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LOOSE MINUTE

D/DC10/44/4/5

DUS(Army)

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DMO
AUS(GS)
BGS(Int)
Col GS MO4

11 DEC 1972

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ARREST POLICY FOR PROTESTANTS

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1. We spoke this morning about your minute of 11 December, DUS(Army) 640/72.
2. Your argument is certainly valid to the extent that, if and when it is decided to arrest "loyalist" extremists for the specific purpose of detaining them, it is agreed to go for anyone holding a leadership position or office in particular organisations such as the UVF: on the ground that those organisations - whether or not they happen to be proscribed - are clearly engaged in terrorism. To this extent, as you say, one need only insert the name of the organisation or organisations concerned next after "the Provisional IRA". (Whether the intelligence is available to identify such officers of loyalist organisations, and in due course to satisfy a Commissioner that they should be detained, is a separate point - which we are currently pursuing with NIO.)
3. The difficulty which faces anyone trying to draft an arrest Policy for loyalist extremists stems from the position of the UDA. As you know, this body covers a wide spectrum of opinion and activity extending from, at one end, deep involvement in UVF-type thuggery to, at the other end, comparatively harmless vigilante activity and political activism. Our present policy is specifically aimed at isolating the more extreme elements within the UDA from the remainder: and it seems very doubtful if, at any time during the period up to and including the publication of the White Paper, we would want as a matter of choice to mop up all the office-bearers in the UDA. On the other hand, we might well wish to pull in for detention, together with the UVF etc, those of the UDA leaders who are known or suspected to be implicated in terrorism.
4. (There is no exact parallel on the Republican side. There are of course fringe bodies such as the CERA some of whose members are suspected of complicity in terrorism: but these bodies are not comparable in size and importance with the UDA.)
5. Hence, I believe, the attempts to produce a formula which does not depend on membership of any particular organisation. I agree that the wording suggested in para 6 of the Civil Adviser's draft paper is not ideal. But the only alternative I can see would be to start by mentioning, as a category, known "officers" of the UVF (and any other loyalist organisation which is clearly terrorist through and through) and then to add named individuals who are wanted for terrorism but are not known to be members of one of those organisations. This alternative would have its advantages but also, I think, some drawbacks.

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