

Paramilitary Groups in Northern Ireland

An assessment commissioned by the Secretary of State for Northern Ireland on the structure, role and purpose of paramilitary groups focusing on those which declared ceasefires in order to support and facilitate the political process

19 October 2015

Key Judgements

1. This report has been jointly drafted by PSNI and MI5¹ at the request of the Secretary of State for Northern Ireland; it draws on current intelligence, historic material and analysis to provide an assessment of the structures, roles and purpose of paramilitary groups in Northern Ireland (NI). It focuses on those which declared ceasefires in order to support and facilitate the political process and builds on the previous public assessment of these organisations up to 2011 by the Independent Monitoring Commission (IMC).

2. This report concludes that:

- i. All the main paramilitary groups operating during the period of the Troubles remain in existence: this includes the Ulster Volunteer Force (UVF), Red Hand Commando (RHC), Ulster Defence Association (UDA), Provisional Irish Republican Army (PIRA) and Irish National Liberation Army (INLA). Seventeen years after the 1998 Belfast Agreement, paramilitary groups remain a feature of life in NI; the UDA, UVF and INLA have continued to recruit and all of the paramilitary groups maintain a relatively public profile in spite of being illegal organisations.
- ii. However, the most serious current terrorist threat in NI is not posed by these groups but by dissident republicans (DRs) – paramilitary groups not on ceasefire and who reject the 1998 Belfast Agreement (the so-called ‘new’ IRA, Óglaigh na hÉireann and the Continuity IRA). In addition to numerous paramilitary-style assaults, DRs have mounted between 15 and 40 terrorist attacks each year since 2000, which are primarily directed against PSNI officers. Their activities pose a severe threat to NI’s security and stability and, at any given time, a terrorist attack is highly likely. There is also a smaller threat posed by dissident loyalist paramilitary groups. This report does not focus on dissident groups.

Structures:

- iii. The majority of paramilitary groups in this report still have leadership structures and sub-groups across NI. These groups still organise themselves along militaristic lines and use labels familiar from the Troubles e.g. ‘brigades’ or ‘army council’. These labels make the groups look more prepared for a campaign of violence than they are. Even in the highly unlikely event that the groups were minded to return to terrorism, we judge they would be unable to resurrect the capability demonstrated at their peak.
- iv. There are differing levels of cohesion in the structures of these groups. However, none of the leaderships has complete control over the activities of its members; there is regular unsanctioned activity including behaviour in direct contravention of leadership instruction.

Roles:

- v. None of these groups is planning or conducting terrorist attacks. Members of the UDA and UVF have been directed towards community engagement including conflict resolution initiatives. Members of PIRA have been directed to become involved in the politics of the Provisional movement. Most have nothing to do with dissident paramilitary groups. However, some INLA members have provided support to DRs.
- vi. Members of these paramilitary groups continue to engage in violent activity, both directed by local leadership and conducted without sanction. Violence and intimidation are used to exercise control at a community level. The scale has vastly reduced from the period of the Troubles but still includes paramilitary-style assaults and, on occasion, murders; members of all groups have carried out murders since the 1998 Belfast Agreement.
- vii. Members of these paramilitary groups, to different degrees, are also involved in other serious criminal activity, which harms communities and damages the financial prosperity and

¹ A summary of MI5 and PSNI intelligence gathering tools and mechanisms of oversight is contained in an annex to this report.

reputation of NI. This includes large-scale smuggling operations, fuel laundering, drug dealing and extortion of local businesses. Although the majority of paramilitary weapons were decommissioned, some were not and individual members have since procured small numbers of firearms. The IMC has already reported that some quantities of weaponry under the control of members of the UVF, UDA and PIRA may not have been decommissioned.

Purpose

- viii. It is our firm assessment that, to different degrees, the leaderships of the main paramilitary groups are committed to peaceful means to achieve their political objectives.
- ix. The existence and cohesion of these paramilitary groups since their ceasefires has played an important role in enabling the transition from extreme violence to political progress. Much of the leaderships' ability to influence, restrain and manage the expectations of its members draws on the authority conferred through these hierarchies.
- x. These structures have also enabled the leaderships to address dissent (individuals within the group who might become dissatisfied and revert to a path of violence). This has been important because if individual members of the paramilitary groups were to break away from the mainstream, their experience and capability has the potential to increase the threat posed to national security by DRs and other dissident paramilitary groups.
- xi. Despite these positives we judge that individual members of paramilitary groups with a legacy of violent activity still represent a threat to national security, are engaged in organised crime, and undermine NI's post-conflict transformation. They have a continuing, albeit much reduced, capability and engage in violence and crime. They cause serious harm to the communities within which they are embedded and undermine support for policing.

Summary by Group

3. In the seventeen years since the 1998 Belfast Agreement, all of the paramilitary groups on ceasefire have undergone significant change. Many of the groups have faced similar issues in relation to the limits of leadership authority, managing continuing involvement in crime and violence and limiting dissent from hardline members.

Ulster Volunteer Force (UVF) and Red Hand Commando (RHC)

The UVF was responsible for the first three murders of the Troubles in 1966. The organisation, and the closely linked Red Hand Commando, were responsible for 544 further murders during the period between 1966 and 1999².

4. **Structure:** The structures of the UVF remain in existence and there are some indications of recruitment. A top leadership sets strategy for the group but there are lower levels of leadership who have some independence in decision making. The group took part in decommissioning in June 2009 but continues to have access to some weapons. The RHC is a separate group but has been closely aligned to the UVF throughout its history. It is considered by some to be an extension of the UVF's structures.

5. **Role:** The UVF's leadership has attempted to steer its membership towards peaceful initiatives and to carve out a new constructive role in representing the loyalist community. A very small number of members have taken active roles in loyalist politics with the Progressive Unionist Party (PUP). However, a larger number of members, including some senior figures, are extensively involved in organised crime including drug dealing, extortion and smuggling. Members of the UVF are involved in conducting paramilitary-style assaults on those they accuse of anti-social behaviour. These activities have a significant impact on the local community. The leadership has sought to limit involvement in street disorder or violent

² Statistics have been taken from *Lost Lives*, David McKittrick, Seamus Kelters, Brian Feeney and Chris Thornton (1999)

protest; however, individual members of the UVF have continued to engage in such activity and, in some cases, to orchestrate it.

6. Purpose: It is our firm assessment that the leadership of the UVF is committed to transforming the purpose of the group from violent crime to community focused initiatives but have only limited control over the activities of its membership. In some cases UVF members are heavily involved in violence and crime.

Ulster Defence Association (UDA) and Ulster Freedom Fighters (UFF)

The UDA was responsible for 408 murders between 1970 and 1999³. It was a legal organisation for much of this period and conducted attacks under the name of the Ulster Freedom Fighters (UFF).

7. Structure: The structures of the UDA remain in existence but have become increasingly fragmented. There are some indications of recruitment. The UDA is currently split into a number of discrete geographic areas, each with its own structures, which act almost completely autonomously. The UFF, previously used as a front for the UDA, no longer exists. The UDA took part in decommissioning in January 2010 but continues to have access to some weapons.

8. Role: With the support of some leadership figures, there are UDA members who have continued attempts to steer the group into positive community-based activism. A very small number of members have taken active roles highlighting loyalist issues through the Ulster Political Research Group (UPRG). However, others have been resistant to change and have remained active in criminality and violence. Individual members and some senior figures within many UDA areas are involved in organised crime including drug dealing, robbery, extortion and the distribution of counterfeit and contraband goods. There has been an increase in paramilitary-style assaults in recent years and, in the north Antrim area, one resulted in a fatality for which a murder investigation is ongoing. These activities have a significant impact on the local community. The leadership has sought to limit involvement in street disorder or violent protest; however, individual members of the UDA have continued to engage in such activity.

9. Purpose: It is our firm assessment that parts of the UDA leadership are committed to transforming the purpose of the group from violent crime to community focused initiatives but have only limited control over the activities of its membership. In some cases UDA members are heavily involved in violence and crime.

South East Antrim UDA (SEA UDA)

The South East Antrim (SEA) group of the UDA split from the mainstream UDA in 2006. During the period of the Troubles, this group was one of the largest and most active within the UDA.

10. The SEA UDA remains a separate entity from the mainstream UDA. It retains structures similar to those within the mainstream UDA and its membership is engaged in the same types of criminal and violent activity. During the Union flag protests in 2012 individual members of SEA UDA were believed to have been involved in serious disorder in the Carrickfergus area.

Loyalist Volunteer Force (LVF)

The LVF formed following a split in the UVF in 1996. It was responsible for 12 murders between 1997 and 1999⁴.

³ *Lost Lives*, McKittrick et al

⁴ *Lost Lives*, McKittrick et al

11. The LVF exists only as a criminal group in Antrim and mid-Ulster.

Provisional Irish Republican Army (PIRA)

The Provisional IRA was the largest and most active terrorist organisation operating in NI during the Troubles. It was responsible for 1771 murders between 1969 and 1998⁵.

12. Structure: The structures of PIRA remain in existence in a much reduced form. This includes a senior leadership, the 'Provisional Army Council' (PAC), and some 'departments' with specific responsibilities. At a lower level, there are some regional command structures. At this lower level, some activity takes place without the knowledge or direction of the leadership. We do not believe the group is actively recruiting. The group took part in decommissioning between 2001 and 2005 but continues to have access to some weapons. We judge PIRA has not conducted organised procurement of new weaponry in the period since the last IMC report of 2011.

13. Role: PIRA members believe that the PAC oversees both PIRA and Sinn Fein with an overarching strategy. We judge this strategy has a wholly political focus. PIRA members have been directed to actively support Sinn Fein within the community including activity like electioneering and leafleting. Some PIRA members are involved in gathering information of interest to the group including details of DR activities and the attempted identification of covert human intelligence sources (CHIS). A small number are involved in the storage of remaining weaponry in order to prevent its loss to DRs. Individual PIRA members remain involved in criminal activity, such as large scale smuggling, and there have been isolated incidents of violence, including murders. The investigation into the murder of Kevin McGuigan is still ongoing; however, we judge that the assessment put forward by the Chief Constable in his public statement on 22 August remains accurate.

14. Purpose: The PIRA of the Troubles era is well beyond recall. It is our firm assessment that PIRA's leadership remains committed to the peace process and its aim of achieving a united Ireland by political means. The group is not involved in targeting or conducting terrorist attacks against the state or its representatives. There have only been very limited indications of dissent to date and we judge that this has been addressed effectively by the leadership.

Irish National Liberation Army (INLA)

Although much smaller and less well equipped than PIRA, INLA was responsible for 126 murders during the Troubles⁶.

15. Structure: The structures of INLA remain in existence but there is little indication of centralised control from the leadership. As a consequence, groups across NI operate largely independently of each other. There are indications that INLA is attempting to recruit new members. The group decommissioned weapons in 2010 but continues to have access to some weapons.

16. Role: There have been some efforts to redirect INLA towards community initiatives and a small number of members have taken roles in republican politics with the Irish Republican Socialist Party (IRSP). However, INLA members have continued to be heavily involved in criminality including extortion, drug dealing, distribution of stolen goods and fraud. INLA has also been responsible for paramilitary-style assaults and intimidation attacks against alleged drug dealers. These activities have a significant impact on the local community.

17. Purpose: INLA leadership figures have recognised the futility of violence to advance political goals. However, there is some cooperation between INLA members and DRs, which includes provision of weaponry and coordination of criminality and paramilitary-style assaults.

⁵ *Lost Lives*, McKittrick et al

⁶ *Lost Lives*, McKittrick et al

INLA is otherwise focused principally on criminal activity for the personal gain of its membership.

Looking forward

18. DRs will continue to pose the most significant terrorist threat to NI. We judge that the other paramilitary groups on ceasefire will continue to exist and they will continue to pose a threat to national security and engage in serious crime. Efforts by these groups to reform will be ongoing but the limits of leadership authority will continue to impede wholesale change.

A note on the underpinning intelligence:

Both PSNI and MI5 operate to the highest standards in judgements of necessity and proportionality when gathering intelligence. Specific information on criminal activity will always be investigated by PSNI, but a careful process of prioritisation is used to ensure that other finite resource is directed towards the highest criminal and national security threats. We have less current intelligence on the activities of the groups in this report than we used to. However, we believe the level of intelligence coverage is proportionate to the threat posed by these groups. We are confident in our judgements and that these accurately reflect the best intelligence available to us. The intelligence included in this assessment should not be misinterpreted as evidence which could be used in a criminal court.

Annex – MI5 and PSNI intelligence gathering sources/tools and mechanisms of oversight

1. PSNI and MI5 gather and receive a substantial quantity of intelligence on a daily basis. This comes from a range of different sources, some of the principal examples of which are listed below:

- Directed surveillance: following and/or observing individuals of interest.
- Intrusive surveillance: eavesdropping in someone's home or other premises.
- Interception of communications.
- Covert Human Intelligence Sources (CHIS): also known as 'agents'. A CHIS is any human source able to provide secret reporting on individuals of interest. CHIS are not members of MI5 or PSNI.
- Community information.
- Open source (like the internet).

2. All intelligence needs to be assessed in order to make informed decisions about its accuracy and significance in the context of the wider picture.

3. Both PSNI and MI5 have dedicated cadres of specialist assessment staff, looking at the intelligence picture in its entirety. Assessors receive specific assessment training based on the best practice model for UK Government established by the Professional Heads of Intelligence Analysis (PHIA⁷).

4. Assessment work requires the evaluation of intelligence that provides conflicting, confusing or incomplete information. Models of assessment therefore have to take into consideration a wide range of factors, including:

- the source(s) of the intelligence;
- the motive in the supply of information;
- the quality of access to information;
- the wider context and trends of other information.

5. In order to evaluate intelligence in this way, assessments staff are required to become experts in their particular area of work. Their expertise may be focused on a particular operation or group, as well as specific thematic areas (examples include weapons and engineering, or terrorist targeting methodology). They also employ a range of different analytical techniques designed to challenge assumptions, weigh intelligence and generate hypotheses.

6. Assessment reports are subject to extensive quality control through levels of management review.

7. MI5 engage closely with the Cabinet Office's Joint Intelligence Organisation (JIO), which produces an annual report on Northern Ireland-related terrorism with MI5 and PSNI input which is critically reviewed by the Joint Intelligence Committee (JIC), a panel of senior stakeholders drawn from across government and the intelligence agencies. The most recent of these reports drew conclusions that were consistent with the assessment products issued by both MI5 and PSNI on the threat, which we consider an endorsement of the integrity of our processes.

8. Both PSNI and MI5 are subject to external scrutiny.

9. MI5 is subject to a robust system of oversight from the executive, Parliament and judiciary. From the executive, the Home Secretary is responsible for MI5 and is accountable to

⁷ PHIA is part of the Cabinet Office and is the centre of excellence across the UK assessment community. They develop analytical methodology and training for all UK intelligence analysts.

Parliament, and hence to the public, for its work. In consultation with the Prime Minister, she appoints MI5's Director General, who is directly accountable to her, and she also endorses MI5's annual priorities. In NI, MI5's intelligence work is authorised and overseen by the Secretary of State for Northern Ireland.

10. Parliament's Intelligence and Security Committee (ISC) was established under the Intelligence Services Act 1994 to examine the expenditure, administration and policy of MI5 and the other intelligence agencies. The Justice and Security Act 2013 updated the ISC's functions, including enabling examination of retrospective operations, and the associated arrangements underpinning its oversight role.

11. From the judiciary, two independent Commissioners oversee the work of MI5: the Interception of Communications Commissioner and the Intelligence Services Commissioner. They must be persons who hold or have held high judicial office. The two Commissioners each submit separate annual reports to the Prime Minister about their work over the past year. In addition, an Investigatory Powers Tribunal exists to consider complaints relating to the activities covered by the Regulation of Investigatory Powers Act 2000 (RIPA).

12. PSNI is subject to the highest level of oversight of any police service in the world. It is subject to detailed scrutiny by a wide range of oversight agencies, including:

- Northern Ireland Policing Board
- Police Ombudsman of NI
- Office of the Surveillance Commissioner
- Her Majesty's Inspectorate of Constabulary
- Criminal Justice Inspectorate NI
- Police and Community Safety Partnerships
- National Audit Office
- NI Audit Office
- Interception of Communications Commissioner's Office
- Independent Reviewer of Terrorism legislation
- Independent Reviewer of the Justice and Security (Northern Ireland) Act 2007
- The Investigatory Powers Tribunal

13. PSNI is also subject to the judicial scrutiny of the Courts.