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Civil Adviser

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Civil Adviser to GOC

STRASBOURG - BRIEFS FOR ATTORNEY - GENERAL

1. At our meeting on 2 August DS10 agreed to provide information on 2 items for the Attorney-General's background briefing for Strasbourg.

2. Firstly you requested an explanation of the practice of banging dustbin lids referred to in the evidence regarding J Murphy. Dustbin lid banging has been used for some considerable time in the Catholic areas of Northern Ireland as a signal to warn the IRA of the approach of a military patrol. Householders are encouraged to do this by the IRA and there is evidence that householders who refuse to do so are liable to intimidation by the IRA. Obviously the practice makes the task of the security forces considerably more difficult since it takes away the element of surprise that may be necessary for some military operations enabling for example wanted IRA men to escape: it also of course facilitates the setting up of ambushes by the IRA against the security forces.

3. Secondly you requested an account of the procedures at PHC's from August 1971 to March this year. This has been somewhat more difficult since as far as HQNI have been able to discover detailed instructions to the military staff at PHC's were not issued or if issued are no longer extant prior to October and November - of last year. Nonetheless the general picture of military involvement was undoubtedly much the same before those dates and these instructions largely formulated existing procedures. The one exception to this is that as far as we are aware medical examinations of every detainee on entry and release from the PHC were not instituted until 28 October 1971. Prior to this whilst doctors were always on hand - prisoners were only examined if they asked for medical attention or made any complaint. There may however be exceptions to this and in some cases medical examinations may have been undertaken on entry and release. HQNI are still checking on this. In this context you will note from para 38 of the Compton Report that medical examinations on entry and release were undertaken at Ballykinler and Magilligan Regional Holding Centres.

4. For the initial 9 August internment operation 3 Regional Holding Centres were established at Magilligan, Ballykinler and Girdwood. An account of the procedures for handling prisoners at these centres is contained in paras 29-40 of the Compton Report. Thereafter on 20 August a Police Holding Centre was opened at Palace Barracks Holywood and a further PHC was opened at Girdwood on 8th October. In addition from time to time use was made of PHC's at Gough Barracks, Armagh and at Ballykelly. *(Ballykelly was opened about 17 Sept '71 and Armagh about 12 October).*

5. I enclose for background information the following papers:  
a. An administrative order of 8 August 1971 about the setting up

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of the Regional Holding Centres ~~at Girdwood~~. Whilst the Regional Holding Centres were distinct from the subsequent PHC's and were only used for the 9 August mass arrest operations, they do nonetheless provide a guide to the extent of military involvement in the subsequent PHC's. You will note especially para 4 of both Annex 'A' and 'B' which make clear that the role of the military was a) to provide for the external security of the centre and b) to provide administrative and other support facilities.

b. An account of the Army's involvement in the Regional Holding Centre at Girdwood. This is believed to be a brief prepared by HQNI for Compton.

c. Instructions dated 27 October governing the Military staff at Girdwood and Holywood. Again you will note from para 4 that the military duties were largely administrative/support. This instruction was superseded by:

d. Instructions dated 21 November which contain the fullest statement of military responsibilities. In particular note 4d 'Under no circumstances will any military personnel at the PHC become involved in the handling of subjects with the exception of RMO's carrying out medical inspections'; 4f '... under no circumstances will any military personnel at the PHC become involved in the interrogation of subjects'; 7 'The security of subjects inside the PHC is the responsibility of the RUC. The external security of the PHC's is a military responsibility.' It is clear from this that once the arrested person was handed over to the RUC on entry to the PHC there should have been no military contact until his release from the PHC apart from i) the RUC at the reception centre (vide 4a) responsible for photographing the subject and handling arrest documentation ii) the medical officer responsible for examining the subject on entry and release (vide para 6).

e. A plan of Holywood PHC marking the rooms occupied by the Army. Although the MRF occupied a hut in the compound they were in no way involved in the running of the PHC.

f. Instructions dated 23 November '71 to medical officers covering PHC's. It should be noted that although the Army has in fact normally provided most of the medical cover at PHC's because of the difficulty in obtaining civilian doctors, a panel of 6 civilian doctors was in fact appointed in December last year to assist with medical examinations at Girdwood and Holywood and civilian doctors were also appointed to be in attendance at Armagh and Ballykelly.

g. Instructions dated 4 December covering the PHC at Armagh.

In spite of the unfortunate gap before October/November these instructions do I think provide a fairly consistent picture of the extent of military involvement and will I hope answer T. Sol's queries. Whilst there is no objections to the use of this material for background briefing, the classified documents should not be disclosed in evidence although no doubt parts of these documents could be publicly quoted. If this is considered desirable, I should be grateful if you would consult further.

D.R. Fisher

D. R. FISHER  
DS10  
Ext 2401

7 September 1972

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"INVESTIGATIONS ON THE GROUND"

5. If the Commission asks for facilities to carry out investigations in Northern Ireland, there are three possibilities open to us:

(a) To refuse. This would not amount to total non-cooperation with the Commission, for we could argue that conditions in Northern Ireland made such an investigation inopportune, or that it could indeed itself be a cause of unrest. It would be widely believed (and the Irish would make much of this) that we had something to hide. The Commission would be even less likely to be co-operative. ~~(The course seems to have little to commend it and much to be said against.)~~

(b) We could accept the Commission's request and co-operate. This would attract criticism in Northern Ireland, and possibly also in Parliament here, and would encourage the various front organisations in Northern Ireland to serve up all the old /complaints

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complaints and many new ones, and in short, enjoy a propaganda field-day.

(c) We could delay our acceptance of the Commission's request by arguing that a request to visit Northern Ireland alone indicated a partial approach to a much wider problem, and since it is recognised that the situation goes wider than Northern Ireland that we would be prepared to consider their request when we saw that they had a properly impartial approach, involving investigations of the Dublin HQs, of training areas in the Republic, and of ASU bases along the Border, etc.

Of the three this last seems most attractive.

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