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Assistant Chief Constable
Ronnie Flanagan
RUC Headquarters
Knock Road
Belfast

29 June 1996

Dear Mr Flanagan,

You may remember that I attended a meeting you spoke at a few weeks ago, organised by the New Ireland Group. I was very interested in your presentation and by the complexity of some of the issues which you outlined as having to be addressed if we are to ensure that policing in Northern Ireland is made more representative and accountable. I imagine that you have previously been sent a copy of the submission made by the Committee on the Administration of Justice (CAJ) to the Police Authority review of policing, but I enclose one herewith since it addresses issues which were clearly central to the Fundamental Review you led. We would be extremely interested in any reactions you or your colleagues have to our submission now that your own study has been completed. We are also interested in receiving copies of any final report arising from this review once it is made public.

I appreciated the sentiments you expressed to the audience that you - and your colleagues - were open to dialogue and to constructive comments as to the future role of policing. It is precisely for that reason that I hope that you will give close attention to the very serious concerns raised in this present letter. It is the belief of the CAJ that a series of events occurred on the evening and night of June 21st which raise grave concerns around the issue of policing and which we believe require urgent investigation.

Friday 21 June - Cliftonville junction (approx. 6 - 9pm)

As you will know from our letter to you dated 20 June, CAJ sent a number of observers to the march and protest which occurred in the area of the Cliftonville Road. Our observers took up different positions in connection with the parade and the counter-demonstration, and they made a number of comments which we would like to bring to your attention:

- they found it difficult to understand police tactics which involved cordoning off the junction between Clifton Park Avenue and Cliftonville Road with land rovers. Blocking all three entries/exits to this junction made it difficult for peaceful

protesters to leave should they choose to at any point, and seemed to heighten the level of tension and confrontation between demonstrators and police.

- this tension was heightened considerably when the land rovers used to block the various entries/exits were moved forward with little or no warning, sometimes with demonstrators positioned immediately in front of them.
- while the instructions of stewards were heard repeatedly by our observers, none of the CAJ people heard police instructions to the crowd. Demonstrators do not appear to have been asked or even instructed to move - they were moved either by the forward propulsion of land rovers, or by direct physical manhandling.
- the techniques used for moving the demonstrators, once it was decided to do this, were on occasion problematic. Observers report seeing demonstrators having wrists, ankles and fingers twisted, their eyes and faces jabbed, and their breathing restricted (with hands around someone's neck or hands held over nose and mouth). Clearly moving people who do not wish to be moved poses you with a potentially serious public order problem, but several of the police involved appeared to have difficulty in managing to lift people up and away from the road, which meant that people were frequently dragged and dropped.
- in one particular incident, the police appeared angry with some hecklers in the crowd and a young girl was pulled down from a wall and was apparently injured in the process;
- plastic bullet guns were fortunately not used to our knowledge but they were in evidence; our observers noted them being pointed at people, including very young children, in an intimidatory way.

We understand the very difficult position police can find themselves in at times like this and do not under-estimate the controversy which surrounds public order questions. Nevertheless, we would be interested in hearing of your reactions to the concerns we list above. Our own understanding of responsible policing would involve:

1. The RUC carefully choosing where and how to place themselves so that they do everything to minimise the risk of a breach of the peace.
2. The RUC giving clear instructions to marchers and counter-demonstrators so that it is apparent to all what is expected of them and what are the consequences of them failing to heed a lawful instruction from the police.
3. The RUC should have training in physically handling people in such a way as to involve minimum risk to themselves and to those who are being forcibly moved.
4. The repudiation of the use of lethal weapons such as plastic bullets for crowd control and, awaiting such a decision, the abandonment of any casual use of such lethal weapons to intimidate civilians.

Friday 21 June, Antrim Road (approx 9pm to 12.30 am)

Unfortunately, our concerns do not end with the particular parade and counter-demonstration to which we sent official observers. All of these observers stayed in the general area for some hours afterwards and their report about events subsequent to the march and to the protest is even more disturbing.

- They witnessed the gathering of a small crowd around a Housing Executive van which had been set alight. To quote directly from one observer's report: "At the time I arrived a line of police in riot gear with shields remained looking away from the march facing down the Antrim Road while the van still burned. The crowd was not large and some had started to drift away. The police however remained. People gathered at the junction and began to throw stone/bricks/bottles at the police. Sporadically at first and then it seemed to intensify. A bulldozer and truck arrived to remove the burning bus and once the road was cleared this might have been a good time to scale down the police presence. The crowd was unorganised and generally hanging around. Then the land rovers began to arrive in force from the bottom end of the Antrim Road. At first they sat half way down the Road. The mood of the crowd changed considerably with their arrival. The land rovers began to rev up and drive quickly up to the junction, circle and return." The impression given to at least this observer, and the others who reported to us, was that the subsequent rioting would probably not have happened if the police had reacted more sensitively in this admittedly tinderbox situation.
- The problem was not, however, restricted to the decision of the police to remain at the scene of the protest after the march was over. All of the observers consistently reported on what amounts to provocative and reckless behaviour on the part of the police left at the scene. We have been told that: land rovers repeatedly revved up in front of the crowds, drove at speed into people milling on the pavements, drove up on to pavements on occasion, and behaved with little regard for the safety of civilians caught up in the fracas. The orchestrated nature of these activities was of great concern to our observers. While we would consider such behaviour to be unacceptable even if directed at rioters, it was doubly disturbing to learn that people inadvertently caught up in the melee were similarly at risk. As another observer writes: "The RUC need to realise that these communities are not all made up of Sinn Fein activists and "hoods", that innocent men, women and children get caught up in events on their way to the shops or coming home from friends." This observer had personal testimony to offer to this effect. Another was astonished to see the land rovers make room for civilian traffic to pass up the Antrim Road and notes: "this was a very dangerous situation for passing motorists or locals trying to move their cars out of the immediate area. They were in the line of fire for bricks etc and also in danger of colliding with the land rovers speeding and turning erratically on the road."
- These tactics on the part of the police were clearly held by our observers to be both wrong and tactically inadvisable. Their conclusion was that, though the restoration of public order on the Antrim Road after the burning of the Housing Executive vehicle may have been thought necessary, the very heavy police presence exacerbated rather than cooled the situation. "Cat and mouse games" as they were described, are just not worthy of a police service which wishes to consider itself professional and impartial.

Saturday 22 June early morning, Short Strand

Quite independently, as we initially assumed, from the above series of events, we received a number of complaints about police behaviour in the Short Strand area later that same night/early Saturday morning. The CAJ received reports to the effect that:

- there had been sectarian "scuffle" on Mountpottinger Road but that the local police based in the Short Strand area had not responded to it, and that it did not last long;
- the riot police in land rovers arrived after the dispute was over or, that even if it was their arrival which brought the dispute to an end, their actions were all geared at hemming in people in the Short Strand and that no attempt appears to have been made to deal with the loyalists involved in the dispute;
- the land rovers blocked off both ends of Mountpottinger Street trapping all those within the cordon and then, according to a number of reports, riot police began indiscriminately to beat those caught within the cordon;
- people who were beaten - baton blows to the head and to the body - included a couple walking home from picking up their daughter from baby-sitting, a man who claims to have been merely watching events from his front garden, and a man who was trying to get into an ambulance at the scene;
- all of the reports suggest that the beatings were quite indiscriminate, that the police were running amok with no obvious objective, and that extremely abusive language of a sectarian nature was rife;
- according to the reports we have received, a number of people required hospital treatment as a result of these encounters; we have also been led to understand that a number of people have made formal complaints to the Independent Commission for Police Complaints.

The frequent assertion by a number of those people giving us this testimony was that the police involved in these incidents seemed almost in a "state of hysterical excitement" and one witness alleges hearing a policeman shouting "no cameras: so get into the bastards". These accounts, combined with the fact that this fracas happened very shortly after the events in the Antrim Road and involved police not normally stationed in the Short Strand area, raised the possibility in our mind that the same police were involved in both incidents. The alternative is that the number of police officers operating quite illegally and improperly in Belfast that night is disturbingly high.

We of course cannot possibly confirm or deny the above allegations as we did not have independent observers present. We can note, however, that the accounts given were internally consistent, that we understand medical records are available as to the injuries received that night, and that we consider that sufficient grounds exist for a very high level inquiry.

Role of observers

Let me conclude by taking up a more general point about the presence of observers at events such as those noted above. As indicated to you in our letter dated 20 June our task is to monitor the state's compliance with international human rights obligations and wish to monitor "the extent to which policing (of controversial and contentious events) is carried out in an impartial and even-handed way vis-a-vis all the parties involved". In the event, our observers - even though they observed the policing from the perspective of the marchers as well as that of the demonstrators - had little criticism to offer with regard to the former. It seemed somewhat extraordinary that liaison between the marchers and police was such that bystanders such as residents of the Simon Community hostel were directed to move away from windows, but this may have just been an excessively cautious security measure. We have not been made aware of any concerns arising from the Orange Order as to the policing of the actual event, though they clearly may have been unhappy about restrictions placed on them in advance.

We would urge that you investigate any apparently well-founded criticisms of policing from whatever quarter they come. For the incidents in the Antrim Road area - particularly those subsequent to the march and counter-demonstration - we have the benefit of having had independent and impartial observers present on the spot, and we believe that serious errors of judgement occurred on the part of the police. In the Short Strand we can only rely on the eye-witness accounts of those caught up in the events directly, but these undoubtedly give cause for concern.

As to the presence of our own observers, we found this an invaluable tool in monitoring events. We understand the pressures which the police are under at times like this, but we thought we should draw several problems to your attention:

- on more than one occasion police on duty were unaware of the presence of independent observers from CAJ, or of the fact that you had been notified of the fact that we would be attending, and as to what our role was. This failure in communication is understandable given the fact that perhaps the principle of observers attending marches is not yet as well established as it is in the court room, and indeed there may have been little opportunity to convey information about our presence to everyone involved in the policing operation. However, we feel that our presence there should be seen to be beneficial to good policing - because of and not despite the criticisms we make in this letter.
- when we suggested that our credentials be verified with a senior officer, there was no obvious attempt to do this, and we were on occasion excluded from particular locations without any reason being given.
- observers - like others in the crowds - were often unaware of what was expected of them by the police which meant that on occasion aggressive and contradictory instructions were given. One of our observers reports that he was quite deliberately physically hauled away without being spoken to and without being offered any explanation.

We would hope that you also see a value in having independent monitors present at such contentious events. A clarification to your officers about the role of such people may help facilitate their work in future.

It goes without saying that we consider the above account to be a very serious critique of the policing carried out in the Antrim Road and Short Strand areas on the night of the 21st/22nd June. We were approached on the Monday morning by several journalists wanting a public statement from us about those events, but at that time we had not received reports from the observers and we therefore chose not to comment. Now having received those reports we have been quite shocked that police who are meant to be helping to cool passions and ease tensions at times like these appear to have acted quite recklessly. We hardly need to emphasise to you the importance of the police themselves upholding the law they are there to protect.

An early report from our observers at the Springfield Road gathering today suggests that, in probably equally difficult and trying circumstances for the police on the ground, it was possible for the officers involved to act extremely responsibly and professionally. As noted earlier, we do not wish to underestimate the difficulty of the job that faces you; indeed it is precisely because the job is such a difficult one, that it is important to ensure that the highest standards are consistently aspired to and met.

We would be most grateful if you could give careful consideration to all of these above matters and advise us as to the steps you intend to take to investigate our charges, to discipline officers found to have behaved improperly, and to ensure that such incidents cannot recur in future. We have deliberately not raised questions in this letter about any issues around marches, demonstrations, etc. except those which touch directly on operational issues since we understand that these lie directly with the Chief Constable's Office rather than with either the Police Authority or the Secretary of State. Clearly, however, both of these will have an interest in such operational questions and we are copying them in on this letter.

If you feel that it would be useful to have a meeting with some representatives from our organisation - either to talk about the specific problems mentioned in this letter, or to talk about issues around policing in general - we would be more than happy to oblige.

Yours sincerely,



Maggie Beirne
Research & Policy Officer