

1969/3

SECRET

CAB/4/1427/24

/24

CONCLUSIONS OF A MEETING OF THE CABINET  
HELD AT STORMONT CASTLE ON WEDNESDAY, 15TH JANUARY, 1969,  
AT 10.00 A.M.

PRESENT:- The Prime Minister  
The Minister of Commerce  
The Minister of Finance  
The Minister of Home Affairs  
The Minister of Health and Social Services  
The Minister of Education  
The Minister of Agriculture  
The Minister of Development  
The Minister in the Senate

ALSO PRESENT:- The Attorney-General  
The Chief Whip

The Secretary to the Cabinet  
The Deputy Secretary to the Cabinet  
The Private Secretary to the Prime Minister

1. THE POLITICAL SITUATION

Introducing his Memorandum of 14th January, 1969, the Prime Minister explained that, in his extensive references to the local government franchise, he had wanted the Cabinet to be left in no doubt that a Commission such as he proposed might recommend the granting of universal adult suffrage. Should they decide to set up such a Commission, they must take this possibility into account. As he saw the Commission, it would have its place in a balanced statement of comprehensive new measures to cope with the situation, including as well a firmer use of police powers and amendments to the Public Order Act.

In the course of subsequent discussion, the following were the main subjects raised:-

(a) Appointment of a Commission: The Minister of Agriculture strongly supported the proposal, as a means of taking the heat out of the situation, although he made it clear that he could not bind himself in advance to accept any particular recommendation which the Commission might make. The Minister of Home Affairs saw the proposal as a means of bringing public opinion round and of removing from further demonstrations sufficient support to make them manageable by the police. Although the activities of the

/police in



SECRET

CAB/4/ 1427/24

police in relation to the disturbances would be bound to come under consideration, he felt that the force as a whole would on balance welcome the opportunity to show that any misbehaviour or indiscipline was no more than an isolated case in a long record of admirable conduct. The Minister of Development also welcomed the idea of a Commission as a means of lowering the temperature and re-assuring moderate opinion, particularly if coupled with other action of a firm kind. In the view of the Minister of Finance, some striking step was needed to regain the initiative, and the proposed inquiry - for which many influential interests had been calling - was such a step. It could create the conditions in which a general ban on further demonstrations might be enforced. The Minister in the Senate said he accepted the logic of the Prime Minister's Memorandum. The Commission was an attempt to buy time, and to create a more peaceful atmosphere in which they could start preparing the Party for changes which were inevitable. The Minister of Education observed that the Commission's task would be to bring out the truth, and on balance he did not feel this would be to the disadvantage of the Government or the police. While its appointment might not take all the heat out of the situation, it would at least help to reduce the agitation to its more extreme elements. Like several of his colleagues, he welcomed the concept of a Commission coupled with stronger law-and-order measures.

The Minister of Health and Social Services, on the other hand, expressed concern about the effect which the appointment of a Commission might have upon police morale, while the Minister of Commerce voiced anxiety on a number of grounds. This step in his view would be regarded as an abdication by the Government of responsibilities which were properly its own. Everyone knew that the franchise question was fundamental, and in his opinion it would be more straightforward to tackle this issue (ensuing discussion on the franchise question is recorded below). A Commission could too easily develop into a fundamental, far-reaching and potentially highly-embarrassing inquest into every aspect of Northern Ireland's affairs.

The Attorney-General said that a Commission could not solve all their problems and he had some reservations about the proposal. But it did show the public some degree of objectivity; it might help to sell to the doubtful changes which inevitably had to come; it would no doubt show the infiltration of the Civil Rights movement by various kinds of extremist; and even if it might

/criticise a



criticise a minority of the police it was likely to commend overall police conduct and bearing. The terms of reference would be of great importance. Ideally these should be sufficiently wide to command confidence and lead to the lowering of the temperature, without being so wide as to permit a general indictment of the most extensive areas of Government activity.

The Chief Whip reviewed the arguments for and against the Commission, and concluded that, while he would by no means reject the suggestion, it might be prudent to prepare Party opinion for it.

After further discussion it was clear that the general view of the Cabinet was that the proposed Commission should proceed. Ministers accordingly considered the precise terms of reference, and ultimately agreed the form which was later incorporated in a Government Statement (see below, and Statement attached to these Conclusions).

(b) Local Government Franchise: As already recorded, during the course of the discussion on the proposed Commission, the Minister of Commerce suggested that a more direct approach would be to agree as a Cabinet to universal adult suffrage at local government elections, and to tell the Party that this was now their view. If that view was rejected, the Government would, of course, have to resign. As he had said in October, he had never had the reservations on this issue which some members of the Party felt. The Minister of Health and Social Services agreed that the question of the franchise was the one major issue of contention now outstanding, and that it would be better to tackle this directly.

Other Ministers, however, did not share these views. They pointed out that the Civil Rights demonstrators had already declared other aims as well as a change in the franchise. Several Ministers felt that an abrupt switch of policy in this respect would clearly be seen as action under duress; and, moreover, action most unlikely to be acceptable to their Party in view of the very recent pledges given to them. A considerable consensus of view emerged that any breathing-space gained by the appointment of a Commission should be used to press on as rapidly as possible with the re-structuring of local government, to permit review of the franchise within the context of existing pledges. The Minister of Development, however, pointed out a major difficulty in this field. It would be imprudent to publish specific proposals in the

/period



SECRET

CAB/4/1427/24

period leading to a General Election, since any such proposals were bound to be highly controversial; yet, until decisions were taken and publicly announced, really practical consultation with local authorities could not proceed. For this and other reasons it would not be easy to meet the 1971 target.

(c) Banning of Demonstrations: There was widespread support amongst Ministers for the view that a blanket ban for a period upon all non-customary processions should be considered in the context of the decision to appoint a Commission. The Minister of Home Affairs pointed out that the police, considerably influenced by Scotland Yard advice, had been standing out against use of the power to ban as in practice unenforceable. They might, however, be prepared to reconsider this attitude in the light of the decisions now taken by the Cabinet.

During an adjournment of the Cabinet for lunch the police were consulted, and the reference to use of banning powers in the Government Statement attached to these Conclusions was incorporated with their agreement.

(d) Use of B Special Constabulary: The Minister of Agriculture pressed for a more extensive use of B Specials, particularly to guard public buildings against occupation by forces promoting civil disobedience. This would have the merit of giving them some positive role to play, and of drawing them off from other less desirable activities.

The Minister of Home Affairs said that he had considerable reservations on this subject, which were shared by senior officers of the police. B Specials were trained essentially for patrol work as an armed force against I.R.A.-type threats. There would certainly be further allegations of drawing a sectarian force into a difficult situation, and no doubt further well-publicised applications to join by Roman Catholics. These views were strongly supported by the Attorney-General.

The Minister of Agriculture emphasised that he did not for one moment contemplate confrontations between B Specials and Civil Rights marchers. But the guarding of public buildings was a harmless and wholly justifiable use which would give them some sense of participation. As a further point, he asked the Minister of Home Affairs to reconsider the desirability of allowing B Specials to patrol in potentially hostile areas unarmed.

/The Minister of



The Minister of Home Affairs said that the U.S.C.'s Commandant was most anxious that the first shot should not be fired from his side. Some guard duty was already being undertaken, but anything in the nature of a general mobilisation would be very difficult. The best men were likely to be those in secure employment which they would be reluctant to leave.

2. PROPOSED AMENDMENTS TO THE PUBLIC ORDER ACT (N.I.) 1951

The Cabinet considered the draft Bill circulated with the Memorandum dated 10th January, 1969, from the Minister of Home Affairs, who informed his colleagues that he had in mind two further proposals to

(i) extend the period of notice for a proposed procession to be given to the police to 96 hours; and

(ii) make it an offence to "sit down" with the intention of obstructing traffic or people going about their lawful occasions.

In subsequent discussion Ministers generally welcomed these proposals, with one exception. While the merits of the proposed transfer of the responsibility for banning from the Minister to the Inspector General were appreciated, there was a widespread feeling that such a change might not be well received in existing circumstances, and it was accordingly agreed to drop this provision from the Bill.

Subject to this omission, the Minister's proposals were approved; and in addition it was decided that, if possible, provisions strengthening the law on offensive weapons (on the lines of a Bill already presented in the Senate) should be incorporated in the same Bill, whose progress through Parliament should be expedited.

3. GOVERNMENT STATEMENT

Ministers considered in detail the wording of a Statement, and authorised its release in the form attached to these Conclusions.

4. COMMISSION ON THE CONSTITUTION

The Cabinet reviewed a number of names of persons who might be suitable for nomination as Commissioner or Assistant Commissioner.

5. REDUNDANCY PAYMENTS SCHEME

The Cabinet agreed to the proposals of the Minister of Health and Social Services' Memorandum of 10th January, 1969.

SECRET

CAB/4/1427/24

6. INSPECTOR GENERAL, R.U.C.

Ministers agreed that, as the retiring Inspector General's return to Northern Ireland was now imminent, no further consideration need be given to an earlier change of command.

7. LONDONDERRY COMMISSION

Ministers gave their views on a list of names of persons who might be suitable for appointment to the Commission, circulated by the Minister of Development.

8. MAGEE UNIVERSITY COLLEGE

The Cabinet agreed to the preparation of a Bill on the lines indicated in the Minister of Education's Memorandum of 7th January, 1969.

9. VISITS ABROAD

There being no comments by Ministers, the visit notified by the Secretary to the Cabinet's Memorandum of 30th December, 1968, was approved.

*Terence O'Neill*