultation with the Chief Constable - any matters which came to light during the course of the Enquiry; I was also asked to make relevant recommendations regarding these matters".

Conduct of the Enquiry:

Described by Stevens as "the largest external investigation in Northern Ireland and the most extensive of its type ever undertaken in the United Kingdom".

Enquiry computerised with a linkage between a Major Incident Room in Britain and a similar room in Northern Ireland - advantages of this were clear "following the severe accidental fire at the Enquiry's original offices in January".

Written statements taken from over 1,900 witnesses and suspects; 2,000 investigative enquiries undertaken; 2,000 man-hours of interviews with detained persons;

Over 2,600 documents of all types recovered from loyalist paramilitaries, though only 100 actual security force documents were recovered dating from the mid 1970's up to 1988.

94 people arrested and a total of 59 of these charged or reported for offences;

213 members of the RUC were interviewed;

Findings/Conclusions:

Because of reasons of State Security and Sub-Judice rules, "some aspects of the report, which is a substantial document, must remain confidential. However, I believe that the public interest demands that as much as is possible of the substance of my report is disclosed".

"It is clear that official information, originally produced by the RUC, the Army and the Prison Service, has passed illicitly into the hands of loyalist paramilitary groups. Documents and information from documents, have been traced to the possession of these paramilitaries. They have been used by them to enhance their own intelligence systems and

as an aid to the targeting of persons suspected of being republican terrorists".

The passing of information is restricted to a small number of individuals within the Security Forces "and is neither widespread nor institutionalised". The number of documents which have been obtained by the paramilitaries is small compared with the total number of such documents produced.

"In the difficult situation that exists within Northern Ireland, it must be accepted that any system will be vulnerable to some extent either to terrorist infiltration or to pressures that may be applied to individuals. However, at the time of the report no evidence of any recent leak of contemporary information has come to light. The latest date of any document traced to the possession of loyalist paramilitaries by the Enquiry is June 1988".

"Photo-montages are classified under the lowest security rating. During the Enquiry, no documents of any higher security classification have been recovered, or indeed come to notice as having been in the hands of any terrorist organisation".

Until 1988, it was not the practice of the Army (who produce photo-montages in co-operation with the RUC) to keep any records of their production or distribution.

Certain members of the UDR have been involved in collusion with loyalist paramilitaries. It would be wrong to conclude that there is a significant number of UDR soldiers who are involved with paramilitaries. This is not the case.

Improvements can be made in procedures for reporting and recording of allegations of crime against army personnel. "The vetting/screening system in relation to recruitment to the UDR was deficient in a number of areas. Individuals who had been adversely vetted by the RUC Vetting Section had nevertheless been recruited. A small number of these went on to commit terrorist related and criminal offences whilst serving with the regiment."

Need for improvements in the RUC Fingerprint Bureau and the Forensic Science Laboratory - Introduce a serious Crime Unit to give an effective co-ordinated approach.

Allegations in the Irish News of an Inner Circle in the RUC investigated but in the absence of any corroborative evidence, allegations could not be substantiated.

"A large number of montages and similar documents have been produced over the years without there being full recognition of their value to terrorist groups and there were inadequate security procedures. Thus the ingredients were present to allow a small number of persons to abuse positions of trust with little possibility of discovery.... The ease with which these small number of individuals have been able to avoid discovery is perhaps the most significant factor in the

illegal trafficking of security force documents. It is important that a firm and unequivocal stance, such as that made by the chief Constable in his public statement of the 21st September 1989, be taken, demonstrating the true security significance of such information".

"A complex network of intelligence of all types was uncovered, involving the supply and exchange of information between loyalist paramilitary groups, with the Ulster Defence Association at the centre."

Clear need for accounting systems providing comprehensive records of the production and distribution of every document in the terrorist information system. Such a system must ensure that those responsible for passing restricted information can be traced and held criminally responsible.

A reassessment of security classification of intelligence material is required, as is a common approach to the subject by all sections of the security forces"

"Formation of a specialist Police Unit to concentrate upon terrorist investigation".

"It must be acknowledged, that in the present climate, leakages of information from the security forces may never be completely eliminated. However, if the measures recommended are introduced, there is every hope that any future collusion between the security forces and paramilitary terrorist groups will be eradicated.

The Report then gives a summary of its recommendations - totalling 83 in all:

Information and Intelligence Systems:

(a) Review criteria guidelines for issue of recognition information; suspects inclusion in such material; the security classification of such material.

(b) Research methods to uniquely identify documents; make them traceable; restrict circulation to operational needs; ensure accountability - a nominated person to be responsible; prevent unauthorised photocopying.

(c) Similar criteria to apply to computer systems.

(d) Ensure information is weeded regularly.

RUC:

(a) Form an Anti-Terrorist Branch; Central reporting of documents finds - a senior officer to have an overview of finds; identify user access to computer records; identification features for

photocopied material; improved physical security for documents.

(b) Notify Army of all incidents involving Army personnel; Involve RUC in UDR vetting procedures.

(c) Various technical improvements in finger-printing and forensics.

Army:

(a) Much tighter vetting of applicants and existing members of the UDR -viz- RUC to be closely involved in vetting; an inter-organisation appeal process on disagreements between the Army and RUC; agree on definition of paramilitary organisations; interview UDR applicant's referees;

(b) A series of measures to ensure tighter control of security material, including soldier's notebooks etc.

Anglo/Irish Division
Department of Foreign Affairs
17 May 1990

cc PST
PSM
PSS
Mr Nally
Mr Matthews
Mr Brosnan

by Confidential telex to Embassy London and Embassy Washington

Mr. W. C. Langley
Mr. Stevens
Mr. 5-90
Mr. 2/15

West

FAX COVER SHEET

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Date: 18 May 1990

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PSS
Mr. [unclear]
Mr. [unclear]
Mr. [unclear]
[unclear]

2/15

(Mr. Kevin McNamara)

I read Mr. Stevens's report with mixed feelings. It is regrettable that he was forced to admit that, in some cases, although he had found evidence of wrongdoing it was impossible to trace the culprit. His admission that "in the present climate, leakages of information from the Security Forces may never be completely eliminated" will dismay the supporters of the rule of law in Northern Ireland and throughout these islands. It will not enhance the reputation of the security forces; nor will it facilitate co-operation with the Irish security forces.

We should not forget that it is believed that the leakages have a direct connection with the deaths of several individuals. It is important for confidence in the security forces that they should not harbour people whose loyalties may at best be divided. On the other hand, Mr. Stevens has provided a great service in his recommendations for the future. Whatever the deficiencies of the report as a criminal investigation, it is certainly an impressive management consultancy report.

Judging by Mr. Stevens's recommendations, it is obvious that the inquiry team has discovered appalling laxity in the handling of information by the security forces and in the recruitment procedures of the UDR, which has resulted in some unfortunate publicity attaching to certain members of the regiment.

Can the Secretary of State assure us that he, the Minister of State, the police authority and the Chief Constable will act immediately on Mr. Stevens's recommendations, to ensure that, in Mr. Stevens's words:

"Any future collusion between the security forces and paramilitary terrorist groups will be eradicated"? In particular, will he assure us that the document production and distribution procedures will now be made traceable? Will he assure us that the present level of computer security, which apparently would be a disgrace in an ordinary commercial organisation, will be replaced by proper arrangements?

Will the right hon. Gentleman, in conjunction with the Secretary of State for Defence, ensure that proper personnel procedures are put into place so that the circumstances that admit recruitment to the UDR can be removed once and for all? We welcome the recommendation that the Ministry of Defence should now justify, at senior level, the rejection of RUC advice on recruiting, but it will be regretted that the final decision was not left in the hands of the RUC, because the recommendation that the MOD should have the last say does not follow the logic of Mr. Stevens's report.

The Chief Constable has said in statements today that perhaps not all the published recommendations will be implemented. Will the Secretary of State urge him to say which recommendations will not be implemented and why?

Can the right hon. Gentleman tell the House the range of charges that have been preferred as a result of the inquiry—although I understand the problems associated with the sub judice rule?

I hope that the Secretary of State realises that the concerns expressed by Mr. Stevens are concerns which we all share. We hope that he will treat the matter with the Opposition in implementing the thrust of Mr. Stevens's

recommendations. In the battle against terrorism—whether loyalist or nationalist—there is no room for complacency.

Mr. Brooke: I am grateful to the hon. Gentleman for his opening remarks about the manner in which the matter was handled and for the congratulations that he offered to Mr. Stevens. I heard his expression of regret that, despite the intense thoroughness of the inquiry, Mr. Stevens was not able to pursue a number of matters fully.

As I hope was evident from the spirit of my statement, we shall be responding as promptly as may be to the recommendations. I temper my words in that way only because there are 83 recommendations and their implementation will involve different time scales.

We agree with the broad thrust of the recommendations. Inevitably, some of the recommendations are for the attention of people other than myself, but I shall be collaborating with them in their response. As regards the matters that are for me, I shall respond as sympathetically as I can to any propositions that the Chief Constable puts to me.

The hon. Gentleman referred to the traceability of documents and access to the computer. He will find from the summary that, in the case of the former, improvement has already been effected by all the interested parties, and the Chief Constable responded at the press conference that he gave this morning to the recommendations relating to the computer. The hon. Gentleman will know that a considerable amount has been done in the past six months on the vetting of recruits to the UDR. He expressed his regret that the RUC should not have the last say. I think that this is an instance in which it is simplest for us simply to disagree.

The hon. Gentleman referred to the statement that not all the recommendations will necessarily be followed up. It is probably better to let that matter take its course, given that some of the recommendations are highly detailed. Those of us to whom the recommendations are directly or indirectly made will indicate the nature of our response to them.

The hon. Gentleman also asked about the range of charges. As he said, those matters are sub judice and it would probably be inappropriate for me to comment.

Finally the hon. Gentleman asked the Government to respond urgently and I can assure him that the need for urgency will be observed.

Mr. James Molyneux (Lagan Valley): What does Mr. Stevens mean by recommendation 65:

"Introduce into the UDR of applicants' records? Did no one tell him that that procedure was introduced in 1971?"

Does the Secretary of State recall my request to him to consider publishing a further paper when the various charges have been processed to give detailed breakdown of the number of people arrested for questioning, the number released after questioning, the number whose cases were put to the Director of Public Prosecutions and the number of cases that were rejected by the DPP?

Does the Secretary of State agree that, although the Stevens summary has enlightened us all greatly on the technicalities of computers and photocopiers, it does nothing whatever to clear the reputation of the 28 Ulster Defence Regiment soldiers who were arrested, only seven of whom have subsequently been charged, and

'90 11:26

convicted of non-terrorist related offences? To put it in plain language, I understand that they were convicted of having a few spare rounds in their possession. What soldier does not commit that offence?

Will an adequate apology be given to those men, considering that many of them had to move house after being treated as if they were terrorists? Will adequate compensation be given to them and will apologies offered to the regiment to which they belong?

Mr. Brooke: The right hon. Gentleman's first question related to recommendation 65 in Mr. Stevens's summary. No doubt he will forgive me if I say that his question was addressed more to Mr. Stevens than to me, although there will be analysis and a response to that recommendation.

The right hon. Gentleman's second and third questions related primarily to individual members of the UDR who were arrested in the course of the inquiry. I rest on my earlier remarks about the sub judice rule, although I realise that some of the cases have already been handled. The right hon. Gentleman referred to those who have had to move house. There are, of course, full administrative procedures for handling that matter, which is one for my right hon. Friend the Secretary of State for Defence.

Rev. William McCrea (Mid-Ulster): There are those who will be disappointed by the report and see deficiencies in it because it reveals that the political hype directed against the security forces in Northern Ireland was totally unwarranted. Does the Secretary of State agree that any fair-minded person will welcome the fact that Mr. Stevens has reported that

"the passing of information to paramilitaries by Security Force members has been restricted to a small number of individuals. It is neither widespread nor institutionalised"? Bearing in mind the fact that there are 28,000 members of the security forces and given that the Stevens report states that such activities are restricted to a small number of individuals, does the Secretary of State agree that it is time for every Member in the House to give his or her wholehearted support to the security forces in their fight against the real enemy of democracy—the terrorist throughout the United Kingdom? This part of the United Kingdom has suffered ghastly incidents in the past few days.

Recommendation 59 suggests:

"Consider location of home address of applicants".

Can the Secretary of State give a clear undertaking that, in judging the calibre of an applicant to the security forces, the guiding principle will be not his address but his person?

Mr. Brooke: I am grateful to the hon. Gentleman for drawing attention to the fact—as I sought to do in my statement—that Mr. Stevens has drawn attention to only a small number of individuals and that he does not regard any such activity as general or institutionalised. I am sure that the whole House will join the hon. Gentleman in welcoming that.

I am also delighted to sustain the hon. Gentleman in what he says about the whole House giving support to the security forces in the dangerous and highly responsible tasks that they carry out on behalf of the whole community. I know that he would not wish that support to be blind, that he would wish the rule of law to continue to be upheld and that he will recognise that in inviting Mr. Stevens to conduct that inquiry, the Chief Constable has been loyal to that thesis.

Recommendation 59 is a matter of detail which will be looked at. I shall certainly ensure that the attention of those who will be responding to that recommendation will be drawn to the hon. Gentleman's remarks.

Mr. Merlyn Rees (Morley and Leeds, South): In asking a question about the UDR, I agree with the Secretary of State that none of us should forget that 220 members of the UDR are dead as a result of their activities. We on this side of the water quite properly get upset when people on this side are killed. Two hundred and twenty is a large number of people to have been killed, and I take that into account when asking this question.

Is not it the case that over the years the UDR has had a high turnover of people? Given the importance of police primacy and what I detect, on a quick reading of the report, to be a mix-up between the roles of the UDR and the RUC, would not it be better to increase the numbers in the RUC and the RUC Reserve and to keep the UDR as a smaller force, with a lower turnover, to do a limited job—an Army job?

Mr. Brooke: I am most grateful to the right hon. Gentleman for drawing attention to the numbers. Although I fear that that number now exceeds 220, he is right that it is an appalling number.

Although I believe that the turnover is probably lower than the right hon. Gentleman imagines, I acknowledge that some people do not stay all that long with the regiment. However, others have served in the regiment consistently since its formation and I pay tribute to them for their bravery.

The right hon. Gentleman referred to the balance of the security forces. The armed forces have had to be increased during the past five years when, as a result of Libyan armaments, there has been a rise in the level of violence, but it is the number of those serving in the regular Army that has been increased, not the number of those in the UDR. However, there has been a shift in the UDR in that period.

Mr. Ian Gow (Eastbourne): Is it a source of satisfaction to my right hon. Friend that, after the serious allegations that have been made against the Ulster Defence Regiment and his own RUC, the Chief Constable appointed Mr. Stevens to carry out an inquiry; that that inquiry received the utmost co-operation throughout from the Ulster Defence Regiment and the RUC; that that inquiry was one of the most thorough that has ever taken place and that the report has been published almost in full and has been the subject of a statement in the House?

Is not it a tribute to the way in which we are trying to cleanse the island of Ireland of terrorism that those procedures have taken place? Will my right hon. Friend reaffirm, despite the criticism in the report, his total confidence in both the RUC and the Ulster Defence Regiment?

Mr. Brooke: I am most grateful to my hon. Friend for the tone and terms in which his question was framed. The inquiry that Mr. Stevens carried out was the most intensive and extensive inquiry of its kind ever to be undertaken in the United Kingdom. We should all derive satisfaction not only from its thoroughness, but from its findings. I am delighted, as my hon. Friend has so invited me, to express my total confidence in both the RUC and the UDR.

1033

Northern Ireland (Stevens Report)

17 MAY 1990

Northern Ireland (Stevens Report)

1034

Mr. Eddie McGrady (South Down): The Secretary of State will be aware that the inquiry has been described in some quarters as "political hype". I remind the right hon. Gentleman and the House that the inquiry began as a direct consequence of the murders of my constituents. In July 1989 Loughlin Maginn was murdered and three men were charged with his murder, two of whom unfortunately—I emphasise the word "unfortunately"—were full-time serving members of the Ulster Defence Regiment—

Mr. Molyneux: From Great Britain.

Mr. McGrady: Well, they may have been from Great Britain, but that is not what I am talking about.

Immediately after that—five days later—the loyalist paramilitaries gave an exhibition of montages of considerable detail to the press. Some months later, loyalist murder gangs were intercepted by the security forces on entering my constituency of South Down, with the specific purpose of murdering constituents of mine who had been named in those leaked documents.

I do not consider this to be a matter of "political hype" or something to be taken lightly. This issue is fundamental to the recognition of and respect for law and order in Northern Ireland in all its contexts. Caesar's wife must be absolutely pure in all circumstances.

I cannot comment in detail on the report, so I simply shall refer to the Secretary of State's statement. I am concerned that some 60 people have been found guilty or will be charged with colluding in the perpetration of a crime. I remind the House that the crime that we are talking about is murder. We are talking about collusion in the murders of innocent people. That is why this matter is so important and why I hope that the Secretary of State will act with the greatest possible urgency in executing the revisions that have been found necessary and exposed in the report.

This is not the first time that various screens and processes have been reorganised. That has happened at least five or six times in the past 20 years. What is going wrong in allowing those evil people to slip through the net—[*Interruption.*] Another point that I should like the Secretary of State to address—[*Interruption.*]

Mr. Speaker: Order. Will the hon. Gentleman bear in mind that he should address questions to the Secretary of State, not comments?

Mr. McGrady: Why has it taken such a long time for adequate controls to be put in place?

Last but not least, the Secretary of State said that the Stevens inquiry referred to Army investigations and RUC investigations. Did the Stevens inquiry investigate the operation of the secret units within Northern Ireland, which are setting paramilitary against paramilitary, and community against community, and working outside the rule of law or the control of the RUC and the British Army?

Mr. Brooke: I join the hon. Gentleman in his observation that the matters that gave rise to the inquiry were not ones to be taken lightly. The Chief Constable responded to a series of events in Northern Ireland by inviting Mr. Stevens to carry out an inquiry that has lasted for a full eight months. I salute the Chief Constable for his original decision and Mr. Stevens for his conduct of that inquiry.

The hon. Gentleman should allow for the fact that there is clear evidence that the action of the paramilitaries in producing the information that gave rise to the inquiry in the first instance was clearly intended to discredit the security forces, which are the paramilitaries' enemies, in so far as they act on behalf of the whole community.

It would be a mistake for us to discuss the 59 charges in detail across the Floor of the House, not only because of the sub judice issue, but because the hon. Gentleman's question slightly generalised the charges.

I give the hon. Gentleman the same pledge about urgency that I gave the hon. Member for Kingston upon Hull, North (Mr. McNamara), who spoke for the Opposition.

The hon. Member for South Down (Mr. McGrady) also asked me about adequate controls. I should say—some of this is apparent in the summary—that long before the Stevens inquiry was set up, the Army and the RUC were already taking measures in that area. Mr. Stevens also refers to the many members of the RUC who were interviewed about that.

The hon. Gentleman's final question takes us into a level of operational detail, which is more a question for Mr. Stevens than for me.

Mr. James Kilfedder (North Down): At this time I think of my constituents and all the other innocent people throughout the Province who have been slaughtered by the Irish Republican Army. I thank God for the Ulster Defence Regiment and the Royal Ulster Constabulary. In my view, the report, which I have hastily read, confirms that a large and expensive sledgehammer has been used to crack a miserable nut. The Secretary of State was right when he said that what generated the inquiry was the paramilitary Ulster Defence Association sending some photographs to the press.

What was the cost of the inquiry, which seemed to turn into a general inquisition and fishing expedition to satisfy republican demands, as part of a campaign to denigrate and undermine the UDR and RUC? Many people in Northern Ireland would agree that if all the effort and money expended on the report and the inquiry had been directed against the IRA, more terrorists would have been apprehended and more innocent lives saved.

I remind the Secretary of State of the protest that I made in the House in October of last year when a young constituent of mine was pulled out of his bed in the early hours of the morning and dragged off to a police station. He was a serving member of the UDR. Everyone in the neighbourhood was aware of his arrest because of the noise from the police vehicles. A few hours later, after hype and publicity in the press he was released and allowed to rejoin his young wife and child. He was an innocent man. It was a disgraceful way in which to treat him or any other member of the UDR.

Mr. Brooke: I am sure that the hon. Gentleman would wish to extend his tribute to the UDR to other parts of the security forces.

Mr. Kilfedder indicated assent.

Mr. Brooke: He said that we had taken a sledgehammer to crack a nut. I state on behalf of the Government that the rule of law is beyond price and confidence that the rule of law is being maintained is a matter of great importance to everyone in the House. I do not have an absolutely

to-date figure for the cost of the inquiry, but I understand that up to a recent date it had cost £500,000. Many hon. Members will agree that such expenditure and thoroughness was justified in view of the objective that we sought. Mr. Stevens himself said:

"Written statements have been taken from over 1,900 witnesses and suspects; 2,000 investigative enquiries undertaken and almost 2,000 man hours expended on interviews with detained persons. Over 2,600 documents of all types, have been recovered"

On the hon. Gentleman's last point, it would not be right for me to comment on an individual case. However, I salute his conscientiousness as a constituency Member of Parliament in bringing it to my attention.

Mr. Alex Carlile (Montgomery): As the Secretary of State made clear in his statement, the implementation of Mr. Stevens' excellent report will require action by more than one Department and co-operation between Departments. How will he ensure that there is an overall strategy to give us confidence that all the recommendations of the Stevens report will be brought into effect? Will he also take steps to ensure a consistency of standards across the Irish border so that the police in the Republic apply similar standards on the issues described by Mr. Stevens?

Does the Secretary of State agree with me that the Stevens inquiry was not assisted by the *Irish News* which made many allegations but refused to back them up by producing evidence?

Mr. Brooke: I give the hon. and learned Gentleman the assurance that he requested about action. As I have said, the recommendations of the Stevens report are being implemented. They are addressed to several different Departments of State, including the Ministry of Defence. The 83 recommendations have been made as a package and we shall seek to concert our general response on an interdepartmental basis.

The hon. and learned Gentleman asked about cross-border matters. I have a suspicion that the Government of the Republic of Ireland will be interested in discussing the report with me on the next occasion that I meet them. I shall certainly bear in mind what the hon. and learned Gentleman said when I do that. He was right about the conclusions of the Stevens inquiry about the inability of the *Irish News* to sustain the allegations that it initially made.

Mr. Michael Mates (Hampshire, East): Does my right hon. Friend agree that the instances of individual wrongdoing by members of the security forces must be firmly dealt with and that Mr. Stevens is to be congratulated on the way in which he has done it? Is not it astonishing that so few instances have been found, given the strain and stress under which the security forces operate? Does he agree that as long as the security forces have to risk life and limb on the streets of Ulster and in the countryside there, they must have access to photographs of people wanted in connection with offences? Therefore, the simplest way to prevent any further instances will be for the terrorists to lay down their arms, stop killing and maiming innocent men, women and children and seek political solutions to the problems that they seek to solve. Is not it extraordinary that in his criticism of my right hon. Friend's remarks, the Opposition spokesman on Northern

Ireland could not bring himself to say one word in praise of our security forces and their sterling work or one word of condemnation of terrorism?

Mr. Brooke: I am particularly grateful to my hon. Friend for the way in which he worded his remarks about the nature of the report and its findings, given his position on the Select Committee for Defence. I have already said that we welcome the fact that only a small number of instances of wrongdoing were highlighted by Mr. Stevens. We are all aware of the stress under which the security forces operate in Northern Ireland. As my hon. Friend rightly says, they are daily at risk of death at the hands of terrorists. The main lesson of the report was that the Chief Constable was determined to make sure that the rule of law is maintained within the Province.

Mr. Ivor Stanbrook (Orpington): In view of the alarmist stories that appeared in the republican press, is not paragraph 41 of the report, which says that the practice was confined to a small number of individuals and was neither widespread nor institutionalised, worthy of the greater possible publicity? Will my right hon. Friend ensure that Mr. Charles Haughey, the Prime Minister of the Irish Republic, receives a copy of the report immediately?

Mr. Brooke: I am grateful to my hon. Friend for drawing attention to paragraph 41, to which other hon. Members also drew attention. I have made it possible to make a copy of the report available to the Government of the Republic of Ireland.

Mr. Cyril D. Townsend (Bexleyheath): Is not it remarkable that so many citizens of Northern Ireland are prepared to serve with the UDR after doing a day's work, bearing in mind the onerous nature of the duties and the high casualty rate? Does my right hon. Friend agree that the key to the matter is improved and thorough vetting of those who join the regiment? Will the Government stick to that goal and make sure that the regiment decides, after taking the best possible advice, who is good enough to serve in it?

Mr. Brooke: I am grateful to my hon. Friend for his tribute to the UDR. It is perhaps worth drawing the attention of the House to the fact that last year 11 million man hours were spent out of bed by members of the regiment in defence of the community in Northern Ireland and that 1,000 vehicle checkpoints are mounted every night, with all the danger that that involves for those who mount them. I acknowledge the importance of vetting. I confirm that the Government will stand by their position on the process of recruitment into the regiment. On top of that, emphasis will be placed on training and further professionalisation, which the regiment has constantly in hand.

Mr. McNamara: Is the Secretary of State aware that it was not a member of the Opposition who made a statement in the House which resulted in an alleged terrorist not being extradited from Ireland because it was felt that he would not have a fair trial? Is he further aware that I have been delighted to accept an invitation to join the UDR on training procedures in the north of England next week?

Mr. Brooke: I am not absolutely certain that I recognise the relevance of the first part of the hon. Gentleman's

[Mr. Brooke]

question to today's statement. I warmly welcome his decision to participate in the training procedures of the UDR. If he could go further and urge more Catholics to join the regiment, he would be doing a considerable service to Northern Ireland.

Whitsun Adjournment Debates

Mr. Speaker: I remind hon. Members that on the motion for the Adjournment of the House on Thursday 24 Applications should reach my office by 10 pm on Monday next. A ballot will be held on Tuesday morning and the result made known as soon as possible.

Points of Order

Several Hon. Members: On a point of order, Mr. Speaker.

Mr. Speaker: I call Maria Fyfe first.

Mrs. Maria Fyfe (Glasgow, Maryhill): On a point of order, Mr. Speaker. I should be glad of your advice. On Monday the House will debate Ravenscraig. Are we to understand that the Government's policy is as described by the Leader of the House or as described by the Secretary of State for Scotland? How should we as Tory Members to be whipped and to vote on Monday? Will they tell us that Ravenscraig's future must be determined on commercial criteria or will they be whipped to defend Ravenscraig?

Several Hon. Members: Further to that point of order—

Mr. Speaker: Order. I hope that it will not be further to that point of order, because I could not possibly answer such a question, but I will listen.

Mr. John McAllion (Dundee, East): Further to the point of order, Mr. Speaker. I failed to catch your eye during Prime Minister's Question Time, or to get a clear answer from the Leader of the House during business questions. Scottish Members have no early opportunity to clarify the position of the Secretary of State for Scotland inside the Government. Today in press briefings No. 10 has made it clear that the Secretary of State is isolated from and disowned by the rest of the Cabinet and that he does not speak for Government policy. At this critical juncture in our history Scotland cannot afford to have its representatives in the Cabinet publicly humiliated in this way. Can you advise me how within the rules of the House we can ensure that the Secretary of State for Scotland comes to the Dispatch Box before the weekend to answer Scottish Members' questions?

Several Hon. Members rose—

Mr. Speaker: Order. Let me deal with the matter. Yesterday I granted a private notice question and every hon. Member who was present was called. I cannot say whether the Secretary of State will answer the debate on Monday. The Opposition are using their time for a debate and that is the occasion when hon. Members should put their questions.

Several Hon. Members: Further to that point of order, Mr. Speaker.

Mr. Speaker: Order. In that case, they cannot possibly be points of order for me. The opportunity arises on Monday.

Mr. John Maxton (Glasgow, Cathcart): On a different point of order, Mr. Speaker. We have a political crisis in Scotland. The Secretary of State for Scotland, who is the representative of the Government in Scotland, has been repudiated by his Cabinet colleagues. I have the press statement that the Secretary of State issued yesterday and the early-day motion signed by the hon. Member for Tayside, North (Mr. Walker) and his five Back-Bench colleagues, which demands that British Steel changes its mind and invests in Ravenscraig. I appreciate, Mr. Speaker, that you may not have the power to demand that

Oral Answers

17 MAY 1990

Oral Answers

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... have to be tackled in the longer term rather than in the period coming up to next year's community charge, but some can be dealt with before then. We shall make a statement to the House when we are ready.

Q6. Mr. Haynes: To ask the Prime Minister if she will list her official engagements for Thursday 17 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Haynes: Mr. Speaker, Sir, is the Prime Minister aware that in the past few weeks she has not had a very good time at Prime Minister's question time—have you, luckie? Is she also aware that the morale of the teaching profession is falling lower and lower because of Government policies? Is she further aware that I have two daughters and a son-in-law who are teachers and doing a first-class job? It is time that she got the Secretary of State for Education and Science by the scruff of the neck and dragged him out of negotiations which ought to be taking place between the authorities and the trade unions to negotiate proper earnings for teachers—then all our children will receive a better education.

The Prime Minister: Bearing in mind that all hon. Members address their remarks to you, Mr. Speaker, I thought that the hon. Gentleman addressed you by a rather endearing term. I believe that I heard him correctly, as I usually do.

With regard to the more serious aspects of the hon. Gentleman's question, I remind him that teachers are better paid than ever before. Their current pay, when it is fully implemented in January, will be 12 per cent. above

Houghton, which was the largest salary that the Labour party aimed to attain. As the hon. Gentleman knows, we have also put forward new proposals for determining teachers' pay. In the meantime, I should point out that most teachers with seven years' experience will be at the top of the scale, and have a big incentive allowance; their salary will be £19,000, the deputy head of a typical secondary school will be earning £26,000—[*Interruption.*] I must answer the hon. Gentleman's question thoroughly, especially as so many members of his family are involved in teaching, and I am sure that they are very ambitious. The head of a typical secondary school will be earning nearly £34,000.

Mr. Gow: Has the proper condemnation by Her Majesty's Ministers of the two terrorist attacks in London this week been accompanied by an equal condemnation from Ministers in the Irish Republic? If those suspected of responsibility for the attacks in London should escape to the Irish Republic, in the belief—understandable—that they would find safe haven there, how confident is my right hon. Friend that a proper request for extradition would be upheld by the Irish Supreme Court?

The Prime Minister: I wish that I could answer my hon. Friend by saying that I would be confident that an extradition order would be upheld, but I cannot do so, as he knows. If justice is to be meted out, it is vital that we should be able to extradite people so that they have no safe haven in the Irish Republic. It is also vital, from the point of view of the police and all citizens of this country and Northern Ireland, that we fully uphold the Prevention of Terrorism Act.

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original document***

From Mr. D. M. Gray
From: M. Collins

M. K. ...
16/5
(108)

ISSUED BY THE GOVERNMENT INFORMATION SERVICES Ó SHEIRBHIS EOLAIS AN RIALTAIS Tel (01) 607555 Telex 25800

ON BEHALF OF	THAR CEANN
Department of Foreign Affairs, 80 St. Stephen's Green, Dublin 2. Tel. (01) 780822.	An Roinn Gnóthai Eachtracha, 80 Faiche Stiabhna, Baile Átha Cliath 2. Tel. (01) 780822.

Statement by the Minister for Foreign Affairs
Mr Gerard Collins TD

STEVENS INQUIRY

Mr Stevens has made a large number of recommendations which are designed to address the widespread concerns that exist regarding collusion which was the subject of a series of meetings of the Anglo-Irish Intergovernmental Conference last Autumn. The Government have closely monitored the progress of the Inquiry and they note that the Report and its recommendations have confirmed the basis for the Government's profound concern.

The Government have carefully noted the recognition contained in the report of serious shortcomings relating to the recruitment and retention of members of the UDR. This has been a source of longstanding concern to the Government and the nationalist community in Northern Ireland. The report also confirms the involvement of members of the UDR in collusion. The specific recommendations that Mr Stevens makes in this area must be promptly implemented.

The Government will be studying Mr Stevens Report and recommendations in their detail and will be seeking to learn from the British authorities the steps they intend taking to implement his recommendations. There will be a full exchange of views with the British authorities on this matter at the next meeting of the Anglo Irish Conference.

CONFIDENTIAL

SEEN 082/1

TAG-SEARCH

Mr Mc Carthy
Mr [unclear]
Mr [unclear]
18/5

SECURE FAX

COVER SHEET

Idon't
you may wish
to see
18/5

Fax Message Number : 082

Date : 17/5/90

Time : 1.30 PM

Pages : 2

(including cover sheet)

Immediate/urgent (Delete As Necessary)

To H.Q.

From Belfast

For Secretary

From Joint Secretary

Ref: Your/My _____

Subject _____

COMMENTS

082

PST Mr Nally
CC. P.S.H.

Mr [unclear] / *Mr [unclear]*

CONFIDENTIAL

175

SECURE FAX

IMMEDIATE

CONFIDENTIAL

17 May 1990

To: HQ
For: Secretary
c.c. ✓ Mr. Michael Collins

From: Belfast
From: Joint Secretary

Stevens Report

In response to our question as to whether the Summary Report was given to journalists at the police press conference this morning, the British side confirmed - with embarrassment - that it was. We expressed surprise in light of the injunctions given to us last evening and said that this of course released us from any obligation not to comment before Mr. Brooke's statement at 4 p.m. if we thought a comment necessary. We understand Mr. Annesley declined Mr. Brooke's request not to issue the Summary before 4 p.m.

MS

CONFIDENTIAL

SECURE FAX

70/1
Mr. Kelly
Mr. Brown
17.5.90
1615

COVER SHEET

Fax Message Number : 070

Date : 17 May 1990

Time : 12.40

Pages : 2 (including cover sheet)

Immediate/Urgent (Delete As Necessary)

To HQ.

From Belfast

For M. Collins

From S. Hughes

Ref: ~~Your/My~~ _____

Subject Stevens Report

COMMENTS

CONFIDENTIAL

P.S.M., P.S.S.
cc Mr. Namy, A/Sec
Mr. Matthews, Mr. Brennan
Mr. ...

YCY ++
12:47

008 F

70/2

SECURE FAX 070

13 May 1990

To: HQ
For: M. Collins

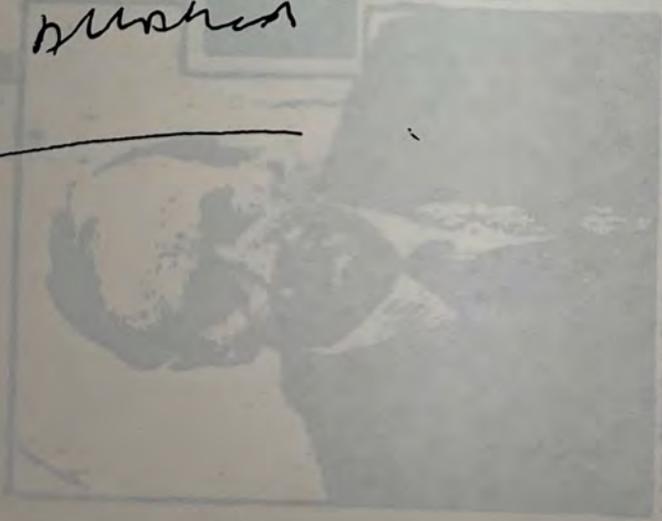
From: Belfast
From: S. Hughes

Sunday world 13/5/90

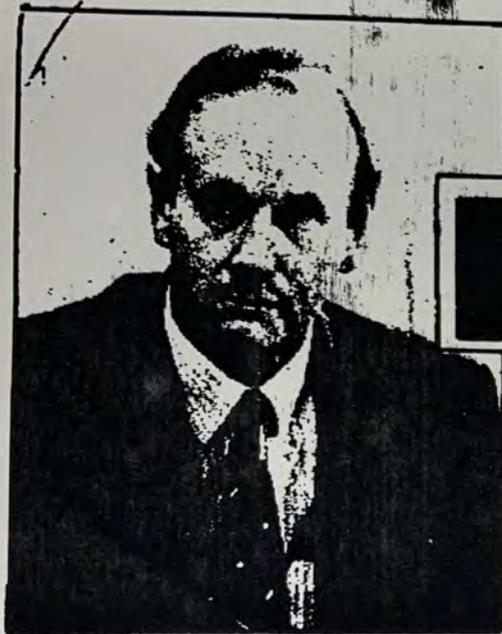
Yesterday's Sunday World, in its lead story, claimed that the Stevens Report is in the hands of the Ulster Resistance force. The article says the Report consists of 64 pages; that it finds that most collusion was between loyalists and UDR soldiers and that it suggests that UDR members should not be allowed near sensitive security files. The article also reports two recommendations which are contradictory viz (1) that UDR soldiers be accompanied on patrol and (2) that they be replaced on the streets by regular troops.

We have asked the other side for their comments on the newspaper report. We have also reminded them of the Chief Constable's assurance at the last Conference that each copy of the Stevens Report was marked so that if there was any question of a copy getting out it will be possible to trace it back to the marked copy.

Key success



This top secret Stevens Report into collusion between loyalists and members of the security forces has already fallen into the hands of prominent paramilitaries.



John Stevens — his top secret report is now with paramilitaries.

THE top secret Stevens Report into collusion between loyalists and members of the security forces has already fallen into the hands of Protestant paramilitaries.

According to sources within the Ulster Resistance force a copy of the controversial report was passed to them by police officers within the

past week.

The 64 page report, which cost half a million pounds to compile, was given to the RUC Chief Constable Hugh Annesley by John Stevens three weeks ago.

And the Ulster Resistance threatened they'll be pasting up selected pages from the report the same as

they did with highly sensitive RUC Special Branch dossiers on republican suspects at the height of the Stevens probe into collusion.

Finds

They claim Stevens finds that most collusion was between loyalists and

soldiers from the UDR and doesn't point the finger at police officers.

They claim that the Stevens report suggests that since leaks to loyalists come from UDR soldiers, members of the regiment should not be allowed into police stations or military establishments where sensitive security files are access-

ible.

The Protestant paramilitaries say the Stevens report also backs up demands made by nationalist politicians that UDR soldiers should be accompanied on patrol by police officers, should be used to guard vital installations and replaced on the streets of Northern Ireland by regular troops.

The loyalists claim the report also recommends police and military should more closely monitor UDR soldiers for links with Protestant paramilitaries.

STEVENS REPORT IN LOYALIST HANDS



Nos

M. V. ...
18/5

STATEMENT FROM SEAMUS MALLON MP

The report of Deputy Chief Constable Stevens is inadequate in that it fails to properly address the core of the problem - How confidential police information found its way into the hands of Loyalist paramilitary groups. Its credibility is greatly diminished by the fact that Mr Stevens confirmed that 2,600 documents containing confidential information were recovered and yet not a single police officer has been charged; this must surely be a matter of public concern as each person referred to in these documents is a potential victim of terrorist groupings. Mr Stevens admits that there was collusion. He obviously had good reason to confirm this and the question must be asked why he was unable to obtain evidence against those who were primarily responsible. The fact that he found it necessary to make 87 recommendations indicates that there is a deeply rooted problem. Some of these recommendations if properly implemented could be effective. Many, however, seem to be there to fill the pages of his report rather than be the medium of substantial change. His references to the UDR are a cause for concern and I call upon the Minister of State John Cope to state publicly how many people have been accepted into the UDR despite RUC recommendations that they should not be admitted to the regiment.

When Mr Stevens was appointed to carry out his investigation I expressed the hope that, for once, a Northern Ireland enquiry into security matters would reach conclusions which were credible and comprehensive. It is a matter of regret that this report achieves neither of those objectives.

cc PST ✓
PSS ✓
A/AC ...
Mr ...
Mr ...
DAS

CONFIDENTIAL

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08/1/2

NOS

SECURE FAX

M. K. Power
SN
18/5

COVER SHEET

Mr. Gerald Collins
Minister for Foreign
Irish House
DUBLIN 1

Fax Message Number : 081

Date : 17/5/90

Time : 11.15

Pages : 2 (including cover sheet)

Immediate/Urgent (Delete As Necessary)

To H.A. From Belfast
For Michael Collins From Joint Secretary
Ref: ~~Your/My~~
Subject Stevens

COMMENTS Message from Secretary of State
for Minister

CONFIDENTIAL

cc D.S.M * P.S.T Mr N.M.M.
P.S.S
A/Hanaghan
Mr Matthews, Mr Rossman

* DETAILS TO BE CONVEYED BY AIRMAIL TO STRASBOURG

B10480
081/2

Mr Gerald Collins TD
Minister for Foreign Affairs
Iveagh House
DUBLIN 1

May 1990

The Chief Constable and I mentioned at the last meeting of the Anglo-Irish Conference that the Stevens' Report had now been submitted to him. The Report, together with a summary which the Chief Constable will be making public later today, was passed to me earlier this week. I asked the British side of the Secretariat to provide you with an advance copy of the summary last night. The Report itself is, of course, not being made public. I shall be making a statement to the House of Commons this afternoon.

I regard Mr Stevens' report as a very professional piece of work. He has highlighted shortcomings and deficiencies in several important areas; action has already been taken or is in hand to remedy many of these and we shall be addressing the others immediately to decide how best to take them forward.

I know you will want to consider the summary yourself and I look forward to discussing it with you in due course. In the meantime I hope you will agree that it is important that public debate on these matters should be constructive and forward looking. It would be a tragedy if a consequence of the summary's publication was to give encouragement to those who seek to drive further wedges between the two sides of the community in Northern Ireland.

078/1

SECURE FAX

CONFIDENTIAL

N108

IMMEDIATE

SECURE FAX

COVER SHEET

To: HQ Belfast From: Joint Secretary

Fax Message Number : 078

Date : 16 May 1990

Time :

Pages : 4 (including cover sheet)

Immediate/urgent (Delete As Necessary)

To HQ From Belfast

For Secretary From Joint Secretary

Ref: Your/My

Subject Stevens Report

COMMENTS

CONFIDENTIAL

cc. P.S.T, Mr. Mallory, P.S.M, P.S.S, A) Mr. Gallivan (as return), Mr. Andrews, Mr. Prosser 175

4. In reply I recalled the events of last Autumn which had led to a period of high tension in our relations and three meetings of the Conference on the issue of collusion by the Northern Ireland security forces with paramilitaries, with particular reference to the role of the UDR. I also referred to the importance which our Ministers had attached at the Conference and particularly at the last Conference on 19 April to being told as much as possible in advance so that they could properly consider their response. The fact that we had been left to learn of the British side's intentions from outside sources and the extremely short period of time which would be available for consideration of the documents to be published tomorrow, would undoubtedly leave our Ministers with a feeling of being badly let down.

5. I added that the Secretariat was the appropriate channel for the transmission of whatever information was to be given on this matter and that it was not acceptable that the British Embassy should present documents in Dublin at the same time that they were presented here.

6. I asked the British side to reflect very carefully on whether they could not provide the summary to us this evening, pointing out that we could transmit it to Dublin by secure fax. I said that receipt of the document tomorrow mid-morning would give totally inadequate time for a proper consideration of our response and of any public statement.

7. I also asked for an advance indication of what the Chief Constable and Mr. Stevens would say at their morning press conference and of what Mr. Brooke would say to the Commons.

Post Script

8. Mr. John Ledlie (Deputy Secretary in charge of Security) phoned me at 7.30 p.m. He said that Mr. Brooke had agreed that we should have the summary report this evening (it has now been faxed to the Department). Mr. Brooke had, however, asked Mr.

Ledlie to speak to me personally about the extreme political importance to him that we should not reveal anything of the contents before his statement to Parliament at 4 p.m. tomorrow, or indicate explicitly that we had received it before it was laid before Parliament (if we are pressed on this point, perhaps we could say simply that there have been contacts in the Secretariat).

9. Mr. Ledlie also spent some considerable time stressing the importance which Mr. Brooke attached to a measured response on our side. I said I was sure that our response would be considered but that it would of course depend on the content of the Report, the nature of the police press conference tomorrow and the nature of the statement to Parliament. (Comment: At first glance, and bearing in mind the limited terms of reference of the Stevens Enquiry, the summary seems to me to contain material which provides a fairly positive response to the concerns strongly expressed by our side last Autumn. We will let you have further views.)

10. I am told the summary we have been given is one of a very long report containing highly classified security assessments. We had understood that the summary report to be laid before Parliament would be the Secretary of State's own summary of a submission on Stevens by the RUC Chief Constable. It appears, however, that following discussion between the NIO and the police the summary has been prepared by Mr. Stevens himself with the views of the Chief Constable and the NIO in mind.

11. Mr. Ledlie will ask Mr. Brooke's agreement to provide advance information tomorrow morning on his statement (the text of which is unlikely to be ready much before 4 p.m.) and to provide whatever further briefing that can be given. Mr. Ledlie will also seek to brief us on what is likely to be said at the police press conference.

12. Lastly, I understand from the other side of the Secretariat that the British Embassy in Dublin was consulted this afternoon and was helpful in securing a favourable response to our representations here.

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17 May 1990

COVER SHEET

n. K. W. W. W.
18/5

To: HQ
For: Secretary

From: Belfast
From: Joint Secretary

Fax Message Number : 083

Date : 17/5/90

Time :

Pages : 3 (including cover sheet)

Immediate/Urgent (Delete As Necessary)

To H.Q. From Belfast

For Secretary From Joint Secretary

Ref: Your/My Summary Report with our Minister in due course.

Subject Stevens Report.

COMMENTS

P.S.T
P.S.M

Mr. Williams, Mr. Pearson

[Signature]

CONFIDENTIAL

IMMEDIATE

CONFIDENTIAL

17 May 1990

To: HQ

From: Belfast

For: Secretary

From: Joint Secretary

c.f. Mr. Michael Collins

1. The British side (Mr. Alston) have spoken to us further about the publication of the Summary of the Stevens Report today. They gave us a personal message from Mr. Brooke to our Minister (already faxed to Mr. Michael Collins) which gives Mr. Brooke's view that the Report is a very professional piece of work outlining shortcomings and deficiencies in several important areas and assures us that the British Government will be addressing immediately those areas in which action has not already been taken in order to decide how best to take the recommendations forward. Mr. Brooke also looks forward to discussing the Summary Report with our Minister in due course.
2. The British side also gave us a tape of the police press conference this morning on which I have reported orally to Mr. Collins.
3. The publication of the Report can be seen as a response - albeit a partial response - to the concerns very strongly expressed by our Ministers in three separate Conferences last Autumn. Mr. Alston emphasised to me this morning that it should also be considered alongside the presentation on accompaniment of the UDR made by Mr. Brooke at the last Conference (Mr. Brooke indicated that a systematic monitoring system had been instituted, the results of which would be made available to us). In response to my question, he said Mr. Brooke would not reject any of the recommendations in his statement this afternoon (nor did Mr. Annesley this morning).

4. Bearing in mind the limited nature of the Stevens' terms of reference (our concerns of course went much further and touched specifically on the role and basis of the UDR itself), there are useful points to be made about the Report:

- The volume of recommendations (83) is itself impressive.
- A large number of recommendations concern the custody and treatment of written and other information which has been one of our major concerns.
- There are 33 recommendations on the Army/UDR (recommendations 50-83) which answer specific concerns which we raised last Autumn concerning recruitment, vetting, monitoring of existing personnel etc.
- 94 people were arrested and 59 charged in connection with the Enquiry.
- The leaked documents investigated by Stevens refer to a period from the mid 1970's to June 1988; no more recent leak was discovered.
- Collusion is confirmed but restricted to a relatively small number of individuals.
- Stevens is optimistic (at the press conference) about the effect the implementation of his recommendations will have.

5. Mr. Alston was unable to enlighten me very much about the recommendation for the formation of an RUC anti-terrorist squad except to say that he thought what Stevens had in mind was a Scotland Yard type consolidation of existing RUC operations against paramilitary groups. We will be taking up this point and others with the British side.

NO8

M. K. ...
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FAX COVER SHEET

cc PSM in Nally
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Date: 17 May '90

Time: _____

To: ANGLO-IRISH DIVISION

For: M. Collins

From: BELFAST

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Brief description of material: Statements by
Chief Constable M. Amosley & Mr. Stevens

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CHIEF CONSTABLE



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NORTHERN IRELAND BT1 4LE

Ladies and Gentlemen
I think the first thing I would invite you to accept is that an outside Enquiry can take place into the affairs of the Security Forces in Northern Ireland with the total co-operation of all concerned, as Mr Stevens has firmly acknowledged.

second, I wish to emphasise the following comments and conclusions by Mr Stevens.

Paragraph 7

"It could not, for example, be assumed that a document found in the possession of a terrorist organisation which was headed 'Royal Ulster Constabulary', 'Army' or 'Prison Service', was leaked directly from that particular element of the Security Forces."

Paragraph 9

"It should also be pointed out at this stage that terrorist recognition information documents such as photo montages are classified under the lowest security rating. During the Enquiry no documents of

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any higher security classification have been recovered, or indeed come to notice, as having been in the hands of any terrorist organisation."

Paragraph 10

"The latest date of any document traced to the possession of Loyalist paramilitaries by the Enquiry is June, 1988."

Paragraph 11

"It is clear from the evidence and detailed analysis of the Security Force documents recovered during the Enquiry, that the passing of information to paramilitaries by members of the Security Forces is restricted to a small number of individuals and is neither widespread nor institutionalised."

This conclusion is, obviously, of crucial importance to us all.

I have found it hard during this Enquiry to maintain the silence I consider proper. It is regretful and unjustified that the RUC has had to bear the innuendo that, because no



RUC officers have been charged, Mr Stevens has not done his job.

Can I remind you that I appointed Mr Stevens - he was not forced on a reluctant RUC. In doing so, I was supported by my Senior Officers, the Superintendents' Association and the Police Federation. Hardly, you may feel, the action of a Force with something to hide. In September last year I stated publicly -

"The RUC will not tolerate wrong doing should it be uncovered within its own ranks or flinch from tackling it in any other branch of the Security Forces, or elsewhere in Society. Criminality will be dealt with without fear or favour".

I say so again today and there will be no deviation from that stance.

But let me also make it quite clear that the RUC is entitled to the same standard of justice as anyone else. Unless there is evidence, as opposed to speculation, of wrong doing, then my Officers are entitled to the virtue of innocence.



I have now been in command of the RUC for a year and I have no hesitation in assuring all the well meaning people of Northern Ireland that the RUC is an excellent force which does not always get the credit it deserves. It really does merit your continued, indeed enhanced, support.

I would also like to comment on the Ulster Defence Regiment. Throughout this Enquiry the UDR has been subjected to a level of wholesale denigration that is simply not justified.

I think the UDR does an exceptional job in this Province and the RUC simply could not ^{manage} operate effectively without them. It is, I think, particularly poignant that whilst the whole Regiment is being criticised in a catch all way their members, like my own Officers, are being murdered by terrorists as they perform their duty on behalf of the whole population of Northern Ireland.

I will now briefly comment on the recommendations that relate to the RUC.

There are 31 specific recommendations directed towards the RUC but, let me assure you, the stark portrayal of these in the report may look very much worse than it is. The recommendations fall into two broad categories with considerable overlap.



- 5
- i. Those that deal with the production and care of terrorist recognition material (montages).
 - ii. Those that deal with CID Support Services - that is Scenes of Crime, Fingerprints and the examination of exhibits.

In respect of the first category a number of measures have already been implemented and the other recommendations will be considered, as quickly as possible, within the Force and in consultation with other agencies.

Insofar as the second category is concerned this is an area I had discussed last year with my Senior Colleagues and the Director of the Northern Ireland Forensic Science Laboratory. As a result an internal review has already taken place and the results presented to me, (Show Report), which cover similar areas to Mr Stevens. Some of these, dealing with FP's and Scenes of Crime, have already been actioned and others will be examined with those by Mr Stevens and brought forward for decision as soon as possible.

I must point out, even at this stage, that issues of scale could make some of the recommendations impracticable in the Northern Ireland context.

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Last year in GB there were some 23 terrorist incidents requiring scene examination for periods of 3 days to 3 weeks.

In Northern Ireland there were 1,655 terrorist incidents and scenes requiring examination. In terms of logistics, personnel and containment, the same approach is not viable here.

However, lest the fallacious impression be gained that crime support and laboratory examination is seriously lacking here, let me remind you of the many successful cases in Northern Ireland where the level of CID, Scenes of Crime, Fingerprint, Photography and laboratory expertise were outstanding examples of investigative competence.

There are also 18 general recommendations which again considerably overlap, relating primarily to document security and these will now be considered with other relevant agencies.

STATEMENT BY MR STEVENS

WHEN I CAME TO NORTHERN IRELAND 8 MONTHS AGO I PROMISED A THOROUGH AND TOTALLY IMPARTIAL INVESTIGATION INTO THE ALLEGATIONS OF COLLUSION BETWEEN THE SECURITY FORCES AND LOYALIST PARAMILITARIES. THIS IS EXACTLY WHAT MY ENQUIRY TEAM AND I HAVE DONE.

AT THE OUTSET I CANNOT EMPHASIS ENOUGH THAT THERE ARE A SUBSTANTIAL NUMBER OF MATTERS BEFORE THE COURTS. THAT BEING SO YOU WILL APPRECIATE THAT I AM CONSIDERABLY RESTRICTED IN WHAT I MAY SAY. I DO ASK YOU TO BEAR THAT IN MIND THROUGHOUT THIS CONFERENCE.

THE ENQUIRY HAS BEEN WIDE RANGING AND DETAILED. IT HAS BEEN THE LARGEST EXTERNAL ENQUIRY EVER UNDERTAKEN IN NORTHERN IRELAND. FOR EXAMPLE, 2,000 MAN HOURS WERE EXPENDED ON INTERVIEWS WITH DETAINED PERSONS AND OVER 2,600 DOCUMENTS OF ALL TYPES HAVE BEEN RECOVERED. SOME OF THEM ARE SECURITY FORCE DOCUMENTS AND MANY OF THEM ARE PHOTOCOPIES. WRITTEN DOCUMENTS PREPARED BY THE PARAMILITARIES THEMSELVES HAVE BEEN RECOVERED. ELECTION PAMPHLETS, MILITARY AND CIVILIAN MAPS, VOTERS REGISTERS AND NEWSPAPER CUTTINGS HAVE ALSO BEEN USED BY TERRORISTS FOR THEIR OWN INTELLIGENCE PURPOSES.

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94 PEOPLE HAVE BEEN ARRESTED IN CONNECTION WITH THE ENQUIRY, 59 OF THEM HAVE BEEN CHARGED OR REPORTED FOR ALLEGED OFFENCES UNDER THE PREVENTION OF TERRORISM, OFFICIAL SECRETS AND FIREARMS ACTS. FURTHER FILES HAVE BEEN SUBMITTED TO THE DIRECTOR OF PUBLIC PROSECUTIONS AND THERE ARE OTHER MATTERS YET TO BE FINALISED.

WE ARE IN THE POSITION TO TALK IN GENERAL TERMS OF A DEGREE OF COLLUSION BETWEEN MEMBERS OF THE SECURITY FORCES AND THE LOYALIST TERRORIST ORGANISATIONS. I HAVE BEEN ABLE TO DRAW FIRM CONCLUSIONS THAT MEMBERS OF THE SECURITY FORCES HAVE PASSED INFORMATION TO PARAMILITARIES. HOWEVER, I MUST MAKE CLEAR IT IS RESTRICTED TO A SMALL NUMBER OF INDIVIDUALS, WHO HAVE GRAVELY ABUSED THEIR POSITIONS OF TRUST. THIS ABUSE IS NOT WIDESPREAD OR INSTITUTIONALISED. SOME PEOPLE HAVE CREATED DIFFICULTIES FOR THE SECURITY FORCES IN THE EXTRAORDINARILY DIFFICULT AND DANGEROUS TASK THEY UNDERTAKE.

ALL THE DOCUMENTS RECOVERED ARE OF THE LOWEST SECURITY CLASSIFICATION AND DATE FROM THE MID 1970'S TO MID 1988, NOTHING AFTER THAT DATE HAS BEEN DISCOVERED. A HUGE NUMBER OF DOCUMENTS HAVE BEEN PRODUCED, QUITE PROPERLY, BY THE SECURITY FORCES DURING THAT PERIOD FOR VITAL INTELLIGENCE AND OPERATIONAL REASONS. THERE HAS HOWEVER BEEN A SERIOUS LACK OF CONTROLS AND ADEQUATE ACCOUNTING PROCEDURES RELATING TO THE DISTRIBUTION OF THESE DOCUMENTS. THIS, COUPLED WITH THEIR AGE, HAS CREATED DIFFICULTIES IN OBTAINING EVIDENCE SUFFICIENT TO CHARGE ALL THOSE RESPONSIBLE FOR THE ACTUAL LEAK OF INFORMATION. THIS INVESTIGATION HAS DEALT SOLELY WITH FACTS AND EVIDENCE, NOT WITH SPECULATION OR RUMOUR, THE OUTCOME OF THE INVESTIGATION AND THE RECOMMENDATIONS ARE IN ACCORDANCE WITH THE FACTS AS WE HAVE FOUND THEM.

SINCE THIS WHOLE MATTER HAS BEEN THE SUBJECT OF MUCH CONTROVERSY, COMMENT AND SPECULATION, I BELIEVE THE PUBLIC INTEREST DEMANDS THAT AS MUCH OF THE SUBSTANCE OF MY REPORT AS POSSIBLE IS DISCLOSED. IT IS A SUBSTANTIAL DOCUMENT. I MUST EMPHASISE THAT SOME OF IT MUST REMAIN CONFIDENTIAL BOTH FOR SECURITY REASONS AND THE FACT THAT PEOPLE ARE STILL WAITING TO BE TRIED BY THE COURTS. A SUMMARY OF THE REPORT HAS BEEN PUBLISHED TODAY.

IT MUST BE ACKNOWLEDGED IN THE PRESENT CLIMATE, THAT LEAKAGES OF INFORMATION FROM THE SECURITY FORCES MAY NEVER BE COMPLETELY ELIMINATED. HOWEVER, IF THE MEASURES RECOMMENDED IN RESPECT OF THE POLICE, THE ARMY AND OTHER ORGANISATIONS ARE INTRODUCED, THEN THERE IS EVERY HOPE THAT FUTURE COLLUSION BETWEEN THE SECURITY FORCES AND PARAMILITARY GROUPS WILL BE ERADICATED. IN PARTICULAR, SUBSTANTIAL IMPROVEMENTS CAN BE MADE BY INTRODUCING:

- (1) A BETTER ACCOUNTING AND SUPERVISION OF INTELLIGENCE SYSTEMS;
- (2) NEW PROCEDURES TO RESTRICT THE PRODUCTION OF INTELLIGENCE DOCUMENTATION;
- (3) THE INTRODUCTION OF STRICT CONTROLS IN RESPECT OF DISSEMINATION AND HANDLING OF SUCH DOCUMENTATION. THESE THREE STEPS ARE ESSENTIAL TO ENSURE THAT THOSE RESPONSIBLE FOR PASSING CONFIDENTIAL INFORMATION CAN BE TRACED AND HELD CRIMINALLY RESPONSIBLE;
- (4) HIGHER STANDARDS OF RECRUITMENT TO AND RETENTION WITHIN THE UDR.

I WISH TO ACKNOWLEDGE THE CONSIDERABLE CO-OPERATION OF THE ROYAL ULSTER CONSTABULARY AND OTHER ELEMENTS OF THE SECURITY FORCES THROUGHOUT THIS ENQUIRY.

4

I HAVE ALSO BEEN ASKED BY MY ENQUIRY TEAM, AND I
ASSOCIATE MYSELF WITH THEIR SENTIMENTS, TO THANK ALL
THOSE PEOPLE OF NORTHERN IRELAND WHO HAVE SHOWN THEIR
SUPPORT AND EXPRESSED THE WISH THAT THIS ENQUIRY IS
SUCCESSFUL. I SINCERELY HOPE THAT PEACE AND HARMONY
IS RESTORED TO NORTHERN IRELAND, AND I WISH ALL WHO
ARE INVOLVED IN SECURING THAT AIM EVERY SUCCESS.

THANK YOU.

17 MAY 1990

WDS

FAX

P.S.S.
cc of/see Gortlogh
Mr M. Collins
Mr Nash
Mr Murlew
Mr Bussan

RWS 4/5,

M. Keenan
18/5

To: Brendan McMahon, Anglo-Irish Division From: Shane O'Neill, London

Statement by Secretary Brooke on the Stevens' Report
17 May, 1990

1. You will already have the text of Brooke's statement. The following are the main points of the subsequent debate.
2. Kevin McNamara paid tribute to Stevens for his efforts in what must have been a long and no doubt, on occasion, frustrating investigation. He said that he had mixed feelings about the Report. It was regrettable that Stevens should have admitted the finding of evidence of wrong-doing without being able to find the culprits and his admission that leaks would never be completely eliminated would dismay those who care for the rule of law. Nevertheless, Stevens had done a great service and while the Report might have deficiencies as a criminal investigation, it was an important management study. He asked whether Brooke could assure the House that he and the Chief Constable would act immediately so that further collusion could be eradicated. He asked a number of specific questions:

Would the production and distribution of documents be made traceable?

Would existing computer security be replaced by proper arrangements?

Would proper personnel procedures be put in place in the UDR?

Would the Secretary of State not consider giving the RUC the final say in the admission of recruits to the UDR?

Would the Secretary of State ask the Chief Constable to explain which of the recommendations would not be implemented and why not?

Could Brooke indicate the range of charges being brought against those guilty of wrong-doing?

Brooke replied that he would be responding as sympathetically as possible to recommendations from the Chief Constable arising from the Report. Regarding McNamara's questions, he said that improvements had already been effected in the tracing of documents and that the Chief Constable had already responded to computer security. As regards vetting procedures, a considerable amount had been done in the course of the last six months. He disagreed with McNamara on the question of the RUC having the last say in recruitment to the UDR. The question of the range of charges was a sub iudice matter and it would be inappropriate for him to comment.

3. Jim Molyneaux said that while the Report had enlightened everyone regarding computers and photocopiers, it did nothing to clear the twenty eight UDR men arrested for publicity purposes. Only seven of these men were subsequently charged and then only with non-terrorist offences. Would there be compensation for these men, some of whom had to move house after their arrest? He also requested Brooke to consider publishing a further paper on the numbers arrested, the numbers charged, the number of cases which went to the DPP and the number rejected by the DPP. He also criticised recommendation No. 65^{*} which he claimed had been implemented since 1971. * interviewing of UDR Applicant's References

Brooke replied that the question regarding recommendation No. 65 would be more properly addressed to Stevens but said that there would be analysis and response to it. He repeated that the details of the various charges were sub iudice. As regards compensation, he said that there was a full administrative procedure for handling that question.

4. William McCrea said that there would be disappointment in some quarters when they see that the political hype against the security forces was completely unwarranted. Stevens had confirmed that only a small number of individuals were involved in collusion and bearing in mind that there were 28,000 serving members of the security forces, would Brooke not agree that it is time for everyone to give wholehearted support to the fight against terrorism?

Brooke agreed that it was important to recognise that only a small number of individuals were involved and he joined McCrea in saying that the whole House should support the security forces, not that they should be blind in their support but that they should want the rule of law to be upheld.

5. Eddie McGrady said that the House should be reminded that the inquiry had been set up not because of political hype but as a result of the murder of Loughlin McGinn and the subsequent charging of two UDR men. This was not hype but a recognition that the rule of law had to be seen to operate. Some sixty people had been charged with collusion with those whose aim is to murder innocent people and he hoped Brooke would act with the greatest possible urgency in taking the necessary measures. Finally he asked whether Stevens had investigated the operations of the secret units in Northern Ireland who are pitting paramilitary against paramilitary and community against community and working outside the control of the RUC and the army.

Brooke agreed that the causes which had given rise to the inquiry were not trivial. McGrady however should allow for the fact that the terrorists in publicising the leaks acted to discredit the security forces who are their enemies insofar as they act on behalf of the whole community. In reply to McGrady's final question, he said that this was a matter of operational detail.

-3-

6. James Kilfedder said that the Report confirmed that a large and expensive sledgehammer had been used to crack a miserable nut. He asked what the cost of the inquiry had been and said that if all this time, effort and expense had been directed to fighting the IRA, more terrorists would have been apprehended and more lives saved.

Brooke replied that, speaking on behalf of the Government, the rule of law is beyond price and the maintenance of the rule of law should be matter of importance to everyone in the House. The inquiry had cost £0.5 million and had been justified in terms of the objectives sought.

7. John Carlisle - Liberal - asked whether Brooke would ensure that there would be an overall strategy in implementing the recommendations. Would he also take action to see that there was a similarity of standards across the border and that the police in the Irish Republic would take similar action.

Brooke replied that he had a suspicion that the Government of the Republic would be interested in discussing the Report when next he saw them and he would certainly bear Carlisle's point in mind.

8. Michael Mates agreed that individual wrong-doing should be fully dealt with but he was heartened by the fact that very few people had been involved. He paid tribute to the UDR and made the point that the security forces would always need access to photographs and information on suspects.

Brooke replied that he welcomed the praise of the UDR and welcomed the fact that only a small number were involved. The major lesson of the Report has been that the Chief Constable is determined to make sure that the rule of law is maintained.

9. Ian Gow said that the inquiry was one of the most thorough ever to take place and was a tribute to the way in which the Government is trying to cleanse the island of Ireland of terrorism. Would Brooke reaffirm his total confidence in the RUC and the UDR?

Brooke replied that the investigation was the most detailed and extensive ever undertaken in the UK. He expressed his satisfaction not just in its thoroughness but in its findings.

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For Secretary From Joint Secretary

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Subject House of Commons Statement - Stevens

COMMENTS

Secretary of State's Statement to House of Commons on Stevens' Inquiry Report - See para. 6.

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084/2

With permission, I should like to make a statement about the report of an enquiry conducted in Northern Ireland by Mr John Stevens, Deputy Chief Constable of Cambridgeshire. Mr Stevens was appointed on 14 September 1989 by the Chief Constable of the Royal Ulster Constabulary to conduct an inquiry into allegations of collusion between members of the security forces in Northern Ireland and Loyalist paramilitaries, and to make recommendations. He presented his report to the Chief Constable on 5 April 1990 and, subsequently, he has prepared a summary of his findings and recommendations. That summary, together with a copy of the complete report, was made available to me earlier this week. The Chief Constable has made the summary report publicly available earlier today. Copies have been placed in the Library of this House and that of another place.

2. Mr Stevens conducted a most thorough and wide-ranging enquiry in which, as he himself stresses, he has at all times received full co-operation at every level from both the RUC and Army. In connection with his enquiry, 94 persons have been arrested, of whom 59 have either been charged with, or reported for, a variety of criminal offences. The majority of these cases are covered by the sub-judice rule and it would be improper for me to comment further about them.

3. Mr Speaker, the report from Mr Stevens was addressed to the Chief Constable. Many of its conclusions and recommendations are primarily for him to consider. Others are for the Army authorities in Northern Ireland, or my Rt Hon Friend the Secretary of State for Defence.

4. Mr Stevens found that the passing of information to paramilitaries did take place; but that this was restricted to a small number of individuals and was neither widespread nor institutionalised. Moreover, he has recognised that steps taken by

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the police and the Army both before and since September 1989 have already significantly reduced the risk of repetition. No document so far traced to the possession of Loyalist paramilitaries bore a recent date. Mr Stevens recognises that there must be some tension between the need to disseminate information for operational purposes and the need effectively to safeguard that information. He finds, nevertheless, that there were deficiencies in procedures for identifying and accounting for documents containing sensitive information. Far too much material was circulating at any one time; and the easy availability of photocopiers further extended the risk of unlawful dissemination. Accordingly, the report contains a number of detailed recommendations aimed at further improving the arrangements for the dissemination and control of all sensitive information; already some of these have been and others are being implemented. Mr Stevens notes that the absence of adequate control procedures at the material time severely hampered the efforts of his enquiry to discover the origins of documents and to trace persons who might have been criminally responsible for passing them on; and that, for related reasons, it cannot be assumed that a document with a particular provenance was leaked directly from the organisation which produced it.

5. As Mr Stevens' own summary makes clear, any evidence or allegation of criminal conduct was rigorously followed up. No charges have been laid against any member of the RUC. Mr Stevens concluded that there had been criminal misbehaviour by a few individual members of the Ulster Defence Regiment. This is a matter of great regret to me as I know it is to the great majority of those honourable and courageous men and women who are the backbone of a very fine Regiment; and I therefore welcome Mr Stevens' equally firm conclusion that it would be wholly wrong to believe that a significant proportion of members of the UDR were involved with paramilitaries. The House will know that steps have already been

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taken to tighten up procedure for screening potential members of the Regiment. Mr Stevens has made recommendations for further improvements to the arrangements in this area.

6. I see nothing in the findings of the Stevens enquiry to lessen my conviction that the UDR plays a vital and valued part in the Army's support for the police-led anti-terrorist effort. I am convinced that the Regiment is fundamentally sound; I am fully aware of the great efforts that continue to be made by the Regiment steadily to improve its effectiveness and professionalism, and I have no doubt that the overwhelming majority of its members impartially serve the whole community in Northern Ireland. I remind the House that, in that service, over 180 serving and over 40 former members of the Regiment have been killed in Northern Ireland in the past 20 years; only 2 days ago 11 members of the UDR were decorated or were mentioned in Despatches.

7. Mr Stevens also makes proposals relating to the technical and scientific support services available to the RUC's anti-terrorist work, identifying in particular scene of crime examinations, fingerprint analysis and the scientific examination of possible exhibits. The need for improvements in many of these areas had already been recognised by the Chief Constable; and Mr Stevens' recommendations in these fields will now be for the Chief Constable to take forward. I stand ready to respond as sympathetically as I can to any specific recommendations which the Chief Constable may wish to put to me.

9. Mr Speaker, painful though its findings in some respects may be, the Stevens' report is a most valuable document. It has highlighted shortcomings and deficiencies in several important areas. Action by the police and the Army to remedy many of the deficiencies to which Mr Stevens has drawn attention has already been taken or is now in hand; and immediate consideration will now

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be given to his detailed recommendations for further improvements. I am sure that the whole House shares my gratitude to the Chief Constable of the RUC for initiating this inquiry and to Mr Stevens for the exemplary care and vigour with which he has carried it out. It will contribute to increasing the skill and dedication with which the Security Forces carry out their vital task of combatting and defeating terrorism in Northern Ireland wherever it is to be found. I hope the whole House will join me in paying tribute to the skilled, courageous and impartial way in which they carry it out.

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Inquiry

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Draft Statement (by the Minister for Foreign Affairs)

Mr Stevens has made a large ^{number} volume of recommendations which are designed to address the widespread concerns that exist regarding collusion which was the subject of a series of meetings of the AI Intergovernmental Conference last Autumn. The Government have closely monitored the progress of the Inquiry and they note that the Report and its recommendations have confirmed the basis for the Government's profound concern.

It is absolutely vital that the recommendations that he has made - of which there are some 83 listed in the summary - to deal with this deeply disturbing situation should now be speedily implemented.

The Government will be concerned to learn from the British Government the progress being made in the implementation of these recommendations.

The Government have carefully noted the recognition contained in the report of serious shortcomings relating to the recruitment and retention of members of the UDR. This has been a source of longstanding concern to the Government and the nationalist community in Northern Ireland. The report also confirms the involvement of members of the UDR in collusion. The specific recommendations that Mr Stevens makes in this area must be promptly implemented.

The Government will be studying Mr Stevens Report and recommendations in their detail. There will be a full exchange of views with the British authorities on this matter at the next meeting of the Anglo Irish Conference.

as an aid to the targeting of persons suspected of being republican terrorists".

The passing of information is restricted to a small number of individuals within the Security Forces "and is neither widespread nor institutionalised". The number of documents which have been obtained by the paramilitaries is small compared with the total number of such documents produced.

"In the difficult situation that exists within Northern Ireland, it must be accepted that any system will be vulnerable to some extent either to terrorist infiltration or to pressures that may be applied to individuals. However, at the time of the report no evidence of any recent leak of contemporary information has come to light. The latest date of any document traced to the possession of loyalist paramilitaries by the Enquiry is June 1988".

"Photo-montages are classified under the lowest security rating. During the Enquiry, no documents of any higher security classification have been recovered, or indeed come to notice as having been in the hands of any terrorist organisation".

Until 1988, it was not the practice of the Army (who produce photo-montages in co-operation with the RUC) to keep any records of their production or distribution.

Certain members of the UDR have been involved in collusion with loyalist paramilitaries. It would be wrong to conclude that there is a significant number of UDR soldiers who are involved with paramilitaries. This is not the case.

Improvements can be made in procedures for reporting and recording of allegations of crime against army personnel.

"The vetting/screening system in relation to recruitment to the UDR was deficient in a number of areas. Individuals who had been adversely vetted by the RUC Vetting Section had nevertheless been recruited. A small number of these went on to commit terrorist related and criminal offences whilst serving with the regiment."

Need for improvements in the RUC Fingerprint Bureau and the Forensic Science Laboratory - Introduce a serious Crime Unit to give an effective co-ordinated approach.

Allegations in the Irish News of an Inner Circle in the RUC investigated but in the absence of any corroborative evidence, allegations could not be substantiated.

"A large number of montages and similar documents have been produced over the years without there being full recognition of their value to terrorist groups and there were inadequate security procedures. Thus the ingredients were present to allow a small number of persons to abuse positions of trust with little possibility of discovery..... The ease with which these small number of individuals have been able to avoid discovery is perhaps the most significant factor in the

illegal trafficking of security force documents. It is important that a firm and unequivocal stance, such as that made by the chief Constable in his public statement of the 21st September 1989, be taken, demonstrating the true security significance of such information".

"A complex network of intelligence of all types was uncovered, involving the supply and exchange of information between loyalist paramilitary groups, with the Ulster Defence Association at the centre."

Clear need for accounting systems providing comprehensive records of the production and distribution of every document in the terrorist information system. Such a system must ensure that those responsible for passing restricted information can be traced and held criminally responsible.

A reassessment of security classification of intelligence material is required, as is a common approach to the subject by all sections of the security forces"

"Formation of a specialist Police Unit to concentrate upon terrorist investigation".

"It must be acknowledged, that in the present climate, leakages of information from the security forces may never be completely eliminated. However, if the measures recommended are introduced, there is every hope that any future collusion between the security forces and paramilitary terrorist groups will be eradicated.

The Report then gives a summary of its recommendations - totalling 83 in all:

Information and Intelligence Systems:

(a) Review criteria guidelines for issue of recognition information; suspects inclusion in such material; the security classification of such material.

(b) Research methods to uniquely identify documents; make them traceable; restrict circulation to operational needs; ensure accountability - a nominated person to be responsible; prevent unauthorised photocopying.

(c) Similar criteria to apply to computer systems.

(d) Ensure information is weeded regularly.

RUC:

(a) Form an Anti-Terrorist Branch; Central reporting of documents finds - a senior officer to have an overview of finds; identify user access to computer records; identification features for

photocopied material; improved physical security for documents.

(b) Notify Army of all incidents involving Army personnel; Involve RUC in UDR vetting procedures.

(c) Various technical improvements in finger-printing and forensics.

Army:

(a) Much tighter vetting of applicants and existing members of the UDR -viz- RUC to be closely involved in vetting; an inter-organisation appeal process on disagreements between the Army and RUC; agree on definition of paramilitary organisations; interview UDR applicant's referees;

(b) A series of measures to ensure tighter control of security material, including soldier's notebooks etc.

Anglo/Irish Division
Department of Foreign Affairs
17 May 1990

cc PST
PSM
PSS
Mr Nally
Mr Matthews
Mr Brosnan

by Confidential telex to Embassy London and Embassy Washington

Office of John Stevens,
Cambridgeshire Constabulary,
Nightingale Park,
Huntingdon.

Summary of the Report of the
Deputy Chief Constable of Cambridgeshire, John STEVENS
into Allegations of Collusion between
Members of the Security Forces and Loyalist Paramilitaries

**Summary of the report of
the Deputy Chief Constable
of Cambridgeshire John
Stevens, into allegations of
collusion between members
of the Security Forces and
Loyalist Paramilitaries.**

My appointment was made immediately following the disappearance of a number of photographs from a locked display cabinet at Dunstable Police Station. For some weeks prior to the disappearance of the photographs, a number of allegations of collusion had been made against the Security Forces. My terms of reference included investigating the Dunstable Police Station incident; the alleged disappearance of photo-escapes from Ballinacorney Army Camp; the alleged leak of information associated with the murder of Mr. John Anthony Joseph McNeill; and following consultation with the Chief Constable, any associated matters which came to light during the course of the Enquiry. I was also expected to make relevant recommendations regarding these matters.

Office of John Stevens,
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Huntingdon.

Summary of the Report of the
Deputy Chief Constable of Cambridgeshire, John STEVENS
into Allegations of Collusion between
Members of the Security Forces and Loyalist Paramilitaries

INTRODUCTION

1. On the 15th September, 1989, the Chief Constable of the Royal Ulster Constabulary, in consultation with the Chief Constable of Cambridgeshire, appointed me to carry out an in-depth investigation into allegations of collusion between members of the Security Forces and loyalist paramilitaries. My appointment was made immediately following the disappearance of a montage of photographs from a locked display cabinet at Dunmurry Police Station. For some weeks prior to the disappearance of the photographs, a number of allegations of collusion had been made against the Security Forces. My terms of reference included investigating: the Dunmurry Police Station incident; the alleged disappearance of photo-montages from Ballykinler Army Camp; the alleged leak of information associated with the murder of Mr. John Anthony Loughlin MAGINN; and following consultation with the Chief Constable, any associated matters which came to light during the course of the Enquiry. I was also requested to make relevant recommendations regarding these matters.

2. The Enquiry set up its office so that it could operate independently, but throughout the seven months of the investigation, the Royal Ulster Constabulary and the Army have facilitated its work whenever requested to do so. The Special Branch and the Criminal Investigation Department of the Royal Ulster Constabulary and the Royal Military Police, provided considerable assistance during the investigations and operations mounted at the request of the Enquiry. These operations will be dealt with later in this summary.

3. Co-operation has been given by the Royal Ulster Constabulary and the Army, both Regular and Ulster Defence Regiment. Enquiry officers have visited Police Stations, Army Barracks and Prison Establishments throughout Northern Ireland and have received full co-operation.

METHODOLOGY

4. The Enquiry began from the position that it would be independent, impartial and entirely thorough. It has maintained that position. It was clear from the outset that in order to have any chance of discovering the truth in relation to the allegations of collusion, the investigations would need to be wide ranging and detailed. Written statements have been taken from over 1,900 witnesses and suspects; 2,000 investigative enquiries undertaken and almost 2,000 man hours expended on interviews with detained persons. Over 2,600 documents of all types, have been

recovered from loyalist paramilitary organisations, some of them are Security Forces documents, many of these being photocopies of the same item. Written material prepared by the paramilitaries themselves has also been recovered. Other documents openly available to the public, such as Election pamphlets, civilian maps, Electoral Registers and newspaper cuttings have also been used for intelligence purposes. Notes of surveillance carried out by terrorists have also been seized, detailing a variety of potential targets and the places they frequent. Each one of these documents has been analysed and examined in order to discover its origin.

5. Many of the allegations centred upon the availability amongst loyalist terrorist groups, of Security Force documents. The most well known of these were the so-called photo-montages, used to brief members of the Security Forces. There is a clear necessity to distribute information, amongst and between the Security Forces, but this creates an inevitable dilemma between the effective dissemination of such information and the maintenance of proper security in respect of it.
6. Considerable numbers of montages have been produced in Northern Ireland over the past 20 years. Until 1988 it was not the practice of the Army, who in co-operation with the Royal Ulster Constabulary, produce the photo-montages, to keep records of production and distribution. It is

therefore not possible to give an accurate assesment of the numbers involved, although such records are now being kept. The Royal Ulster Constabulary produce and distribute, within the Security Forces, photographs of suspects in a different format to that used by the Army. Fewer photographs are used in the police bulletins than are reproduced in photo-montages.

7. It is entirely right that elements of the Security Forces have a need to exchange copies of terrorist recognition documents for intelligence and operational purposes. But these exchanges and the lack of any mechanism for accounting for the movement of such material, have contributed to the difficulties in tracing those responsible for passing on information illegally. It could not, for example, be assumed that a document found in the possession of a terrorist organisation which was headed 'Royal Ulster Constabulary', 'Army' or 'Prison Service', was leaked directly from that particular element of the Security Forces.

8. The combination of large numbers of documents, widely distributed within the Security Forces, increased the risk of official intelligence material becoming readily available to the paramilitaries. It should be borne in mind that there are more than 12,000 Police Officers, both regular and reservist, in the Royal Ulster Constabulary and more than 16,000 military personnel in Northern Ireland, all of whom

have a need to be properly briefed in relation to the terrorist threat.

9. It should also be pointed out at this stage that terrorist recognition information documents such as photo-montages are classified under the lowest security rating. During the Enquiry no documents of any higher security classification have been recovered, or indeed come to notice, as having been in the hands of any terrorist organisation.
10. There is no doubt that since September of 1989, when media reports of "Leaks of Information" were at their height, the steps taken to improve the security of information, have had a significant effect in reducing the opportunity for recognition material to find its way to paramilitaries. In the difficult situation that exists within Northern Ireland, it must be accepted that any system will be vulnerable to some extent either to terrorist infiltration or to pressures that may be applied to individuals. However, at the time of the Report no evidence of any recent leak of contemporary information has come to light. The latest date of any document traced to the possession of loyalist paramilitaries by the Enquiry is June, 1988.

THE ENQUIRY

11. It is clear from the evidence and detailed analysis of the Security Force documents recovered during the Enquiry, that

- the passing of information to paramilitaries by members of the Security Forces is restricted to a small number of individuals and is neither widespread nor institutionalised.
12. All lines of enquiry were pursued in a determined effort to discover the truth, wherever the evidence led. Whilst this was done in the knowledge of the unique situation facing the Security Forces, the Enquiry Team nevertheless applied the same principles of thoroughness and impartiality used in their own Forces.
13. My own operational background, in New Scotland Yard, Hampshire and lately Cambridgeshire has involved all elements of criminal investigation. I was privileged to be able to select my Enquiry Officers from some of the most experienced detectives in the United Kingdom. Senior detective officers from four English Forces were personally chosen by me for their outstanding abilities as investigators. They had all undertaken many major enquiries as Senior Investigating Officers and were able to pick from their own Forces their most able detective officers, who were willing to undertake this long and demanding investigation. In addition to their proven operational experience, these officers had particular specialist skills in the field of criminal intelligence, forensic science and computers.

14. The Enquiry was served by a secure computer system using the Home Office Large Major Enquiry System (H.O.L.M.E.S.) format. It will be recalled that this system was introduced after the so-called 'Yorkshire Ripper Case'. It allows for massive amounts of information to be processed on computer, so that every detail is cross-referenced and that no valuable evidence is overlooked.
15. This computer system broke new ground in its application to this Enquiry, by servicing a Major Incident Room on the mainland, directly linked to a similar room in Northern Ireland. This enabled all data collected by the Enquiry to be stored on a main frame computer based in England, whilst remaining fully accessible through a secure link to the Enquiry team in Northern Ireland. One of the practical advantages of this system was demonstrated following the severe accidental fire at the Enquiry's original offices at Seapark in January, 1990.
16. This Enquiry has been the largest external investigation in Northern Ireland and the most extensive of its type ever undertaken in the United Kingdom. The data base itself contains some 96,000 cross references, which indicates the wide ranging scope of the investigation.
17. Immediately following my appointment there were a number of reports in the media, particularly the newspapers, of photo-montages produced by the Security Forces, having been

sent to them anonymously. Often these documents were accompanied by short unsigned notes to the effect that they had been sent to show how readily available such documents were. Others were produced in public by prominent members of the community. Rigorous enquiries ascertained their origins, with a view to discovering how they had been passed on to unauthorised persons. Nearly all of them fell into the restricted security classification.

18. It is considered that these documents were sent to the media by a variety of persons for differing reasons. The majority were sent by people, including serving or retired Army personnel, to highlight a lack of security or embarrass the Authorities. In one case, a soldier who had previously served in Northern Ireland was found to have sent a montage to a national newspaper. He was traced, admitted the offence and later pleaded guilty at Belfast Magistrates' Court, to offences under the Official Secrets Act, 1911.

19. Certain documents sent to a national newspaper form part of the evidence in relation to a current prosecution and therefore cannot be commented upon further. What this line of enquiry did confirm was a serious lack of accounting and deficient identification marking in relation to the production and distribution of such documents. This severely hampered efforts to discover the origins of the documents and created difficulties in tracing those criminally responsible for passing them on. Comprehensive

investigations and forensic examination into other documents traced to the possession of loyalist terrorist organisations were also undertaken.

20. The Enquiry recovered many of the original documents that had been used either by the paramilitaries or sent to the media. An analysis of them, together with evidence and information available to the Enquiry from other sources, provided a clearer picture of the true situation in relation to collusion.
21. Ninety-four people have been arrested in connection with the Enquiry and a total of fifty-nine of them have been charged or reported for offences under the Prevention of Terrorism, Official Secrets and Firearms Acts. The majority of these cases await trial and therefore it would be improper to deal in detail with any of them. All the operational enquiries were carried out on the basis of existing evidence and information. It places the Enquiry in the privileged position of being able to establish the degree of collusion between members of the Security Forces and the loyalist terrorist organisations.
22. Where evidence of criminal offences was found, those responsible were arrested and taken before the Courts. Where evidence or information emerged to support an allegation of collusion, every effort was made to establish both the extent and effect of its existence. A number of

cases remain under investigation by the Enquiry Team; they are referred to later in this summary. The investigation of these cases has contributed significantly to the understanding of the situation in relation to collusion.

23. During an operation on the 8th and 9th October, 1989, twenty-eight members of the Ulster Defence Regiment were arrested under the provisions of the Prevention of Terrorism Act, Official Secrets Act and the Criminal Law Act. In addition to evidence of criminal offences, a number of issues were raised relating to administrative matters within the Ulster Defence Regiment. Recommendations have been made dealing with these points. Seven of those arrested have since been convicted of offences under the Firearms Order and one man awaits trial on more serious charges. Nine of the others were reported to the Director of Public Prosecutions for Northern Ireland, who decided to take no further action. Immediately following on from the operation, two other Ulster Defence Regiment soldiers were arrested and now await trial in connection with the disappearance of two photo-montages from Dunmurry Police Station. There is no evidence to connect Royal Ulster Constabulary officers with the matter.

24. Evidence and information has been obtained which shows that certain members of the Ulster Defence Regiment have been involved in collusion with loyalist paramilitaries. It would however be wrong to conclude that there is a

with the Royal Ulster Constabulary to prevent a significant proportion of Ulster Defence Regiment soldiers who are involved with paramilitaries. This is not the case. Improvements can be made in procedures for reporting and recording of allegations of crime against Army personnel and appropriate recommendations have been made.

25. The Vetting/Screening system employed in relation to the recruitment to the Ulster Defence Regiment, was deficient in a number of areas. Individuals who had been adversely vetted by the Royal Ulster Constabulary Vetting Section, had nevertheless been recruited. A small number of these went on to commit terrorist-related and criminal offences whilst serving with the Regiment. It is apparent that very many potential recruits for the Security Forces, particularly the Ulster Defence Regiment, live in strong loyalist areas. This is noticeably so in Belfast. The pressures likely to be put on young men and women in these areas by paramilitaries must be recognised in recruitment policy. This, of course, does not mean that such men and women should be excluded from membership, but merely that more account should be taken of such pressures.

26. These matters were brought to the attention of the Army and it is right to say that they had already recognised many of the issues and had begun to implement improvements. A lack of manpower in the Army's screening section was identified and there has now been an increase in staff. Improvements need to be made in arrangements for liaison

with the Royal Ulster Constabulary to prevent unsuitable applicants being accepted and soldiers being retained, when it would be wrong to do so. The final decision must rest with the Army but if an adverse Royal Ulster Constabulary report is ignored explanations should be given at a senior officer level. A number of recommendations have been made in this Report concerning these matters and many have already been implemented by the military.

27. It is clear that official information, originally produced by the Royal Ulster Constabulary, the Army and the Prison Service, has passed, illicitly, into the hands of the loyalist paramilitary groups. Documents and information from documents, have been traced to the possession of these paramilitaries. They have been used by them to enhance their own intelligence systems and as an aid to the targeting of persons suspected of being Republican terrorists.
28. The serious lack of controls and adequate accounting procedures relating to the distribution of Security Force documents, coupled with the age of the documents themselves has, in many cases, prevented the tracing of those responsible for the actual leak of information. The use of photocopying by both the Royal Ulster Constabulary and the Army in respect of terrorist recognition documents is widespread. Similarly, photocopying facilities are available to the paramilitaries, who have used them to

proliferate the actual number of Security Force documents in their possession. Many duplicates of restricted documents have been recovered during the course of the Enquiry. It is however clear that the number of documents which have been obtained by the paramilitaries is small compared with the total number of such documents produced.

29. It should also be borne in mind that the original documents recovered during the Enquiry are from the period covering the mid 1970's up to 1988. (Many original documents have been dissected to create single photographs; approximately one hundred actual documents have been recovered). Throughout that time, the Security Forces, particularly the Army, produced huge numbers of documents for use in terrorist recognition but no records exist to establish the number. Recommendations have been made in relation to the systems for both production and distribution of such documents in the future.

30. The Enquiry Team were also able to look at the information and intelligence systems of the Security Forces, both documentary and those held on computer. In addition, the accountability of those managing and using the system and the physical security of material produced was considered.

31. The development of information to the status of intelligence and the use of both documentary and electronically transmitted information, is clearly of vital importance in

combating a terrorist threat. The Royal Ulster Constabulary has the primary responsibility for the command and control of the collection, collation, development, evaluation and dissemination of all terrorist related intelligence. Therefore, their interface with the Army and others handling intelligence at all levels is crucial in dealing with terrorism effectively. The co-ordination between these elements of the Security Forces in the field of information gathering and intelligence handling has been examined and recommendations have been made.

32. Whilst no evidence has been found of paramilitaries having direct access to either the Royal Ulster Constabulary or the Army's vehicle index computers, information from these computers has been found. In addition to copies of computer print-outs, handwritten lists apparently compiled from unauthorised listening into Security Forces' radio transmissions, have been discovered amongst documents seized during the Enquiry. They also indicate that a limited number of persons, with a legitimate access to vehicle index computers, have passed on details to unauthorised persons. This criminal behaviour is fortunately not widespread, but lack of adequate monitoring has prevented the identification of those responsible. The potential abuse, for terrorist purposes, of information obtained from computer systems, particularly those which contained details of motor vehicles, is a cause for concern and recommendations have been made to improve the security of such information. The

use of terrorist recognition information documents by the Security Force and the security of them has also been commented upon.

33. The operational work carried out by the Enquiry required a considerable element of forensic support. The demands upon the forensic facilities available to the Royal Ulster Constabulary confirmed what had already been recognised by the Force: That is, that a radical review of the Royal Ulster Constabulary Fingerprint Bureau is an urgent necessity. It is apparent that at the present time they are unable to respond as effectively as they should when confronted with a series of complex and protracted enquiries. The Bureau suffers from a lack of resources in terms of manpower, accommodation and the provision of clear management information. A specialised unit of fingerprint experts, examining and searching for finger marks from terrorist type offences only, is seen as one way in which the system can be improved.

34. A number of recommendations are made in respect of administrative and managerial matters, all of which are presently detracting from the Fingerprint Bureau's performance.

35. The Northern Ireland Forensic Science Laboratory, like the Royal Ulster Constabulary Fingerprint Bureau, is not short of enthusiasm or commitment but an ever increasing workload

and expectation exposes its inadequacy in terms of resources. This is particularly acute in its Document Section, which was unable to deal with the very large number of submissions to it, that the Enquiry had intended to make. Introduction of a Serious Crime Unit, staffed from the three disciplines, Fingerprints, Forensic Science and Photography would provide an effective, co-ordinated approach. The principle already has the support of the Chief Constable and the Director of the Northern Ireland Forensic Science Laboratory and is firmly recommended.

36. It should be made clear however that both the Fingerprint Bureau and the Document Section of the Laboratory provided excellent support to the Enquiry. There is no doubt, given adequate resources, they will be able to meet the demands placed on them. It would be appropriate at this point to also record appreciation of the work carried out by the Metropolitan Police Fingerprint Department and the Documents Section of the Home Office Forensic Science Service at Birmingham. Both of them have provided very considerable assistance to the investigations.

37. It will be recalled that during the early days of the Enquiry, the Irish News published a story regarding the so-called Inner Circle of the Royal Ulster Constabulary. -No corroboration of these allegations has been found and unfortunately, the newspaper, following two initial interviews with the Enquiry, has not been prepared to assist

further. The allegations were made in general terms, without sufficient information to identify individuals. These allegations have nevertheless been thoroughly investigated but no evidence was found to support the allegations. The documents alleged to have been shown to the representative of the Irish News have not been produced to the Enquiry and none has been recovered during the investigations. In the absence of any corroborative evidence, the allegations cannot be substantiated.

38. Much speculation has been reported in the media concerning the so called "failure" of the Enquiry to charge any Royal Ulster Constabulary officers with offences relating to collusion. No evidence has been discovered to substantiate any such charges. During the enquiries into the disappearance of the photo-montages from Dunmurry Police Station, two hundred and thirteen Royal Ulster Constabulary officers were interviewed by the Enquiry team. Throughout the whole investigation, police officers have been questioned whenever it has been necessary.

39. This same approach has been applied to investigations which involve members of the Armed Forces. A particular example relates to the enquiries into a number of missing montages from the Ballykinler Army Camp. Fifty-one Ulster Defence Regiment soldiers were interviewed in that case but no evidence of collusion was revealed. This case is now regarded as one of simple theft. However, no person has

been identified as responsible for the offence. It should be noted that none of the stolen montages has come to light since the report of their disappearance.

CONCLUSIONS AND RECOMMENDATIONS

40. It is emphasised that in an Enquiry of this nature, covering such a wide range of subjects, inevitably involving the security of the State and matters falling under the sub-judice rules, that some aspects of the report, which is a substantial document, must remain confidential. However, I believe that the public interest demands that as much as is possible of the substance of my report is disclosed. That is the objective of this summary, so that the people of Northern Ireland can be assured that all possible steps have been taken to investigate the allegations of collusion and that appropriate recommendations have been made.
41. I should like to reiterate at this point that the detailed analysis of the Security Force documents recovered during the Enquiry and the evidence secured, makes it clear that the passing of information ~~to paramilitaries~~ by Security Force members has been restricted to a small number of individuals. It is neither widespread nor institutionalised.
42. The vast amount of information, evidence and intelligence which has been gathered together by the Enquiry over more

than six months, has placed it in the privileged position of being able to draw definite conclusions based on firm evidence. As a result of these conclusions, a large number of recommendations have been made for consideration by the Chief Constable. The majority of these recommendations are summarised at the end of this paper; only those which cannot be disclosed for security reasons, or may be affected by the sub-judice rules have been excluded.

43. One recommendation is for the formation of a specialist Police unit to concentrate upon terrorist investigation: An Anti-Terrorist Squad. This unit would deal with terrorist crime from both sides of the sectarian divide. This approach would, it is contended, make better use of the expertise already available within the Royal Ulster Constabulary. Although there are logistical and geographical difficulties to be overcome, serious consideration of this proposal is recommended. The central reporting of terrorist-related document finds is also recommended.

44. Although the number of original documents leaked from the Security Force sources is comparatively small, the use of photocopying equipment freely available in the public domain, has meant that large numbers of copy documents have been made by terrorists. There have been examples of the copying of such documents, where many copies of the same item were posted to various addresses and displayed in the

streets, with the clear intention of implying that a large number of individual documents were freely available.

45. Security Forces' documents and copies of them have been found in many of the seizures of documentation made by the Enquiry. A complex network of intelligence of all types, was uncovered, involving the supply and exchange of information between loyalist paramilitary groups, with the Ulster Defence Association at the centre.

46. A large number of montages and similar documents have been produced over the years without there being full recognition of their value to terrorist groups and there were inadequate security procedures. Thus the ingredients were present to allow a small number of persons to abuse positions of trust, with little possibility of discovery. The Royal Ulster Constabulary has recognised the very real dangers and have adopted a policy of warning any persons identified in such documents, if evidence emerges to show that they have passed into unauthorised hands.

47. The ease with which these small number of individuals have been able to avoid discovery is perhaps the most significant factor in the illegal trafficking of Security Force documents. It is important that a firm and unequivocal stance, such as that made by the Chief Constable in his public statement of the 21st September, 1989, be taken, demonstrating the true security significance of such

information. Such a stance assists in preventing the otherwise uncommitted sympathisers from straying into illegality.

48. There is therefore a clear need for accounting systems, providing comprehensive records of the production and distribution of every document in the terrorist information system. Such a system must ensure that those responsible for passing restricted information can be traced and held criminally responsible. The physical security of such material, and the accountability of those using and managing the system, must be prime considerations. A re-assessment of security classifications of intelligence material is required, as is a common approach to the subject by all sections of the Security Forces.

49. It is recognised that the Security Forces in Northern Ireland face a uniquely difficult situation. However, a way must be found which will both satisfy the need for the Security Forces to be properly informed and effectively protect restricted information, without seriously detracting from operational effectiveness.

50. There will be a requirement for a number of Enquiry officers to remain in Northern Ireland for a limited period. At the time of writing the Report, a number of cases are still under investigation. Cases already submitted to the Director of Public Prosecutions and others of which he is

aware, remain under consideration. It is inevitable that such a detailed and wide-ranging Enquiry would require certain aspects to be finalised. The results of forensic examination of a number of exhibits are also awaited. There are therefore matters falling under the Enquiry's terms of reference which cannot, for investigative and legal reasons, be discussed here. The results of these enquiries, together with any other matters which come to light, will be reported to the Chief Constable of the Royal Ulster Constabulary.

51. It must be acknowledged, that in the present climate, leakages of information from the Security Forces may never be completely eliminated. However, if the measures recommended are introduced, there is every hope that any future collusion between the Security Forces and paramilitary terrorist groups will be eradicated. Substantial improvements can be made by introducing:-

- (a) Accounting and supervisory functions to intelligence computer systems.
- (b) Procedures to restrict the production of intelligence documentation to those which are operational and necessary.
- (c) Strict controls relating to the dissemination and handling of that documentation.
- (d) Higher standards of recruitment to and retention within the Ulster Defence Regiment.

RECOMMENDATIONS

(SUMMARY)

Information and Intelligence Systems

Recommended to:-

1. Review criteria guidelines for issue of recognition information.
2. Review criteria guidelines for suspects inclusion on recognition information.
3. Review security classification of recognition information.
4. Research methods to uniquely identify documents.
5. Make document production and distribution traceable.
6. Restrict circulation of recognition information to operational needs.
7. Ensure that documents are marked "Unauthorized distribution or publication is criminal or disciplinary offence".
8. Ensure accountability of production and dissemination of recognition information.
9. Ensure a nominated person is responsible for document security.
10. Provide more secure display cabinets and storage facilities in Police Stations.

11. Ensure prevention of unauthorised copying.
12. Restrict access to display areas.
13. Apply similar criteria to computers and documentary systems.
14. Ensure information is weeded regularly.
15. Provide access levels to accommodate legitimate requirements only.
16. Enhance security of communication systems.
17. Raise awareness of technology that facilitates illicit monitoring of radio transmissions.
18. Provide supervision of radio transmissions.

Royal Ulster Constabulary

19. Form an Anti-Terrorist Branch.
20. Implement central reporting of terrorist related documentation finds.
21. Implement central registration of specified correspondence.
22. Implement a system to identify user access to computer records.
23. Introduce a system of identification features on photocopied material.
24. Review of security and supervision of photocopiers.

26.

27.

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27.

25. Review of physical security of terrorist recognition documents.
26. Review of security classification of terrorist recognition documents.
27. Review of system of distribution of terrorist recognition documents.
28. Notify Army of all incidents involving military personnel.
29. Establish closer liaison with Military Authorities to ensure all incidents involving Service Personnel are recorded.
30. Implement more involvement by Royal Ulster Constabulary in Vetting procedures.
31. Appoint a senior officer to have an overview of relevant document finds.
32. To notify Document Section, Northern Ireland Forensic Science Laboratory of all appropriate document finds.
33. Catalogue documents for comparison and linking purposes.
34. Ensure that all forensic applications are utilised and links established.
35. Review staffing of Document Section.
36. Obtain dehumidification chamber.
37. Maintain separate statistics for terrorist scenes visited, marks developed and identified.

38. Review management to control provision of elimination fingerprints.
39. Review quality control for photography of scenes of crime marks.
40. Implement comparison of Fingerprint Bureau files with case papers held on division.
41. Emphasise print to mark and mark to mark searching.
42. Review of functions not requiring fingerprint expertise.
43. Implement separate secure facilities for photographic negatives.
44. Give high priority to Fingerprint Branch staffing levels and standards.
45. Form a Serious Crime Unit, incorporating Fingerprints, Forensic Science and Photography.
46. Introduce Automatic Fingerprint Identification Systems.
47. Review grade of officer in charge of Fingerprint Bureau.
48. Review Fingerprint Bureau accommodation.
49. Review measurement of fingerprint expertise.

Army

50. Clarify interpretation of adverse vetting reports.
51. Redefine the responsibilities of the Royal Ulster Constabulary and Army in respect of the Ulster Defence Regiment application process.
52. Include Royal Ulster Constabulary representative on Application Committee for Ulster Defence Regiment.
53. Consider applicants' personal qualities and antecedents.
54. Recognise fundamental principle of Army's authority to select recruits.
55. Create inter-organisational Appeal process on recruitment disagreements.
56. Review of vetting/screening specifications.
57. Ensure the Ulster Defence Regiment's recruitment standards, other than educational, are comparable with that of the Royal Ulster Constabulary.
58. Monitor Army personnel involved in security or criminal matters.
59. Consider location of home address of applicants.
60. Recognise warning signs exhibited by personnel regarding security matters and make regular counselling available.

61. Require a declaration regarding non-membership of paramilitary organisations.
62. Agree on definition of paramilitary organisation.
63. Require disclosure of family membership of paramilitary organisations.
64. Introduce security interview of applicants.
65. Introduce interview of applicants' referees.
66. Introduce central reporting of all complaints.
67. Introduce guidelines as to the classification of criminal complaints.
68. Report all criminal allegations to the Royal Ulster Constabulary.
69. Introduce a monitoring role for the Royal Military Police (Special Investigation Branch) in respect of all complaints to identify criminal allegations.
70. Appoint a Royal Military Police (Special Investigation Branch) Liaison Officer to facilitate the above recommendations.
71. Control of production and use of terrorist recognition information in close co-operation with the Royal Ulster Constabulary, who have primary responsibility.
72. Introduce accounting procedures in terrorist recognition information production and issue.

- 73. Introduce controls on issue of updated information.
- 74. Archive records.
- 75. Introduce identification marking of documents.
- 76. Prohibit dissection of documents.
- 77. Ensure Ulster Defence Regiment duty rosters are accurate.
- 78. Provide storage facilities for documentation and equipment at places of duty.
- 79. Review security of classified documents.
- 80. Review personal protection weapon training and security.
- 81. Prohibit use of unofficial notebooks.
- 82. Introduce official notebooks for Army personnel.
- 83. Implement a retention period of official notebooks.

END of file