

bricks from demolitions and the difficulty of controlling rioters due to the peculiar street layout of the City in and around the Diamond, all contributed to make disorder easy to provoke and difficult to suppress. In addition, as all senior police witnesses emphasised, and this confirmed the impression which we had independently formed from consideration of much other evidence, the number of police available at any one time was often insufficient to stifle disorder at its beginning, especially when the police have to operate in the narrow and difficult streets of Londonderry. It is obviously more easy to repress disorder at an early stage when numbers concerned are few than later when it has spread to full-scale rioting. Further, the sight of a significantly powerful force of police is itself a substantial deterrent against hooligan rioting and violence. Not only was this element prominent in the later phases of the events of 5th October, but it was almost wholly responsible for the ugly riot on 3rd January in Guildhall Square and for the subsequent serious rioting on the evening and night of the 4th and 5th January. Also on 11th January in Newry this element made itself prominent, and took advantage with alacrity of the opportunity for violence and causing damage to property which the initial confrontation between police and the People's Democracy demonstrators provided. The same basic pattern is discernible in the later riots of 19th/20th April in Londonderry which was sparked off by the movements of members of an ultra-Protestant group after the banning by the Minister of Home Affairs of the proposed Burntollet - Londonderry march by County Londonderry Civil Rights supporters.

228. Events subsequent to 19th/20th April both in Londonderry and Belfast have demonstrated even more clearly how ready such elements are to take advantage of disturbances, the clash of demonstrations and of disorder however caused, and of how rapidly inflamed sectarian passions can be turned into lawless and indiscriminate rioting with grave danger of injury and damage to persons and property.

[Report Contents](#)

Chapter 16

SUMMARY OF CONCLUSIONS ON CAUSES OF DISORDERS

229. Having carried out as full an investigation as lay within our competence we can summarise our conclusions upon the immediate and precipitating causes of the disorders which broke out in Londonderry on 5th October 1968 and continued thereafter both in Londonderry and elsewhere on subsequent dates. These are both general and particular.

(a) General

(1) A rising sense of continuing injustice and grievance among large sections of the Catholic population in Northern Ireland, in particular in Londonderry and Dungannon, in respect of (i) inadequacy of housing provision by certain local authorities (ii) unfair methods of allocation of houses built and let by such authorities, in particular; refusals and omissions to adopt a 'points' system in determining priorities and making allocations (iii) misuse in certain cases of discretionary powers of allocation of houses in order to perpetuate Unionist control of the local authority (paragraphs 128-131 and 139).

(2) Complaints, now well documented in fact, of discrimination in the making of local government appointments, at all levels but especially in senior posts, to the prejudice of non-Unionists and especially Catholic members of the community, in some Unionist controlled authorities (paragraphs 128 and 138).

(3) Complaints, again well documented, in some cases of deliberate manipulation of local government electoral boundaries and in others a refusal to apply for their necessary extension, in order to achieve and maintain Unionist control of local authorities and so to deny to Catholics influence in local government proportionate to their numbers (paragraphs 133-137).

(4) A growing and powerful sense of resentment and frustration among the Catholic population at failure to achieve either acceptance on the part of the Government of any need to investigate these complaints or to provide and enforce a remedy for them (paragraphs 126-147).

(5) Resentment, particularly among Catholics, as to the existence of the Ulster Special Constabulary (the 'B' Specials) as a partisan and paramilitary force recruited exclusively from Protestants (paragraph 145).

(6) Widespread resentment among Catholics in particular at the continuance in force of regulations made under the Special Powers Act, and of the continued presence in the statute book of the Act itself (paragraph 144).

(7) Fears and apprehensions among Protestants of a threat to Unionist domination and control of Government by increase of Catholic population and powers, inflamed in particular by the activities of the Ulster Constitution Defence Committee and the Ulster Protestant Volunteers, provoked strong hostile reaction to civil rights claims as asserted by the Civil Rights Association and later by the People's Democracy which was readily translated into physical violence against Civil Rights demonstrators (paragraphs 148-150 and 216-226).

(b) Particular

(8) There was a strong reaction of popular resentment to the Minister's ban on the route of the proposed Civil Rights march in Londonderry on 5th October 1968 which swelled very considerably the number of persons who ultimately took part in the march. Without this ban the numbers taking part would in all probability have been small and the situation safely handled by available police forces (paragraphs 157-165).

(9) The leadership, organisation and control of the demonstrations in Londonderry on 5th October 1968, and in Newry on 11th January 1969 was ineffective and insufficient to prevent violent or disorderly conduct among certain elements present on these occasions (paragraphs 54 and 118)

(10) There was early infiltration of the Civil Rights Association both centrally and locally by subversive left wing and revolutionary elements which were prepared to use the Civil Rights movement to further their own purposes, and were ready to exploit grievances in order to provoke and foment, and did provoke and foment, disorder and violence in the guise of supporting a non-violent movement (paragraphs 187-189 and 193).

(11) This infiltration was assisted by the declared insistence of the Civil Rights Association that it was non-sectarian and non-political, and its consequent refusal to reject support from whatever quarter it came provided that support was given and limited to the published aims of the Association (paragraph 187).

(12) What was originally a Belfast students' protest against police action in Londonderry on 5th October and support for the Civil Rights movement was transformed into the People's Democracy - itself an unnecessary adjunct to the already existing and operative Civil Rights Association. People's Democracy provided a means by which politically extreme and militant elements could and did invite and incite civil disorder, with the consequence of polarising and hardening opposition to Civil Rights claims (paragraphs 194-204).

(13) On the other side the deliberate and organised interventions by followers of Major Bunting and the Rev. Dr. Paisley, especially in Armagh, Burntollet and Londonderry, substantially increased the risk of violent disorder on occasions when Civil Rights demonstrations or marches were to take place, were a material contributory cause of the outbreaks (violence which occurred after 5th October, and seriously hampered the police in their task of maintaining law and order, and of protecting members of the public in the exercise of their undoubted legal rights and upon their lawful occasions (paragraphs 222-224).

(14) The police handling of the demonstration in Londonderry on 5 October 1968 was in certain material respects ill co-ordinated and inept. There was use of unnecessary and ill controlled force in the dispersal of the demonstrators, only a minority of whom acted in a disorderly and violent manner. The wide publicity given by press, radio and television to particular episodes inflamed and exacerbated feelings of resentment against the police which had been already aroused by their enforcement of the ministerial ban (paragraphs 168 - 171).

(15) Available police forces did not provide adequate protection to People's Democracy marchers at Burntollet Bridge and in or near Irish Street, Londonderry on 4th January 1969. There were instances of police indiscipline and violence towards persons unassociated with rioting or disorder on 4th/ 5th January in Londonderry and these provoked serious hostility to the police, particularly among the Catholic population of Londonderry, and an increasing disbelief in their impartiality towards non-Unionists (paragraphs 97-101 and 177).

(16) Numerical insufficiency of available police force especially in Armagh on 30th November 1968 and in Londonderry on 4th/ 5th January 1969 and later on 19th/20th April prevented early and complete control and, where necessary, arrest of disorderly and riotous elements (paragraphs 87, 101 and 182).

The Government's announcements on the reform of local government franchise - the 'one man one vote' issue - reform and readjustment of local government administration, including electoral areas and boundaries, introduction of a comprehensive and fair 'points' system in the allocation of Council built houses and the introduction of special machinery to deal with complaints arising out of matters of local administration, go a very considerable way. not only to acknowledge the justice of the complaints on these points but also the expediency and necessity of providing remedies for them.

230. In view of this we feel that we should not be stepping beyond the proper limits of our duty if we were to add two observations of our own which are relevant to these proposals for reform. The first of these relates to the police. The nature of the relationship of the R.U.C. to the Minister of Home Affairs makes it easy for the criticism to be put forward that the R.U.C. is essentially an instrument of party Government. Where complaints are made of misconduct of police officers towards members of the public it is obviously in the interest of the police force as well as of the public that there should be full confidence that any enquiry should be wholly unbiased and that it should be in impartial hands. Lack of confidence in police impartiality leads to lack of public confidence in and support for the police. If it is the express intention of the Northern Ireland Government that there should be specific machinery for dealing with complaints against local government administration, it appears to us that there is substance in a suggestion that matters of complaint against members of the police force should be investigated by an equally responsible and impartial body. In light of the events which have occurred and which formed the subject matter of our enquiry. we have felt that a complaints board or tribunal of independent persons appointed on the nomination or recommendation of the Lord Chief Justice might be an appropriate complement to the machinery for dealing with local government grievances. Such a tribunal would be responsible for investigation and, in the appropriate case, reporting to the Inspector General for any necessary disciplinary action, or, if felt that criminal proceedings might be required, to the requisite criminal authority. In addition, in order to preserve parliamentary control, it would be necessary that such a board or tribunal should report its activities annually to Parliament. This could in effect be no more than a logical extension of the provision already introduced into the Police Code of associating a practising barrister with the disciplinary tribunal investigating complaints against the police, and for the public hearing thereof in cases where matters of security are not involved. In making this proposal we in no way wish to reflect on the impartiality and care with which County Inspector Baillie carried out his investigations. As we have already said we, with respect, endorse his conclusion that there were serious breaches of discipline and acts of illegal violence perpetrated by certain police officers in Londonderry on 4th/5th January 1969, but we think such a difficult task as that entrusted to him was to place a very heavy responsibility on his shoulders as a senior police officer.

231. The other point on which we wish to comment is the manner of appointment of senior officials of the new local authorities. The necessary consequence of reducing the number of authorities and increasing their power in relation to their predecessors is to increase also the power and responsibilities of the leading officials. In these new circumstances the opportunity arises for giving serious consideration to the manner of their recruitment and appointment, and in particular whether this important function should be left to the discretion of the elected authorities subject, in the case of top grade appointments, to approval of the Ministry of Development, or whether some central body or authority should not be responsible for the making of such appointments. We do not doubt - from what we saw and heard - that some such procedure on appointments would materially increase confidence in both the efficiency and impartiality of the local government administrators. Such a procedure would go far to assimilate at least senior posts in the reorganised local government to the structure of appointments in the Northern Ireland Civil Service. It would seem to us in light of all we have heard, that a good case could be made for the creation of a 'public service' and for the discharge by it both of central and local government functions in the particular circumstances of Northern Ireland, in view of its

comparatively small population and of the nature and scope of the changes in local government structure which are now foreshadowed.

232. Looking back on the course of this Enquiry and of all its implications we feel bound to express our very firm conviction, based on the extent and weight of the evidence and opinions presented to us and collected by us, that the honest implementation of these reforms already promised or foreshadowed by the Government with the least necessary delay, is one essential step toward the development of a lasting peace and a measure of harmony and mutual understanding among all the people of Northern Ireland. There are, as we are well aware, other and difficult elements in the community's problems which statesmanship has to solve, but we have been left with no doubt that without these reforms and changes there would be grave risk of further and more serious disorders in the future which, if they occurred, would inevitably rouse more bitter and more irreconcilable passions on either side. It was fortunate indeed that, for whatever cause, the disorders into which we have enquired over the past months, serious as they were, were not made even more grave by resort to the use of firearms - except on two isolated occasions happily accompanied by no injury to persons or property. Unhappily this can no longer be said of the events which have occurred so tragically during the preparation of this Report.

233. We have endeavoured as fairly and as fully as we could to investigate the matters remitted to us and have now submitted our conclusions and the reasons which have led to them. Our Enquiry has disclosed many deep rooted causes of dissension and of bitter memories, many matters which must be a cause of distress to all who have the interest of Northern Ireland, its prosperity and that of its people at heart. At the same time there have been encouraging signs that attitudes among Unionists and non-Unionists alike were and had been undergoing change and modification, and that extremist views on either side were becoming more isolated and commanding less support. It would however be a grave political and social error to regard the Civil Rights movement as narrowly sectarian or subversively political; it was and is a movement which drew - and still draws - support from a wide measure of moderate opinion on many sides and to that extent is a novel phenomenon in the political firmament of Northern Ireland.

234. Finally we express the hope that in the discharge of our task we have succeeded in placing the true facts in their proper perspective, in analysing the numerous contributory and conflicting causes of these disorders, in strengthening the support which the measures the Government has announced to repair grievances and remedy justifiable grievances can command, and that in so doing this Report may in some degree serve to promote the cause of peace and mutual understanding among all the people of Northern Ireland.

235. Since this Report was drafted and during the period of its preparation, certain events of grave disorder, in particular in Belfast and Londonderry, have occurred, which go far to confirm the inference which we have already drawn in earlier parts of our Report, that there have been and are at work within Northern Ireland persons whose immediate and deliberate intention is to prepare, plan and provoke violence, reckless of the consequences to persons or property. Their purpose is not to secure peace by way of reform and within the bounds of the constitution, but to subvert and destroy the constitutional structure of the state. At the same time, there are others who by their appeal to sectarian prejudices and bigotry have assisted to inflame passions and keep alive ancient hatreds that have readily led to the unleashing of lawless and uncontrolled violence. From the aimless and vicious hooligans of the streets and alleys to the extremists of right or left, of whatever creed, Catholic or Protestant, all would appear to bear a share of blame for the tragic events which have occurred and in which the vast majority of the population of Northern Ireland have neither hand nor concern and which we have no doubt they most deeply deplore.

236. In a situation which contains so many grave possibilities we would again draw particular attention to the complexity of the causes of those disorders which we were called on to investigate, and to the dangers which over-emphasis or over-simplification in press or other report or comment on particular facets of these causes could so readily produce. These unhappy events have already received very wide press and television coverage which, as we have observed, sometimes highlighted intentionally or by chance particular incidents the reporting of which may well have distorted or tended to distort the accuracy of the picture of the whole.


*John Cameron
J. Henry Biggart
J. J. Campbell*

A. J. Green Secretary
W. T. McCrory Asst. Secretary
16th August 1969

[Report Contents](#)

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