

Mr Gilliam Mr Haggerty
File

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GOVERNMENT SECURITY UNIT

SECRET

STORMONT CASTLE

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Dear David

It is now ten days since the present detainees were lifted, and we ought, I think, to be looking at the future time-table of events.

Thirty days from 9 August takes us to 6 September, leaving just over a fortnight at the very maximum for the making of internment orders.

The suggestion made to the Chief Constable yesterday was that the present list of detainees should be divided into three categories. The first category would consist of those whom you wish to release on the direction of the Attorney-General. The second would be made up of established members of the IRA whose cases are relatively straightforward. We would have thought these two lists could be prepared and the necessary action taken on them very rapidly.

The third list would comprise the more difficult, and perhaps doubtful, cases. These would have to be studied with some care by the Minister, and he could not, of course, do this if a large number of dossiers were placed on his desk at the last minute. In other words they should be coming before him from the beginning of next week onwards, and the aim should be to have all recommendations for internment before him by Friday week, or 27 August, with a view to decisions being taken and the orders prepared during the following week.

It may be helpful if I indicated what we believe will be the Minister's general approach to internment. He will take the view, as we indicated when detention orders were made, that it is aimed at the IRA and in particular at those at present active in either wing of the organization. The argument will be that internment is a proper weapon to use against the IRA as an organization which is in armed conflict with the forces of the Crown and which has as its principal object the destruction of the status of Northern Ireland as a part of the United Kingdom.

The intention would, therefore, be to intern persons where there is evidence that since 1969 they have been members of the IRA or have been closely involved in IRA activities. This definition would rule out members of the IRA who have not been active since 1969. It would also rule out members of the Civil Rights movement or of the People's Democracy and other political organizations unless as individuals they also have IRA affiliations. A person would not be interned merely because he makes political attacks on the constitution, nor would he necessarily be interned merely on the grounds that he advocates violence: it might still be necessary to show actual involvement in the IRA.

The phrase "closely involved in IRA activities" might in turn have to be fairly strictly construed. It would include IRA "volunteers", but it would clearly exclude for example persons who have done little more than take part in riots fomented by the IRA.

You may well have people in detention who have been responsible for bomb attacks but who have not been charged for want of evidence. Here it may be necessary to distinguish between guerilla operations by the IRA and the sort of unco-ordinated attacks on premises which are more the work of malicious and criminal elements.

I don't think it is possible to do more than lay down a few guide lines at this stage. But essentially the Minister will want to justify a decision to intern on the grounds that the person being interned has taken part in an armed conspiracy and that if he were to remain at large he would be a threat not merely to law and order but to the security of the State.

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