

~~CONFIDENTIAL~~

NO.12

Reference..... C.S.2/1/104(1)

Headquarters,
The Royal Ulster Constabulary,
"Brooklyn", Knock Road,
BELFAST.
BT5 6LE

19th December, 1968.

The Secretary,
Ministry of Home Affairs.

Please refer to your minute dated 22nd November, 1968, enclosing copy of a letter which the Prime Minister received from the British Home Secretary and a report by three British M.P.s relative to the situation in Londonderry on Saturday, 5th October, 1968.

On Saturday, 5th October, 1968, the Northern Ireland Civil Rights Association organised a parade and meeting in Londonderry. Prior notification of the parade and meeting was received by the police. To prevent serious public disorder the police made certain recommendations as to the prohibition of the parade and meeting in Londonderry. Acting on these recommendations the Minister of Home Affairs made an Order under Section 2(2) of the Public Order Act (N.I.) 1951 prohibiting the holding of a parade or meeting in two defined areas within the City of Londonderry. Outside these two areas the rest of the City was left free and unrestricted for the persons participating in the parade and meeting, including the important and central focal point of Guildhall Square. Copies of the Minister's Order were served upon the organisers. In addition, police using a loud hailer announced the terms of the Minister's Order to those people who had congregated in the forecourt to the Waterside L.M.S. Railway Station from which place the parade was to move off. The Railway Station and Duke Street came within the terms of the Minister's ban.

Shortly after 3.30 p.m. the procession moved off but it was halted by the organisers to await the arrival of a bus load of persons from Belfast. Some minutes later the parade moved off again and processed by way of Duke Street towards Craigavon Bridge - this was against the one-way traffic system - contrary to the proposed route notified by the organisers to the police and within the prohibited area. The police were moved from other points to the Craigavon Bridge end of Duke Street to halt the procession. About 4.00 p.m. police vehicles had been placed across Duke Street near its junction with Spencer Road and Craigavon Bridge. A cordon of police was formed between these vehicles and the marchers who attempted to force their way through the cordon.

Included among those forming the front rank of the procession was Mr. G. Fitt, M.P. Despite police warnings that the demonstrators would not be allowed to process beyond the police cordon Mr. Fitt attempted on two occasions to charge through the cordon. He alleges that he was struck on the head with a police baton. Mr. Ryan, M.P., for Uxbridge, who was in Londonderry as an observer and subsequently gave evidence at Londonderry Petty Sessions, avers he saw Mr. Fitt being struck with a baton by a policeman and taken away behind the police cordon. Police deny that Mr. Fitt was struck with a baton. There is, however, a possibility that he was hit by a banner or pole carried by one of the demonstrators and swung towards the police. It has been stated in Court that at least the front two ranks of marchers linked arms as they approached the police and endeavoured to force their way through the police cordon. A member of the Force was knocked to the ground and his uniform cap snatched by one of the marchers and thrown back in to the crowd. The policeman who put his arms around Fitt says that a long pole, with placard attached, was wielded by one of the demonstrators and grazed his - the Sergeant's - cheek. The Sergeant heard a thud and saw blood coming from Mr. Fitt's head. The Sergeant arrested him for (1) Disorderly Behaviour and (2) Obstructing the Police. He was taken to Victoria Police Station and thence to Altnagelvin Hospital where he had his injury sutured - two stitches. He was not detained in hospital. Mr. Fitt appeared as a defendant at Londonderry Petty Sessions on Wednesday, 4th December, 1968; the charges against him have been adjourned until Monday, 12th

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May, 1969.

It is incorrect to say that a passage was opened up in the police ranks and that Mr. Fitt and Mr. Devlin were pulled by the police to the rear of the cordon. Mr. Devlin has not been mentioned in police reports and the police have no knowledge that he was batoned, as alleged. He made no complaint to the police and it is not known if he received medical or other treatment.

It is inaccurate to say that the police, with sticks, came in from both flanks and began to belabour the leading marchers and to seize their banners and placards. At no time were the police in possession of sticks and at that stage batons were not drawn nor were placards or banners seized.

The police succeeded in holding the demonstrators in Duke Street where an impromptu meeting was addressed by about six people. Although the demonstrators had processed along Duke Street and held a meeting, both of which contravened the Minister's Order, the police took no action to break up the meeting or to disperse the crowd; the police simply halted the procession. The meeting lasted some 30 minutes. At the conclusion of the meeting the chief marshal and one of the speakers told the crowd that the meeting was over and that they should go home quietly and not resort to violence. This announcement was received with a mixture of cheering and booing. Many of those taking part in the demonstration abided by the advice given and moved off from the area quietly. A section of the crowd, which ignored the advice and remained in Duke Street, erupted into acts of violence. They threw placard poles, some of them purposely broken, and stones at the police. The police endured this fusillade of various missiles for some two minutes before batons were drawn. Water-cannons were also called into use to aid the police in clearing the area and to restore order. In accordance with instructions the Constables who operated the jets directed short bursts of water on the roadway in front of the riotous mob. This action was ineffective and the crews of the water-cannons were instructed to play the jets on the rioters. This action was effective. So far as it was possible the crews exercised care to ensure that innocent persons were not sprayed. The allegation that a child was washed out of her mother's arms by police hoses has not been confirmed and despite enquiries the mother and child have not been traced. It is possible that a cameraman, using a first-floor window, was sprayed with the hose. Some of the demonstrators, opposed to the police, were using these vantage points for throwing missiles.

Regarding the young man covered with blood who was found lying on the floor of a cafe at 75 Duke Street; neither Mr. Ryan nor Mr. Russell, who was also called as a witness in Court, gave evidence of such an incident. Mr. Kerr did, however, testify that he saw a woman lying unconscious in the cafe.

Regarding the allegations about police batoning people on the testicles, only one such complaint was received by the police about a week after the demonstration. It was alleged then that Mr. E. McAteer, M.P., was struck in the region of the groin with a baton. He was reluctant to allow the fact of the injury to become public knowledge. He did, however, consult a doctor at 9.00 p.m. on the 9th October. The doctor on examination found a bruised area below the right groin, oval in shape, $1\frac{1}{2}$ " x 1" in extent and within 1" of the scrotum. The skin was not damaged and the bruise appeared of recent origin. Subsequently, on the 12th October, Mr. McAteer consented to be examined by Mr. H. N. Bennett, M.B., F.R.C.S., a Consultant Surgeon. Mr. Bennett on examination found a discoloured area on the anterior surface of the upper part of the right thigh about $1\frac{1}{2}$ " below the groin. It was mainly yellow in colour with some reddish blue areas; its greatest width was 3" and its depth $1\frac{1}{2}$ ". The Surgeon found nothing which would give any indication as to the exact nature of the blow causing the contusion and described the injury as essentially a minor one. At all times Mr. McAteer made it clear that he made no allegation of either violence or serious injury to himself and was most emphatic that he had no idea as to the manner in which he received the injury. Apart from Mr. McAteer no complaint was made to the police of persons being batoned on the testicles, as alleged, and an enquiry at the local hospital established that no person had been treated for such an injury.

Mr. Ryan appears to have been the only person who saw a policeman

approach a woman on the pavement, remove her spectacles with one hand and hit her over the head with his baton with the other hand. No such evidence was given in Court and no other person has informed the police that they saw such an incident, nor has any complaint been received from the lady who was subjected to the abuse alleged. The three English M.P. observers indicate that they saw very little evidence of retaliation from any member of the crowd. Suffice to say 16 police were injured and treated in hospital - two of them being detained.

It is wrong to suggest that the demonstrators were trapped between two police cordons whilst the meeting was being held. It was proved affirmatively in Court that the majority of persons who had participated in the march and meeting had accepted the advice given by the chief marshal and one of the speakers and had dispersed peaceably.

Regarding the young woman who alleged she had been badly bruised about the shoulder by a Constable wearing the number 81; this Constable has been identified and he has furnished a report in which he denies batoning a young woman as alleged. This Constable was in fact approached by Mrs. Kerr and the young woman in question who, pointing to the Constable, said "That is the one who hit me." The Constable immediately told Mrs. Kerr that the allegation was untrue. The Constable asked the young woman for her name and address but she said "I'm not giving it to you." Mrs. Kerr took the Constable's Borough number, namely 81, and left without further comment.

The written account makes reference to the "non-sectarian procession consisting of people of all religions and of none and seemingly every shade of opinion in Ireland was represented, with the exception of the Unionist Party." The actual composition of the demonstrators was made up of members of the Londonderry Housing Action Committee, the majority of whom are also members of the Connolly Association, the Republican Party including well known members of the Irish Republican Army and Sinn Fein, the Young Socialists and the Communist Party.

On the question of the allegation regarding police brutality about which much has been said and written, the medical facts speak for themselves. From enquiries which were made from the Hospitals Authority injuries suffered by civilians were slight and superficial and certainly not of a gravity which one would expect to find had the police behaved in the manner alleged. Many of the minor injuries were caused by missiles and not police batons.

W. Hutch Q
for Inspector General C.I.