

RESTRICTED

copy to J. Cowan / R MacKenzie

M. Gunning DOE

Secretary has seen. 2 below is an option so long as DOE Staff are not involved!

PS/Mr Scott (B)

- cc PS/Secretary of State (L&B) - M
- PS/Mr Scott (L) - M
- PS/Ministers (L&B) - M *E Gunning 28/2*
- PS/Mr Bloomfield
- Mr A W Stephens
- Mr Brennan - M
- Mr Innes
- Mr Chesterton - M
- Mr Elliott
- Mr Gilliland
- Mr Ferneyhough
- Mr Bell - M
- Mr McConnell
- Mr G Hewitt
- Mr S Hewitt
- Mr Hammond, HO - M
- Mr Ehrman - M

~~Handwritten scribbles~~

27 MAR 1986

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28 FEB 1986
911
DEPT OF ENVIRONMENT (H.L.)

DEPARTMENT OF HEALTH & SOCIAL SERVICES
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INTIMIDATION BY OPPONENTS OF THE AGREEMENT

This submission sets out the powers provided by the Northern Ireland (Emergency Provisions) Act which could be used to remove the Ulster Protestant League caravan from outside the gates of Maryfield. It also mentions other powers which the police might be able to use to curtail Mr Seawright's activities.

2. The land on which the caravan is situated, and indeed all the ground between the highway and the frontage of the Maryfield estate, could be requisitioned under Section 19 EPA and the caravan removed. We might then arrange for bollards to be installed to prevent the caravan being repositioned. It would be a little odd to requisition land which was Crown property but it would certainly make it easier to take the next steps.

3. We could make a Control Zone Regulation under paragraph 2 Schedule 3 of the EPA and prohibit parking anywhere along the frontage of Maryfield. However, I believe - subject to legal advice - that this would only be effective against "vehicles" (which I presume includes caravans) which were actually on the "road"; thus Control Zone Regulations by themselves might not be adequate to secure the removal of the caravan from its present site.

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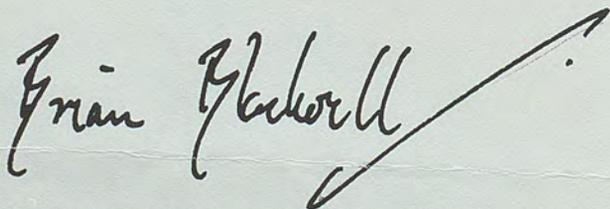
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In either case, we could only justify using EPA powers if we could show that Mr Seawright's presence posed a security threat. I believe we can demonstrate this, using the arguments

- (a) that his practice of taking photographs and noting vehicle registration numbers constitutes the collection of "information ... likely to be useful to terrorists", contrary to Section 22(1)(b) EPA; and
- (b) that the open display of UVF and UFF flags tends to confirm his association with paramilitary organisations.

5. I have discussed these points with ACC(Ops), and also the possibility that the police could take action against Mr Seawright under Article 22(1)(b) EPA or under the law on intimidation. His view is that the RUC face the same difficulties with removing demonstrators "squatting" on the Maryfield perimeter as the Thames Valley police have faced with the Greenham Common demonstrators (many of these difficulties are spelled out in Mr Gunning's submission of 25 February). However, ACC(Ops) accepts that the EPA provides us with a possible means of taking action which is not available to GB provided there is some paramilitary dimension.

6. Provided Ministers were content that the actions of Mr Seawright and his cronies fall within the terms of Section 22(1)(b) of the EPA, then we could move very quickly under Section 19 to requisition any land which was being used or might be used by Seawright, remove the caravan and render the requisitioned land unusable by caravans or other vehicles.



B A BLACKWELL
Law and Order Division

27 February 1986

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