

Situation in Northern Ireland.

IRELAND

Force Levels.

Part 1: May 1979.

PART 14

Part 14: August 1983

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
<del>1.8.83</del>		<del>21.11.83</del>		<del>3.1.84</del>			
<del>18.8.83</del>		<del>30.11.83</del>		<del>12.1.84</del>			
<del>19.8.83</del>		<del>5.12.83</del>		<del>18.1.84</del>			
<del>23.8.83</del>		<del>7.12.83</del>		<del>19.1.84</del>			
<del>29.8.83</del>		<del>8.12.83</del>					
<del>22.9.83</del>		<del>15.12.83</del>					
<del>3.10.83</del>		<del>15.12.83</del>					
<del>3.10.83</del>		<del>16.12.83</del>					
<del>7.10.83</del>		<del>17.12.83</del>					
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<del>17.10.83</del>		<del>21.12.83</del>					
<del>1.11.83</del>		<del>28.12.83</del>					
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<del>28.10.83</del>		<del>12.1.84</del>					
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- PART 14 ENDS -

PREM 19/1069

PART 14 ends:-

AJC to PM 13.12.83.

PART 15 begins:-

RTA: Note for Record (A084/78) 6.1.84.





10 DOWNING STREET

Prime Minister

You may like to look at

Mr. Fordison's <sup>\*</sup>despatch before  
the meeting on Northern Ireland  
tomorrow.

A.S.C.  $\frac{3}{1}$ .

f.a.

A.S.C.  $\frac{4}{1}$ .

\* dated 13/12/83.



10 DOWNING STREET

Prime Minister.

The meeting begins at

10.00.

The plan is to continue

(with a break to allow) until

1.00, have lunch then, and

break up at about 2.45.

A.S.C.

mf



The National Archives

LETTERCODE/SERIES ..... <i>PREM 19</i> .....	Date and sign
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LETTER FROM AMERICA No 1819  
By Alistair Cooke

*Phoe Munter: 2*  
*Dr Nicholas Henderson drew*  
*your attention to this: it is*  
Recorded at London *very good*  
Thursday December 22nd 1983

For Broadcast Friday December 23rd 1983

Good Evening. There was once - perhaps there will always be - an American film star with an Irish name. It was his own. I say that because in his time practically every film star who'd been born with a Russian, German, Lithuanian, Polish name had it changed by the producers - most of whom at that time were Russian, Polish, German or Lithuanian immigrants. And they, in spite of the evidence of scores of millions of immigrants from Central and Southern Europe, assumed that the United States was essentially an Anglo-Saxon country. As Robert Benchley put it: "We call England the Motherland because most of us come from Poland or Italy". Anyway, this strange prejudice - strange in the men who held it - was responsible for Frederick Austerlitz being renamed Fred Astaire, Spangler Brugh turning into Robert Taylor, Emanuel Goldenberg becoming Edward G. Robinson, Kirk Douglas shedding his true name of Issur Danielovitch Demski. Irish was all right. The first producers were canny enough to know that in the cities where they were going to pick up most of their revenue - in New York, Chicago, Boston, Philadelphia, the Irish were the majority immigrant group, constituting in some cities as much as a third of the population. And if it got out that Paddy O'Neill had had his name changed to, say, Derek Wakefield there would have been a hot time in the old town that night. So, no changes were anticipated when there appeared at the studios George Murphy, Pat O'Brien, Ronald Reagan.

Well - the man I have in mind, I ought to say at the start - was a very genial, large, warm-hearted, simple man. And at Hollywood parties - always, in his case, family parties - he was the life and soul giving, as the evening wore on, heart-breaking renderings of Mother McCree and Did Your Mother Come From Ireland. He was on a visit to Ireland one year I was there, in Dublin, seeing an Irish friend of mine I'd known since university days. The film star made the rounds of all the livelier pubs, wearing always a green tie and sometimes a green check suit. He embraced everybody right and left. He stood drinks all round. Without being prevailed upon, he launched into his favourite renditions. My old friend, a countryman to the bone, was not impressed by this genial man. I presumed to understand. "He's what we call in the United States" I said, "a professional Irishman." That's not what we call the type, he said

/with gentle

with gentle disdain; "they're known here as Returned Americans." I hope the old film star never heard the phrase. It could have crushed him.

There are about forty million Americans of Irish origin in the United States today, and no ethnic group maintains with more pride or confidence a dual loyalty. Most of them, of course, except the long ago transplanted Ulstermen in the South (Scotch-Irish, as they're called here) - most of them are Roman Catholics. Most of them, I dare to say, are not strikingly well-informed about the fearful complexities of the Ulster-Irish question. Among them, of course, there are legions of professional Irishmen, especially on Saturday nights, and noticeably when an English accent is in the offing. But, for the rest, I think it's fair to say that they would, if polled, support a united Ireland, without going into the terms or conditions of unity. It has been a notable failure of British information, British propaganda if you like, that Americans - of whatever origin - are unaware of the basic statistical fact that in Ulster Protestants outnumber Catholics by about two to one and wish, have declared their strong wish, to remain inside the United Kingdom. In fact, I doubt that the majority of Americans know that Northern Ireland is as much part of the United Kingdom as Dorset or Lancashire. I've tried to make this clear to very old friends of mine of Irish origin - who feel no particular passion on the subject but convey with delicate tooth-sucking that my analogy must be pretty far-fetched. It is their touching tribute to the length and steadiness of our friendship that they don't ever bring up the Irish troubles. If challenged suddenly some dark night, and without access to an almanac or an encyclopedia, I'm afraid they believe - though they don't want to believe - that British troops are in Northern Ireland to keep it, by force, inside an empire that has gone.

If this is the case with educated, liberal-minded people it's not hard to understand that while the great majority of those decent Irish-Americans deplore the never-ending violence of the past - what is it? - four or five years (not to dwell at all on the long history of Sinn Fein in the past seventy years or so), there is certainly an active minority - many of them people of goodwill - who contribute to the Irish Northern Aid Committee, known for short as Noraid. These contributors - many of them not rich at all - I'm sure truly believe that their dollars and cents are going to the good cause of relieving the pitiable condition of families that have been rendered  
/homeless



homeless by the bombings and the killings. Others know that much of the money is to support members of the IRA who are in jail. How many of the rich contributors are well aware that the money goes also to provide arms to the IRA is something nobody knows for sure or will ever know. Not even the American Government, through the Department of Justice, which has been looking into Noraid, its funds and their destination a long time. The Department says categorically that about three-quarters of all the funds that buy arms or otherwise sustain violence in Northern Ireland come from the United States. The Justice Department has acted on its findings to the extent of declaring Noraid to be an IRA agent and demanding that the courts require it to do what all foreign agents and lobbies are meant to do: which is to report itself under the Foreign Agents Registration Act and, in accordance with the law, publish the names of its membership, say what they do, and where funds go. There is a case coming up before a federal judge in New York in January. So far, we know - the Justice Department has confirmed - Noraid has recruited somewhere between 5 and 30,000 American members in ninety branches between the East and West coasts.

Now, the President, and the most prominent members of the Congress - most conspicuously the Speaker of the House, Mr. Tip O'Neill, and Senator Kennedy, and Senator Pat Moynihan of New York - have continually condemned any American aid that goes to the IRA, and a year ago I heard the Prime Minister of Eire say the same thing in a speech to Congress.

I ought to say - what is a little spooky to reflect on at this point - that probably a vast majority of the 225 million Americans have never even heard of Noraid. What they see, on television, all the time is burnt buildings, the distraught wives or fathers of husbands and sons killed on one side or the other; British soldiers peering round street corners at taunting schoolboys: random pictures of random violence - a panorama of diffuse violence, enough to provoke most people, I should guess, to wish a plague on both their houses. What the atrocious bombing of Harrods has done is to upset this even-handed distaste in the minds of ordinary Americans, bring them up with a shock to some grim understanding of what the IRA is all about, and leave them with a feeling, which the Boston Globe expressed as well as anybody: "Anyone who loves Ireland" its editorial said, "should be heartsick.... that its good name is invoked to justify this savagery." The Globe very firmly hammered the point

home by speculating how Bostonians would feel if one of their own department stores was bombed and then they read that the Lord Mayor of London had been a guest at a dinner in London held to raise money for the bombers. The fact that one American died in Saturday's atrocity has - how shall I put it delicately? - has served to underline the miserable fact that the victims were - from any political point of view - harmless neutral human beings going about the supremely unpolitical business of taking their children to buy Christmas presents. And most papers, and television shows, reported the IRA's expression of sympathy with the dead and injured - a nauseating gesture which certainly has merely sharpened, in a revolting way, the character of the assassins. I'm afraid there is, for the time being, no more to say.

On Wednesday, the General Assembly of the United Nations closed its annual session. This, I'm sorry to say, will be news to practically everybody listening. There was a time when every responsible newspaper on earth had one reporter permanently assigned to the doings of the UN. For a time, the New York Times maintained a bureau of five or six people.

Today, not one paper in a score keeps a man or woman at the UN and, for the most part, its doings are shuffled off into fill up corners of the newspapers. The end of the annual Assembly, which begins in the autumn and always tries to end just before Christmas, is however worth a note. And this year, it was worth one small cheer. The President of the Assembly's farewell was refreshingly devoid of cliches and polite hopes. He is Senor Jorge Illueca of Panama. He startled the departing guests by imploring the two superpowers to "put an end to their madness"...to pull back from the prospect of "nuclear confrontation", to get back to the negotiating table and to recognise that the arms race was acquiring "an irrational momentum of its own beyond the control of either side." The Secretary General, Mr. Perez de Cuellar, whose job is to tiptoe on a tightrope above 15 odd squabbling nations, took the plunge into their midst, glared at the Russian and American heads of state and urged them to "have the courage and sense to negotiate... nobody" he said, "has given the right to decide our fate."

/That is about

That is about the only bit of good news I can offer at this birthday celebration of the Prince of Peace. No - there's one other. Three eight-year old boys clubbed up to contribute 60 pence to the fund for the police victims of the Harrod's bombing. So, I want to wish you, in the old fashioned way, a merry Christmas and - by permission of Mr. Reagan and Mr. Andropov - a Happy New Year.

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Prime Minister.

A.S.C. 22/12

Prime Minister

PROSCRIPTION OF SINN FEIN

I undertook to offer an assessment of the proscription of Sinn Fein. What follows is addressed to the situation in Northern Ireland, but I take it as axiomatic that proscription must apply to the whole of the United Kingdom if it is to be effective. The organisation could not be sensibly banned in one part of the country but allowed to operate freely in another. Leon Brittan gave you his views at your meeting on 20 December about the case for proscription in Great Britain. I am grateful for his suggestion that since the consequences of proscription would be felt most keenly in Northern Ireland, the Northern Ireland considerations must be dominant. We now know that the Irish Government is most unlikely to proscribe, though they may seek to see if other measures can be taken against Sinn Fein. I agree with the provisional conclusion of your meeting that, in the absence of an Irish decision to proscribe, we should not either. But I thought it would be helpful for our colleagues if I set out the main arguments fairly fully in advance of the meeting of Cabinet on 22 December.

2. There are powerful arguments for acting against Sinn Fein. There is no doubt that in terms of the Northern Ireland legislation Sinn Fein has encouraged violence and could be proscribed on that basis. There is a climate of expectation that something will be done, and considerable advantage in the Government showing in every possible way that it is responding firmly to such horrors as the murder of Edgar Graham and the Harrods bomb. Our action would attract wide-spread sympathy here, but as I suggest below, only if the Republic also proscribed would our position be easy overseas. Sinn Fein are widely and correctly understood to be closely associated with terrorist violence and are seen to support it, even though its leading members are able to escape prosecution. The Government has

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played/....

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played its part in creating this understanding, and most people would believe that by proscription Sinn Fein was receiving its just desserts.

3. At the moment Sinn Fein are able successfully to exploit the democratic system. They remain just inside the law, and yet are able to maximise both terrorist and political pressure. They can thus present themselves respectably and gain leverage over constitutional nationalists which is as harmful to the cause of moderation as to the Government. The constraints of democracy mean we cannot effectively respond directly to this.

4. I have little doubt that proscription would be disruptive to Sinn Fein as an organisation. Even if some of its members adopted a different guise it is unlikely to be capable of successfully going underground and yet of remaining as strong a political organisation as at present. Nor would it be easy for them to eschew the name Sinn Fein with all its historical appeal. Their strategy for future elections would thus be upset, and they are known to be fearful of proscription. Proscription would make it easier to deal with electoral abuse, for which Cabinet has considered remedies.

5. Against these considerations must be set the practical consequences of proscription. It is essential that it should be effective and should not create disproportionate political or security consequences. We cannot be certain how Sinn Fein would react. But some degree of confrontation must be expected. There might be street disorders whipped up in response, and there might be shootings attributed to proscription. But the trouble would be containable, and the PIRA could not in our view step up and sustain a terrorist campaign as a reaction. We would be faced with the prospect of widespread arrests in sensitive areas, since it would be hard to do other than proceed against those not disguising their membership. There could be charges of backdoor internment, and the courts would be bound to be severe with those who repeatedly flouted the law. We doubt if those imprisoned would go on hunger strike, but the situation in the prisons could be exacerbated if large numbers were given custodial sentences and they attempted to foment trouble. In

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all it could provide a rallying point for further violence at a time when cracks may be beginning to appear in the PIRA edifice.

6. There would be attempts to get round proscription by denying membership or adopting different names. This could be the tactic adopted to allow some activists to operate freely. The Government would then be faced with the prospect of proscription being in part undermined, or with having to chase such people with the repeated proscription of new organisations. Neither prospect is appealing, and neither would do us credit.

7. There would be attempts to stir up a political reaction. We cannot be certain how this would go, though some recent campaigns, for example on strip searching in prisons and supergrasses, have not made a great impact. It could not be assumed that the media would deny access to those who were able to show they were not members of a proscribed organisation. Many in the nationalist community would welcome our action, but others might seek to increase tension. Though we believe most would not be unduly stirred up by it, arrests, for example, could cause a reaction. Activists would seek to maximise the difficulties for us.

8. Proscription would not of itself prevent Sinn Fein members from standing at the European or other elections. Only if found guilty of membership and imprisoned for a year or more would a Sinn Fein member be disqualified from being a member of or standing for the House of Commons, the Assembly or the European Parliament. A year would be a heavy penalty just for membership, and even if a Sinn Fein leader such as Adams attracted it and was in prison there would be little difficulty in finding a proxy who had not, and who could stand as an independent. We could therefore well face the June elections with a Sinn Fein candidate in all but name, able to exploit whatever situation had by then built up as a result of proscription. It would, for example, be very serious if in these circumstances Adams or his proxy beat John Hume. Apart from the consequences for the SDLP and political movement in Northern Ireland, which would cause me very great concern, proscription would have been shown to be largely worthless when it came to elections - the heart of the democratic process it is designed to protect.

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9. Finally, we must watch the international reaction. Unilateral proscription would be difficult to defend in the USA where it would be challenged by some as an attack on democracy and an attempt by the British to muzzle legitimate Irish representatives. There might be favourable reaction to Sinn Fein allegations that the British Government was apprehensive of Sinn Fein electoral success. A decision by the Dublin Government to proscribe would have considerably eased our position but this now seems unlikely.

#### Conclusion

10. These arguments lead me to support the provisional conclusion of your meeting on 20 December that in the absence of a decision by the Irish Government to proscribe Sinn Fein in the Republic, we ought not to do so. The decision of their Cabinet on 20 December therefore seems to me conclusive. There are undoubted attractions in moving fast in the present climate of opinion, and of showing that we are rigorous both in our action against terrorism and in our support of constitutional politics. But I suspect that many of these advantages might be short lived, especially if the impact on terrorism was negligible (as the PIRA are capable of showing it to be). Unionists will not on the whole be critical of the Government for failing to proscribe and I think we would earn little long term credit with them. On the other hand, though there are many uncertainties, we could be faced with a more tense situation in Northern Ireland, which extremists could more easily exploit, without necessarily having all the offsetting practical advantages like the removal from the political scene of those who are Sinn Fein in all but name. We would severely disrupt Sinn Fein, but that alone is not conclusive if great strength of feeling was aroused in the community. Once we have proscribed, there could be no early going back on it. John Hume is vehemently opposed to proscription because he feels it would harm, not help, the SDLP, and make elections in the North very difficult.

11. We should need to look afresh at this if at a later stage the Irish proscribed. The expectation that we should also act would be that much greater, and the practical case for dealing similarly with the organisation in both parts of Ireland strong. But we should

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remember that the Irish are not likely to face the opposition that we would, or the pressures to make proscription effective by arresting known members, so that the policy would be a good deal easier for them to implement than for us. Irish proscription could well tip the balance, but I would not wish to suggest at this stage that it will necessarily do so.

12. My meeting with Mr Noonan, the Minister for Justice in the Republic, is due to take place in the second week of January. Mr Barry, the Foreign Minister, agreed with me that further measures to combat terrorism in the island of Ireland would be far more effective if taken jointly. There are a number of items on which we might act together as well as some on which we might act ourselves. I am having them examined urgently.

13. I am sending copies of this minute to members of Cabinet and Sir Robert Armstrong.

*DBH*

J P

21 December 1983

(Approved by Mr Prior and  
signed in his absence)

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Ref: B06927



B. U. to me <sup>3</sup>  
/ C. AR <sup>4</sup>/<sub>1</sub>  
A. J. C. <sup>2</sup>/<sub>12</sub> p.a.

MR COLES

Northern Ireland

Thank you for your minutes of <sup>with 15</sup> 15 and 20 December. The following have been invited to the discussion at Chequers on 4 January and are making arrangements to attend.

Foreign and Commonwealth Secretary  
Secretary of State for Northern Ireland  
Sir Robert Armstrong  
Sir Antony Acland  
Mr Alan Goodison  
Sir Philip Woodfield  
Mr Robert Andrew and  
myself.

2. All the above have been informed of the arrangements for the discussion set out in your minute of 20 December.

*David Goodall*

21 December 1983

A D S GOODALL

Ref. A083/3537

PRIME MINISTER

Cabinet: Northern Ireland: Possible Proscription of Sinn Fein  
BACKGROUND

At your meeting on 20 December you instructed me to place this question on the Cabinet agenda for 22 December. You also instructed me to inform the Secretary of the Irish Government that the British Government would be very reluctant to take the step of proscribing Sinn Fein. You will recall that the consensus at your meeting was that there was no case for proscribing Sinn Fein here unless either the Irish Government decided to do so or further major acts of terrorism occurred in Great Britain or Northern Ireland which might make proscription politically desirable.

2. From Mr Nally's subsequent telephone conversation with me and from inquiries made by HM Ambassador at Dublin, it appears that the Irish Cabinet, at its meeting on 20 December, postponed a decision on whether to ban Provisional Sinn Fein. Instead, Irish Ministers decided to consider tightening existing Irish legislation on incitement to violence. Following the Irish Cabinet meeting it was announced in Dublin that the Irish Government had decided on a review of existing legislation against incitement to violence, to see if it could be made more effective in "prosecuting and convicting those promoting the activities of unscrupulous terrorists by incitement to violence or hatred". The review will also cover possible further measures against the "insidious actions of those promoting terrorist activities while claiming to be unassociated with them". Among those to be consulted in the course of the review are the Garda, the Irish Army, the Leader of the Opposition (Mr Charles Haughey) and "other bodies". The Irish press is interpreting "other bodies" to mean Her Majesty's Government.

3. For the moment, therefore, the Irish Government have decided not to proceed with proscription; indeed the Irish Foreign Minister, Mr Barry, has told Mr Prior that Irish Ministers were overwhelmingly against it.

## HANDLING

4. You may wish to introduce the subject by drawing on the foregoing background and summarising the considerations which led to the consensus at your meeting that proscription by the United Kingdom would not be desirable. These were that it would not affect the fight against Irish terrorism in Great Britain; and that it could well lead to widespread civil disobedience in Northern Ireland (where Sinn Fein would be likely to flout the law and invite mass arrest of their members, making capital of the fact that they had won considerable support from the minority community in the general election). Proscription would also be unhelpful in terms of United States opinion; and the leader of the Social Democratic and Labour Party, Mr John Hume, was believed to be strongly opposed to proscription because of the likely consequences for law and order in Northern Ireland. The Secretary of State for Northern Ireland (who was unable to attend your meeting on 20 December) has sent a minute which agrees with the provisional conclusion not to prosecute; it is a full minute, but you will want to ask him if he has anything to add. The Home Secretary might be invited to say whether there is a case for tightening up our own laws against incitement to violence. The Foreign and Commonwealth Secretary and the Attorney General might also be asked to comment.

## CONCLUSION

5. Subject to the discussion, you might guide the Cabinet to confirm the view that there is no case for proscribing Sinn Fein here unless the Irish Government should decide to do so; and that meanwhile the Foreign and Commonwealth Office and Northern Ireland Office should keep in touch with the Irish authorities about the progress of the Irish Government's review of legislation against incitement to violence.

RA

ROBERT ARMSTRONG

21 December 1983

Ref. A083/ 3532

PRIME MINISTER

Prime Minister.for discussion at the  
Chequers meeting.Northern Ireland

A.J.C. 21/12

After your meeting with Dr FitzGerald at Chequers at the beginning of November, you asked me to prepare a discussion paper on possible policy options in Northern Ireland for consideration by a small group of Ministers and senior officials at Chequers in January. You asked that all possible options should be explored.

2. The attached paper has been prepared in accordance with these instructions. It includes a number of possibilities which we all recognise to be politically unrealistic: they are examined solely for the sake of completeness, so that the Chequers group will have before them the full range of theoretically possible options.

3. I believe that in practice a choice lies between three possible directions for policy, all of them carrying their own risks:

- (i) towards the integration of Northern Ireland in the United Kingdom ("j'y suis, j'y reste");
- (ii) making some move towards accommodating the concerns of the minority community in Northern Ireland (and thus of the Irish Government);
- (iii) carrying on as at present, with direct rule on a provisional basis, and with the declared object of restoring devolved Government if and when there is a sufficient measure of agreement on the form that that devolved Government might take.

4. A declaration of intention to integrate Northern Ireland in the United Kingdom and maintain the union indefinitely - a "j'y suis, j'y reste" policy, discussed in paragraph 12 of the paper - would probably have to be accompanied by action in the political and security fields to reinforce the determination it would express, as well as by legislation to give effect to the administrative changes involved. It would have the merit of

being a clear statement of policy. But it would presumably alienate the minority community in Northern Ireland still further, and reinforce the will and determination of Sinn Fein and the IRA; it would be a kick in the teeth to the Irish Government; and it could cause serious difficulties with the Americans.

5. If there were to be a move towards accommodating the concerns of the minority community, that would probably have to be (despite all the difficulties) in the field of law enforcement. why? Paragraphs 22-26 of the paper discuss possibilities in this field, but they may not be the only possibilities: if that is the direction in which Ministers want to move, we shall need to look into possibilities of this kind in more detail, and perhaps more positively than we have needed to do so far. But any moves of this kind would have to be accompanied by a reassertion of the union, and preferably by some action (or at least firm declaration) south of the border to demonstrate to Unionist opinion that the Republic's territorial claim to the six counties really was in abeyance.

6. Clearly either moving "backwards" or moving "forwards" would carry considerable risks, which cannot be wholly foreseen. In those circumstances carrying on as at present - the course in effect discussed in paragraphs 4 and 5 of the paper - has to be regarded as a serious possibility. The question must be for how long it would be sustainable, in the face of the outcome of the New Ireland Forum, and of the growing influence of Sinn Fein.

7. In the Chequers discussion you will wish to see whether there is any disposition to move to a "j'y suis, j'y reste" policy. At the other pole, you will wish to consider the political case for and against a move "forwards", and to identify the area in which some such move might be made. You will wish to have the considered view of the Secretary of State for Northern Ireland on the feasibility in terms of law and order and of the effective government of the Province of simply seeking to maintain the status quo: and to ask the Foreign and Commonwealth Secretary to assess the international implications, and in particular the

likely impact on our relations with the United States (in what will be an election year) and with the Irish Republic (where expectations of movement are inevitably being raised by the proceedings of the New Ireland Forum).

8. If there is a consensus in principle at Chequers in favour of some change in our present policies, you will no doubt wish to ensure that colleagues are consulted at a fairly early stage about the direction in which the Government might move. It will also be necessary to commission further, more detailed work from officials to flesh out the preferred option or combination of options and to make recommendations on how best to proceed. This will inevitably mean some widening of the very restricted circle of people who have hitherto been involved. It will also be necessary to consider how to handle the confidential approaches about the Government's thinking which we must expect to continue to receive from the Irish in the run-up to the publication of the Forum's final report. If on the other hand Ministers decide on a policy of no change, you will wish to consider how best to present this in relation to opinion at home, in the Province, in the Irish Republic and in the United States.

9. I am sending copies of this minute, on a strictly personal basis, to the Foreign and Commonwealth Secretary, to the Secretary of State for Northern Ireland and to the officials who will be attending the Chequers meeting in January.

RA

ROBERT ARMSTRONG

20 December 1983

SECRET AND PERSONAL

NORTHERN IRELAND

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NORTHERN IRELANDI INTRODUCTIONThe British Perspective

Northern Ireland is a part of the United Kingdom. A majority of the inhabitants feel British by culture, background and attitude and are, in addition, British by expressed choice. Their institutions, administration, educational and business systems are all geared to the United Kingdom. They see the Republic as a largely alien society, culturally and psychologically of only peripheral importance to them. The economy of the Province is closely linked to that of the United Kingdom and is generally in competition with that of the Republic rather than complementary to it.

2. But the stability of the Province as part of the United Kingdom has been flawed from the beginning by the existence of a large minority which is British against its will. It is moreover a growing minority and the demographic balance is shifting in its favour. There are no exact statistics, but the indications are that the Catholics now comprise nearly 40 per cent of the population (compared with 30 per cent at the time of partition); and although any projections can only be highly speculative, this trend seems likely to continue. After 60 years, this minority remains largely unreconciled and apparently unreconcilable. Culturally, historically and psychologically it looks, as it has always looked, to the South. Politically, its representatives continue to resist assimilation into the British ethos and the representatives of the majority continue to resist any measures calculated to promote such assimilation. In the words of Conor Cruise O'Brien: "The qualification required to represent either community is that of a dependable refusal to agree with anything the other may want."

3. Britain has no major military interest in Northern Ireland except that, together with the rest of the island of Ireland, it should be denied to a potential enemy. Industrially and

U.S. Pressure  
on British to  
join N.A.T.O.



24b.  
economically Northern Ireland is of no benefit to the rest of the United Kingdom; it is at present subsidised annually from the mainland to the tune of £1.5 billion net. Britain's interests in Northern Ireland arise almost entirely from our obligations to the people of the Province; they are that violence there should be brought to an end; that its inhabitants should be able to live in peace and freedom under an administration which they can accept; and that no part of the island of Ireland should be under a regime hostile to the United Kingdom.

4. The present system of temporary but indefinite direct rule from London, which since 1982 has been aimed at achieving agreed devolution through the Assembly, enjoys the reluctant acquiescence of both communities in the Province. It has put an end to the various forms of systematised discrimination against the minority which led to the eruption of the present troubles in 1968/9, and it has succeeded in reducing violence to a containable if not to a tolerable level. If it were decided that the continuation of direct rule in its present form was the only viable course, the decision could be presented either positively or negatively. A positive presentation would emphasise that the British Government would continue to take full responsibility both for defeating terrorism and for providing the Province, as part of the United Kingdom, with fair and effective administration; and that no political or constitutional changes would be contemplated unless and until the Northern Ireland Parties could reach agreement on some alternative system. A negative presentation would emphasise the failure of the Northern Ireland Parties to reach any kind of accommodation with one another, and the unavoidably adverse consequences of this failure for the prosperity and security of the Province. It would stress that, although the British Government would continue to fulfil its commitments in accordance with Section 1 of the Northern Ireland Constitution Act 1973, it could not deliver a "solution" or an end to terrorism; and that no radical improvement in the situation could be expected until the Northern Ireland Parties were prepared to come to terms with one another. Either way there would for the time being be no British initiatives for political or constitutional change; and the risks of disturbance and of a corresponding increase in violence which any such initiatives would inevitably carry would be avoided.

5. As against this, it can be argued that even the present level of violence, with its periodic eruptions of sectarian killings, is unacceptable; that no progress is in sight towards agreed devolution - indeed the Assembly is close to collapse; and that a policy of total immobilism is impracticable, not least from the point of view of Britain's relations with the United States. Some sort of constructive British response will be needed, for example, to whatever proposals the Irish Government may put forward in the light of the New Ireland Forum's report. More fundamentally, it is questionable:

a. whether it is in the wider British interest to accept the continuing cost in British lives and to the British exchequer which is involved in operating direct rule;

b. whether the two communities in Northern Ireland can ever come to terms with one another so long as they have no participation in responsibility for governing the Province and the British are there to take the blame;

and above all

c. whether direct rule can retain its present limited effectiveness if, as seems likely, Sinn Fein continues to extend its influence over the minority at the expense of the SDLP to the point where its support exceeds that of the SDLP and constitutional nationalism in the North is eclipsed as a political force.

#### The Irish Perspective

6. The traditional and deep seated Irish view is that the Irish nation is coterminous with the island of Ireland, and that as long as Northern Ireland remains part of the United Kingdom the independence of the Irish nation remains incomplete. The territorial provisions of Mr de Valera's 1937 Irish Constitution reflect this view, which is still common ground (at least in public) across the whole political spectrum

in the South. It is a view which enjoys widespread sympathy in the United States and to a lesser extent in Western Europe outside the United Kingdom where Northern Ireland (in so far as it impinges on the public consciousness at all) tends to be seen as a colonial anachronism. Within the Republic there is, however, widespread if sometimes grudging acceptance that the unification of Ireland can be achieved only with the consent of the population of the North. There is also growing recognition (which Dr FitzGerald personally has done much to promote) that it is a long term objective and that the Gaelic/Catholic/Republican character imprinted on the Irish State by the Fianna Fail under Mr de Valera is incompatible with any prospect of attracting the North into an Ireland united by consent.

7. The present Irish Government accordingly professes to have lowered its sights on unification: Dr FitzGerald argues that the paramount objective of both the Irish and British Governments in Northern Ireland should be to bring the security situation under control; and that this can be achieved only by winning the confidence of the minority in the forces of law and order, from which it feels profoundly alienated. While no comprehensive or definitive solution to the Irish problem is in sight, limited steps should be taken towards giving the minority a focus for their "green" loyalties while at the same time finding ways of reassuring the majority about Northern Ireland's place within the United Kingdom. Dr FitzGerald also believes that unless the minority in the North can be offered some early reassurance along these lines, the local government elections in Northern Ireland in 1985 will see the collapse of the SDLP, Sinn Fein will become the political voice of nationalism in the North and the polarisation of the two communities will become irreversible. He fears that Sinn Fein will then extend its political challenge to the Republic, and violence will spread from North to South.

8. This analysis deserves to be taken seriously. There is no dispute that both minority and majority attitudes have hardened, or that the SDLP could well be replaced by Sinn Fein as the dominant party - a development which would end any

surviving hope of reconciliation between Unionist and minority politics in Northern Ireland. Even as things are, the SDLP is apparently reconsidering its demand for power sharing, in the fear that any involvement with the administration of Northern Ireland as part of the United Kingdom would be seen as inconsistent with Irish nationalism and risk losing the party further support to Sinn Fein. The Irish analysis may perhaps exaggerate the extent to which alienation of the minority community is a recent development: it has long been an intractable feature of Northern Ireland politics. Although the picture is not wholly negative (nearly 50 per cent of the intake into the Northern Ireland Civil Service, for example, is now from the Catholic community), recent developments indicate a reversion to the traditional pattern whereby Catholics in the North vote (if at all) for politicians who put more emphasis on the ideal of Irish unity than on a fair deal for Catholics in Northern Ireland. One may also question whether the "alienation" is particularly acute in law and order matters: although the RUC are still resented for the State they represent, they are better regarded personally, and respected by a wide range of minority opinion. Nor is the integrity of the judiciary seriously disputed. But the main limitation of the Irish analysis is that it focusses too exclusively on the perceptions and alienation of the minority and takes little account of comparable developments in the majority community, which is even less ready to accept concessions to the minority today than it might have been a few years ago.

9. Within the Republic, Dr FitzGerald also has ground for concern. The Republic is essentially conservative and the overwhelming majority of the population is opposed in principle to violence. Its parliamentary institutions are solidly established. But history shows that the Irish are volatile and prone to violence when their political passions are engaged: and experience over the past 15 years has repeatedly shown how readily incidents occurring - or being engineered by terrorists - in the North can inflame nationalist and

anti-British feelings in the South. Unemployment in the Republic is high, and the percentage of voters between 18 and 25 (the age group most amenable to extremism) is the highest in Western Europe. Traditional social patterns and values are being disrupted by urbanisation and new, radical parties (including Sinn Fein) are competing with the three traditional Parties for the working class vote. If the security situation in the North and the economic situation in the South were to deteriorate, and if Sinn Fein were to strengthen its position and extend its activities in the South from a secure political base in the North, the stability and institutions of the Southern Irish State could be severely tested. The consequences would be felt primarily in Ireland but could also be very unwelcome to the United Kingdom. It is against this background that Dr FitzGerald's government is hoping that the "Forum for a New Ireland", due to report at the end of January 1984, will produce a range of new proposals in the sense of paragraph 6 above which can form the basis for a dialogue with the British Government.

#### Purpose of the Paper

10. The rest of this paper examines the various ways in which the British Government might change or modify the present arrangements for the government of Northern Ireland either in response to proposals from Dublin or independently of them, and what might reasonably be sought from the Republic in return.

11. This is well trodden ground and virtually everything that might be done has been considered in one form or another over the past ten years. No attempt is made here to be exhaustive. Several theoretically possible courses of action are not examined, in the belief that their impracticability or damaging consequences are self-evident (eg enforced integration of Northern Ireland into the Republic; independent or associated status for Northern Ireland; handing the problem over to the United Nations). The remaining possibilities are examined in summary form only, and no attempt has been made to analyse all the possible variations and combinations. Equally no attempt

has been made to place them in any order of preference. The intention is to enable Ministers to identify in discussion which possibilities, or combination of possibilities, they would like explored in greater detail. The possibilities do, however, fall broadly into two groups: those directed towards consolidating or maintaining the Union (paragraphs 12-18) and those which involve some greater recognition than hitherto of "the Irish dimension" (paragraphs 19-30). In considering the second group of possibilities it should be borne in mind that they would be offered only as part of a package involving some or all of the Irish concessions summarised in Part III.

## II. THE POSSIBILITIES

### Integration into the United Kingdom

12. Northern Ireland is already an integral part of the United Kingdom. What the present Unionist advocates of integration appear to mean by the term is permanent legislation to replace the provisional direct rule arrangements; local government being organised on a similar basis to that in Britain, with the same responsibilities at each level, and operating, as in Britain, by majority vote; and some form of declaration by the British Government of commitment to a permanent union (perhaps involving repeal of Section 1 of the Northern Ireland Constitution Act 1973, with its implication that Northern Ireland could leave the United Kingdom if a majority there so voted in a border poll).

Advantages It would be welcome to some (but not all) of the majority; and it should put an end to any impression of uncertainty about the British Government's intentions for the Province (which is claimed to be a factor that has fuelled violence). Some suggest that republicans would then give up hope and settle down to making the best of Northern Ireland as part of the United Kingdom, and that there would be a corresponding decline in support for terrorism.

Disadvantages It would be unacceptable to the minority, to the Republic, and to a wide range of international opinion, probably including the United States. There would not be cross party support in the United Kingdom, so uncertainty would remain. It takes no account of the continuing shift in the demographic balance in Northern Ireland in favour of the minority. Violence could well increase. The local government powers would be liable as in the past to be used in a discriminatory fashion against the minority and would certainly be perceived as being so used. The British Government would continue to attract international odium for the situation, British lives would continue to be lost and normal relations between Dublin and London would be impossible for the foreseeable future.

#### New Local Government Structure

13. Integration into the United Kingdom (while retaining the Guarantee in its present form) might be more acceptable if Northern Ireland were divided into three local government areas of roughly equal population (Greater Belfast, North-East Ulster and The Border), with the boundaries so drawn as to give the Catholics a majority in The Border area.

Advantages It would give the Catholics a fair share of power, without power sharing arrangements as these have hitherto been understood - ie as involving co-operation between Unionists and Nationalists. It would accord with past Conservative commitments, although in a way Unionists may not have expected.

Disadvantages There would be accusations of gerrymandering and of preparing the ground for repartition. The Catholic majority in The Border area would not be large enough to enable the SDLP to govern without Sinn Fein support: Sinn Fein would thus acquire a share of control over an area which would still contain a high proportion of Protestants; and if

the SDLP's decline continued, Sinn Fein could become the controlling party in the area. At the same time large concentrations of Catholics would be under majority Unionist control, notably in West Belfast, which would therefore continue to be a seed bed for IRA terrorism. Dublin's attitude would be at best ambivalent and the British Government would be criticised for imposing an artificial and inherently unstable structure of government with the object of perpetuating British rule at least over the areas east of the Bann.

#### Devolution

14. Restoration of devolved authority to a provincial government would take account of the distinct character of Northern Ireland within the United Kingdom and help to distance Westminster from the administration and politics of the Province. A provincial government could in principle be established either on a majority rule or on a power sharing basis.

15. Majority rule devolution would fit the democratic principles applied in the United Kingdom. It would please the majority who would run such a system, whether or not the minority accepted it. But to return to Stormont 1922 (even without law and order powers) would outrage the minority and much international opinion. The devolved administration could take decisions which stimulated disorder and led to increased terrorism, leaving the police and army to cope with the consequences.

16. Power sharing devolution, which is among the possibilities envisaged in the Northern Ireland Act 1982, would require radical changes in the positions adopted by the Northern Ireland Parties. The Government could seek to accelerate this process by declaring its intention of introducing a governmental structure in which power would be shared between which ever Parties were prepared to participate. A Party which refused to participate would simply be left out. An additional



element of coercion could be a threat by the Government to curtail or freeze the present level of financial support for the Province until such time as the Parties were prepared to co-operate.

Advantages All Parties would have a strong incentive to participate: the Unionists would fear the prospect of an SDLP/Alliance administration sponsored by the British Government if they insisted on boycott. The SDLP would be given the share in power which they have hitherto demanded.

Disadvantages Devolved government without participation by representatives of the majority and against its wishes would probably be unacceptable to Parliament and lead to disorder and violence in the Province. If the SDLP have in fact reached the conclusion that power sharing is no longer compatible with their stance as a nationalist and republican party, they might refuse to participate. Even if the Parties could be coerced into a broadly based power sharing government, they would be unlikely to co-operate in providing an effective administration and intervention from London would probably be needed again before long.

#### Devolution Combined with Additional Economic Aid

17. Over the past 12 years virtually all forms of institutionalised discrimination against the minority (in such matters as housing, education and electoral boundaries) have been ended and there is little or no scope for further legislative action. Areas in which the minority continue to complain of discrimination are law enforcement (which is considered separately below (paragraphs 21-26) ); the refusal of the majority to allow them a share in any devolved government; and unemployment, which continues to fall more heavily on the Catholic than on the Protestant community. It might be possible to combine an offer of substantial economic aid (say £1 billion) to establish new industries

and create jobs in Northern Ireland with the introduction of a devolved, power sharing government. The hope would be that the prospect of having a say in allocating and administering the economic package and taking credit for the Province's economic recovery would be sufficient to persuade both communities to participate in power sharing arrangements.

Advantages Even if it failed to work, it would be seen in the Republic and abroad as a generous and constructive British move.

Disadvantages The Province is already costing the United Kingdom £1½ billion net per year. No additional economic package which the United Kingdom could afford is likely to overcome the Unionists' resistance to power sharing. Political representatives of both communities would be likely to reject the offer as a bribe. If they did not, the Province's already inordinate economic dependence on the United Kingdom would be substantially increased.

### Repartition

18. There is no way of redrawing the border which would not leave a large number of Catholics on Protestant territory and vice versa. The two communities are intermingled throughout the country; the Catholic enclave in West Belfast, which contains about 20 per cent of the Catholic population of the Province, lies in the middle of the Protestant heartland. Enforced movement of population would be impossible without the Republic's co-operation and consent (which would not be forthcoming) and would be inconsistent with Britain's human rights' obligations. It would also be contrary to the Guarantee (see paragraph 19 below). But some degree of voluntary population movement might be achievable by financial inducement, with the corollary that those who remained behind would be seen to be doing so voluntarily.

Advantages A sizeable proportion of the minority would be transferred to the Republic and the demographic balance within the residual province of Northern Ireland would be so heavily weighted in favour of the Unionists that their determination to remain within the United Kingdom would be beyond reasonable challenge. The Republic could hardly refuse to accept the territory and population offered it. Uncertainty over the future of the Province would have been removed.

Disadvantages The financial inducements would be very costly. Precisely because repartition would entrench what was left of Northern Ireland more firmly than ever in the United Kingdom, it would be fiercely resented by all shades of opinion in the Republic which would see it as intended to make the unification of Ireland impossible. There would be widespread international criticism not least in the United States. The Catholics remaining in the North would be more alienated than ever, and would provide backing for continued (and probably intensified) terrorism. Relations between London and Dublin would be severely damaged and the Irish Government would be likely to discontinue cross-border security co-operation. It would also be strongly opposed by the Unionists, who would see it as an unacceptable surrender of population and territory threatening the continued viability of the Province. Despite its attractions, therefore, repartition must be judged liable to exacerbate all the existing resentments without decisively solving any of the existing difficulties.

#### Qualifying "The Guarantee"

19. The British "Guarantee" that Northern Ireland will not cease to be part of the United Kingdom without the consent of the majority of its inhabitants dates back to 1949. In its

present form it is embodied in Section 1 of the Northern Ireland Constitution Act 1973, which states that -

"..... in no event will Northern Ireland or any part of it cease to be part of Her Majesty's dominions and of the United Kingdom without the consent of the majority of the people of Northern Ireland voting in a poll held for the purposes of this section in accordance with Schedule 1 to this Act".

No British Government could abandon this guarantee, or imply that it would be prepared to try to coerce the Northern majority into the South. But it would be possible to add a rider to the effect that the British Government favoured a United Ireland as an eventual solution to the problem, subject to the wishes of the population; and that it was prepared to co-operate with the Government of the Republic in seeking to create a climate in which progress in that direction could be made. (This is essentially the position adopted in the Labour Party's 1983 Election Manifesto.)

Advantages It would be welcome to the Republic and meet with widespread international approval. It would give a fillip to the SDLP and might be used as a bargaining counter to secure their participation in the political institutions of the Province. It would be a blow to Unionist self-confidence and would help to focus the minds of reasonable Unionists on the need to come to terms with Irish nationalism.

Disadvantages It would be criticised at home (especially within the Conservative Party) as a betrayal of the Unionist majority and a concession to terrorist pressure, and would be interpreted by all Parties in Northern Ireland as a sign of weakness. It could therefore encourage the IRA to step up the level of violence in the belief that it was winning the fight, while at the same time prompt the Loyalists to be more intransigent than ever, and to use violence as a means of

demonstrating their determination not to be absorbed into the Republic. In time it might also lead to international and domestic pressure on the British Government to act on its declared preference and introduce measures to promote unification.

#### Shared Sovereignty

20. The indications are that "Joint Sovereignty" - or a range of measures which would constitute a significant move in that direction - will be among the proposals emerging from the New Ireland Forum (although Dr FitzGerald told the press after the November Summit at Chequers that he did not know what joint sovereignty meant). There are no precedents for condominium or joint sovereignty among developed nations (except Andorra). In Northern Ireland, the exercise of authority by the British and Irish Governments jointly and on an equal basis would be a recipe for disagreement and confusion. But it appears that the present Irish Government is ready to claim significantly less than an equal share of authority in the Province. What they seem to be looking for is some degree of visible influence over the affairs of the minority, leaving the position of the Province as part of the United Kingdom and the majority's links with Britain not merely untouched but expressly acknowledged.

21. On this basis, it might be possible to devise a sovereignty sharing formula which could be presented as consistent with Section 1 of the 1973 Act (and even linked to it): in return for the Republic's endorsing the Guarantee by constitutional amendment, the Dublin Government could be allowed a degree of influence in the Province related to the size of the nationalist vote in a border poll - say one third. To express this in institutional terms would be difficult; but one possibility might be an Irish Commissioner in Belfast who would have the right to be consulted by direct rule Ministers and to make nominations (from Northern Ireland residents) to one third of appointments

to public bodies, including the Police Authority and the Judiciary. Alternatively, these matters might be handled through a strengthened version of the Anglo-Irish Intergovernmental Council.

Advantages It would appear fair and should be welcomed by Dublin and international opinion. It would oblige the Irish Government to carry its share of responsibility for the measures needed to ensure security and good administration in the Province while at the same time leaving the power of final decision with the British Government, protecting the position of the majority and securing explicit Irish acceptance of Northern Ireland as part of the United Kingdom. It would not be dependent on the agreement of local politicians in the Province.

Disadvantages It would be seen by all Parties in Province as a major step along the road to unification and hence as a sign of British weakness. It might therefore lead to heightened violence from both sides. There would inevitably be disagreements between the British and Irish Governments, and the exercise of the Irish Commissioner's powers would be a continual source of potential friction. In the short term at least Unionist opposition to power sharing would probably harden still further because of fears of a complete nationalist take over. Although the minority might be happy to regard a Dublin Commissioner as representing them, there would be no democratic basis for his authority.

#### Irish Involvement in Law Enforcement

22. The Irish ideas for ending what they see as the alienation of the minority from the forces of law and order in the North appear to have focussed so far on two possibilities: Garda policing Catholic areas of the North

under the Irish flag, and associating Irish judges in some way with the judicial processes in the North. (Dr FitzGerald is a long standing advocate of an all Ireland police force and all Ireland courts.)

23. Joint Policing Enhanced co-operation between the Garda and the RUC would be welcome. There is scope for some dozens of Garda officers to operate in Northern Ireland in conjunction with the RUC, eg as liaison officers down to sub-divisional level, in such activities as community relations and traffic control, and possibly in some routine station duties. If these arrangements proved beneficial, it might be possible to go a step further and attach a few Garda to the Divisional Mobile Special Units (DMSUs) which conduct a wide range of police duties chiefly in the border areas, and which are primarily directed against terrorism. A further development along these lines would be the establishment of a joint operational area - possibly extending the whole length of the border to a specified depth on either side - in which there would be joint planning and control of anti-terrorist operations and officers of either force could operate on the territory of the other. But although these moves might be advantageous from the United Kingdom's point of view, it is difficult to see what attractions they could have for the Irish. The appearance of a few Garda uniforms in Belfast Police Stations would not be enough to impart any Irish identity to law enforcement in Catholic areas; while joint operational arrangements along the border would expose the Irish Government to charges of collusion with the British security authorities in the North (and allowing British security forces on to the territory of the Republic) without bringing Dublin any commensurate political gains. Handing over the policing of whole Catholic areas of the North to Garda answerable to their own commanders and not to the RUC or the British Government would appear to present insuperable difficulties as regards both the law which was to be applied

and the arrangements for command and control. Quite apart from the implications for sovereignty, this would be a recipe for confusion and increased violence.

24. Dr FitzGerald suggested in December 1981 a more radical approach: an all Ireland policing system "under whatever umbrella of authority may be most effective for this purpose". He linked it to the idea of an all Ireland judicial system (see paragraphs 25-26 below) and presumably had in mind a single police force formed from the RUC and Garda under joint control. Dr FitzGerald clearly had not thought through what "umbrella of authority" would be needed. But it would be possible to envisage a single all Ireland police authority appointed by the two governments supervising a single force covering the whole island. While most of the Garda and RUC components would stay in their present locations, the fact that they were a single force should mean that specialists dealing with terrorism could move freely throughout the island.

Advantages A unified command, communications and intelligence structure could mean that anti-terrorist action was more smoothly and more efficiently directed and executed. The all Ireland aspect would be attractive to nationalists. It would be possible by cross-posting to meet the nationalist wish to have their enclaves policed by their own kind.

Disadvantages A single force operating in the two countries would not only be difficult to reconcile with the sovereignty of each, but would raise formidable problems of control and accountability. Unless the criminal law and judicial systems were also re-established on an all Ireland basis, the all Ireland police force would have to operate in two different legal environments. Problems would arise from the many differences between the Garda and the RUC (the Garda is an unsophisticated force,



in principle unarmed: the RUC is an armed force, in many respects highly sophisticated. The Garda is traditionally under political control while the RUC is independent. Both forces would resent and resist integration and extensive cross-postings.) Unionists would be intensely suspicious of the political implications and argue they affected sovereignty. The prospect of Northerners policing southern towns would be unwelcome in the South.

#### All Ireland Judicial Arrangements

25. This is another long standing idea of Dr FitzGerald's. Hitherto such examination as has been given to the possibilities under this heading has been solely from the point of view of whether they would help to deal with fugitive offenders (ie cases where the offence has been committed in one jurisdiction and the suspect arrested in another). The British/Irish joint Law Enforcement Commission, which was set up after Sunningdale specifically to examine ways of dealing with the problem of fugitive offenders and reported to the two governments in April 1974, saw a number of legal and procedural objections to mixed courts. It looked only cursorily at the idea of an all Ireland court to be based on the creation of a special unified code of substantive law and legal procedure to deal with politically motivated crimes of violence: but it did not examine the implications in any detail.

26. The purpose of introducing either mixed courts or an all Ireland court today would be as much political as practical - eg as a major element in any package designed to go some way towards meeting Irish concerns (on a reciprocal basis) short of full joint sovereignty. An all Ireland court, linked with new efforts to bring the Irish and Northern Irish criminal law more closely into line, would be a dramatic step towards meeting nationalist aspirations. But careful study would be needed (in which

the advice of the Northern Ireland judiciary would probably have to be sought) in order to formulate viable proposals.

Advantages The Republic, and nationalist opinion in the North, would welcome recognition of the Irish dimension in such a key area. The association of Irish judges with the judicial process in Northern Ireland (which would be balanced by the involvement of Northern judges in the South) would be a powerful answer to criticisms of trial without juries and verdicts based on evidence provided by informers.

Disadvantages There would be fierce opposition from the Unionists; the judicial function is close to the centre of sovereignty. There is no practical requirement for all Ireland judicial arrangements outside the very limited area of fugitive offenders (where recent Irish courts' decisions appear to have gone a long way towards making our preferred solution of extradition possible). The influence of Irish judges (and possibly through them the Irish Government) on judicial procedures could make convictions more difficult.

#### A Parliamentary Tier to the AIIC

27. Her Majesty's Government have hitherto resisted such Irish pressure as there has been for a parliamentary tier, accepting that it would in principle be a natural development at an appropriate moment but arguing that it is for the two national parliaments (and perhaps the Northern Ireland Assembly) to decide whether to take the idea forward. The Irish position was formulated in the Joint Studies of 1981. They advocated a parliamentary committee which could be consulted by the two governments on the whole range of matters covered by the AIIC, could advise the AIIC and review its work and the work of ancillary bodies. They

proposed that its membership could be drawn not only from the House of Commons and the Dail but also the European Parliament, the House of Lords and the Irish Senate. They suggested that a significant component of the committee should be drawn from representatives of Northern Ireland in proportion to the relative sizes of the different parts of the community. They implied that these representatives could be drawn from an elected assembly (the Northern Ireland Assembly had not yet then been established).

28. The political significance of such a body would depend on the way in which the two governments undertook to treat its advice; the extent to which its responsibilities were directed to Northern Ireland (in particular whether it reviewed Northern Ireland legislation and advised on security and budgetary questions); whether any issues were excluded from its consideration; the administrative support given it and its size and frequency of meeting.

29. The composition of any parliamentary tier would be a crucial issue. It would be desirable to ensure that the body was reasonably balanced between likely supporters of nationalist and unionist opinion. Given the nationalist sympathies of the Opposition in the House of Commons, the likelihood that the Irish would not wish to field a smaller team than the United Kingdom, and the strong likelihood of an Ulster Unionist boycott, this would be difficult to arrange. A Northern Ireland component would be necessary in the interests of balance, but the Unionists would almost certainly refuse to participate. (Although they would strenuously object to a parliamentary tier, if one were set up they would no doubt expect provision to be made for their participation - if only in order to enable them to boycott it.)

Advantages It would offer an Irish dimension to the minority without limiting United Kingdom sovereignty. It might provide a bridge for the SDLP to enter the Assembly. It might produce some valuable new ideas and challenge old ones. It should be acceptable to the Opposition at Westminster.

Disadvantages It would involve conceding to the Irish a right of consultation over the affairs of Northern Ireland. It would be perceived by Unionists as a step towards more substantial powers, and it is unlikely that Unionists would take part unless there were considerable countervailing advantages for them. Having no powers it could prove irresponsible. It could make recommendations which were awkward for Her Majesty's Government to handle. It could generate pressure for further development.

#### Dual Citizenship

30. Often mooted but apparently meaningless. Anyone born in Northern Ireland is already regarded by the Republic as an Irish citizen and is entitled to an Irish passport. Members of the majority have no interest in Irish citizenship and most citizens of the Republic have no interest in British citizenship.

#### Unilateral Withdrawal of British Forces

31. Although this would seem to come into the category of courses of action whose impracticability is self-evident, it perhaps merits a brief analysis: in principle, the idea of simply pulling the troops out of Northern Ireland and thus obliging the two communities to come to terms with one another without further British interference has attractions. In practice, however, this course could be implemented only in conjunction with some form of political settlement which transferred responsibility for the Province elsewhere. As long as the British Government retains ultimate responsibility for Northern Ireland, the Secretary of State must have at his

disposal the security forces he needs to enable him to exercise the British Government's authority there. (The same objection would rule out any policy of reducing British forces in the Province below the level which the GOC and the Chief Constable judge necessary in order to maintain a reasonable degree of law and order.) If Britain were to withdraw its troops, the only viable sources of alternative authority would be either the government in Dublin or a majority rule - ie Protestant dominated - government at Stormont. Transfer of responsibility to Dublin against the wishes of the majority community in the Province would be impossible both politically and practically. Different but equally self-evident objections apply to the establishment of an independent Protestant-dominated state in the North.

### III PRICE TO BE PAID BY THE REPUBLIC

32. A number of the foregoing possibilities would involve action or participation by the Irish Government. In addition, some or all of the following concessions could be required from Dublin as part of an eventual package, depending on the extent to which it was judged to meet Irish concerns.

- a. Solemn declaration of intent by the Irish Government to respect the Union combined with assurances to the majority as might be appropriate.
- b. Pressure on the SDLP to participate fully in the political process in Northern Ireland.
- c. Referendum to modify or remove the territorial provisions of the Constitution.
- d. Acceptance (in principle or even in practice) of police/security forces from the North operating in part of the South.

IV HANDLING

33. The shape of further discussions, if any, with the Irish and the United Kingdom's public response to the report of the Forum, will depend on whether the Government is prepared to contemplate any of the radical policy options discussed above. A round of confidential exploratory talks with the Irish would probably be desirable in order to establish whether or not there are the makings of a package; but protracted secret discussions with them would be both dangerous and unsatisfactory, given the risk of leaks and the Irish tendency to shift position. Any substantial movement may need to be developed at some kind of conference. The Dublin Forum itself illustrates the impact which process rather than substance can make. It has the advantage of being the first such conference of Republican groups. The United Kingdom has been round the course of conference, convention and assembly so often as to leave less scope for establishing a consultative process which stands much chance of achieving constructive results; but an all party conference (to which the Northern Ireland Parties would probably have to be invited even if they chose to boycott it) might at least help to prepare public and parliamentary opinion for changes.

15 December 1983

CONFIDENTIAL

Ref. A083/3525

MR COLLES ✓

Paragraph 1 turned out to  
be inaccurate.

A.J.C. 24/12

p.a.

Sinn Fein: Proscription

Mr Nally rang up at 2.35 pm this afternoon to say that the Irish Cabinet had reached no decision, and no statement would be made today. In response to my question, he said that the discussion was likely to be resumed tomorrow.

2. I said, as instructed, that, while we should no doubt want to think about proscribing the Sinn Fein if the Irish Government decided to do so in the Republic, in the absence of that decision in Ireland we should be very reluctant to move ourselves.

Mr Nally took note of this. He said that in its discussion the Irish Government had become conscious of the disadvantages, and there was evident disinclination to move to proscription.

3. I said that it was possible that the Prime Minister might be questioned on the subject in the House of Commons this afternoon. Her answers would be very unlikely to create an impression that the Government were minded to proscribe Sinn Fein.

4. I made it clear to Mr Nally that he was at liberty to report to the Taoiseach what I said about the British Government's attitude.

5. I am sending copies of this minute to the Private Secretaries to the Foreign and Commonwealth Secretary, the Home Secretary, the Secretary of State for Northern Ireland, the Leader of the House and the Chief Whip.

RA

ROBERT ARMSTRONG

20 December 1983

CONFIDENTIAL

SUBJECT.

**CONFIDENTIAL**

cc MASTER

Note of a meeting held at 10 Downing Street  
on Tuesday 20 December 1983 at 12 noon

Present

The Rt Hon Margaret Thatcher MP	Prime Minister
The Rt Hon Sir Geoffrey Howe QC MP	Secretary of State for Foreign and Commonwealth Affairs
The Rt Hon Leon Brittan QC MP	Secretary of State for the Home Department
The Rt Hon John Biffen MP	Lord Privy Seal
The Rt Hon Sir Michael Havers QC MP	Attorney General
The Rt Hon John Wakeham MP	Parliamentary Secretary, Treasury
Mr A J E Brennan	Northern Ireland Office
Secretariat: Sir Robert Armstrong Mr A D S Goodall Mr R L L Facer	

Possible Proscription of Sinn Fein

The meeting had before them the letter from the Private Secretary to the Home Secretary to the Private Secretary to the Prime Minister dated 19 December covering a note by officials setting out the powers to proscribe organisations under legislation relating to Great Britain and Northern Ireland.

THE PRIME MINISTER said that she had held a discussion with the Home Secretary, the Secretary of State for Northern Ireland and other Ministers the previous afternoon to discuss the possibility of proscribing Sinn Fein in the event of the Irish Government deciding to proscribe Sinn Fein in the Republic. The meeting had taken the view that this could put the Government in a difficult position.

In discussion the point was made that the decisive factor governing a decision whether or not to proscribe Sinn Fein would be the effect on the situation in Northern Ireland. It would not affect the fight against Irish terrorism in Great Britain. There was a considerable risk that proscription would lead to widespread civil disobedience in Northern Ireland. Sinn Fein would be likely to flout the law and invite mass arrest of their members, rather than disband their organisation and re-form under another name. They would make capital of the fact that they had won considerable support from the minority community in the General Election. Proscription might

**CONFIDENTIAL**



**CONFIDENTIAL**

also be unhelpful in terms of United States opinion. On the other hand, the argument for allowing Sinn Fein to continue as a political party on the grounds that it provided a political focus for Irish nationalism in Northern Ireland was a weak one. It was important not to be seen simply to follow whatever the Irish Government decided: if, therefore, the decision were that Sinn Fein should be proscribed in the United Kingdom, if the Irish decided to proscribe it in the Republic, this pointed to an announcement being made virtually simultaneously in London and Dublin. Certain Irish Ministers were believed to take the view that Sinn Fein should be proscribed in both countries or not at all. The leader of the Social Democratic and Labour Party, Mr John Hume, was believed to have told the Taoiseach that he was not in favour of proscription because of the likely consequences for law and order in Northern Ireland. There was at present no widespread call for proscription among Government supporters in Parliament. Proscription would not by itself affect the position of Sinn Fein's Member of Parliament, Mr Adams. If, however, he were to commit an offence by engaging in activities attributed to Sinn Fein after proscription and if he were sentenced to more than 12 months imprisonment he would be disqualified from membership of Parliament and could not stand again.

THE PRIME MINISTER, summing up the discussion, said that there was no case for proscribing Sinn Fein unless either the Irish Government decided to do so or further major acts of terrorism occurred in Great Britain or Northern Ireland. The Secretary to the Irish Government, Mr Nally, had undertaken to inform the Secretary of the Cabinet of the outcome of the Irish Cabinet's consideration of the question that day. If Mr Nally reported that the Irish Government had not taken a firm decision, the Secretary of the Cabinet should tell him that the British Government would be very reluctant to take the step of proscribing Sinn Fein. If questioned in the House of Commons that afternoon she would say that as at present advised proscription would not be the Government's intention. The question should be brought before the Cabinet on 22 December.

The Meeting -

1. Took note with approval of the Prime Minister's summing up of their discussion.

**CONFIDENTIAL**

**CONFIDENTIAL**

2. Instructed the Secretary of the Cabinet:-
  - (a) to speak to the Secretary to the Irish Government on the lines indicated by the Prime Minister
  - (b) to place the matter on the agenda of the Cabinet on 22 December.

Cabinet Office

21 December 1983

Circulated to those present plus  
the Secretary of State for Northern Ireland

**CONFIDENTIAL**

(Kerum)  
Sihema  
Pt. 14



SECRET

SUBJECT

File



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of master

10 DOWNING STREET

From the Private Secretary

19 December 1983

HARRODS BOMBING: POSSIBLE BANNING OF  
SINN FEIN

The Prime Minister held an informal meeting at 1230 today at which preliminary consideration was given to the question whether, in the wake of the Harrods bombing on 17 December, it would be right to proscribe Sinn Fein.

The meeting was attended by your Secretary of State, the Home Secretary, the Chief Whip, the Lord Privy Seal, Mr. Gummer and Sir Antony Acland.

The provisional and tentative view was reached that, if the Irish Cabinet decided at their meeting to proscribe Sinn Fein in the Republic, it would be necessary for the British Government to take corresponding action. A further Ministerial meeting to determine the Government's attitude will be held on 20 December (arrangements are being made separately). Meanwhile, it was decided that it would be wrong for us to try to influence in any way the decision of the Irish Cabinet - and I have asked the Foreign and Commonwealth Office to make plain to H.M. Ambassador in Dublin that that is the view of Ministers. Mr. Goodison is also being asked to report urgently on the likely timing of the Irish Cabinet meeting.

It was agreed that your Secretary of State would carry out such consultations as he wished today on this matter (Mr. Prior said that he might wish to have an informal word with Mr. Barry) and would report his further thinking to the Prime Minister by telephone later today. It would then be for consideration whether Mr. Prior should return to London to attend tomorrow morning's meeting of Ministers.

I am copying this letter to Peter Ricketts (Foreign and Commonwealth Office), Hugh Taylor (Home Office) David Heyhoe (Lord Privy Seal's Office), Murdo Maclean (Chief Whip's Office) and Richard Hatfield (Cabinet Office).

John Lyon Esq  
Northern Ireland Office SECRET

AJC

NR

Ref. A083/3517

PRIME MINISTER

---

c Sir Robert Armstrong

Possible Banning of Sinn Fein

You are having a Ministerial meeting at 11.45 am tomorrow, 20 December, to determine the Government's attitude to the possible proscription of Sinn Fein.

BACKGROUND

2. At an informal meeting of Ministers today the provisional and tentative view was reached that, if the Irish Cabinet decided to proscribe Sinn Fein in the Republic, it would be necessary for the British Government to take corresponding action. The Irish Cabinet is meeting to consider the question at 11.00 am on 20 December and is unlikely to reach a decision until the early afternoon. Irish officials have undertaken to inform us as soon as the decision has been taken. HM Embassy at Dublin believes that Irish Ministers will be considering four possible options:

- a. proscription;
- b. tightening up on incitement (which apparently means increasing the penalties for sedition under the Offences Against the State Act 1939);
- c. imposing a state of emergency under the Emergency Powers Act 1976 (which would permit suspected persons to be arrested and held without charge for seven days);
- d. remitting the question for further consideration, either by a committee appointed for the purpose or in consultations with the main opposition party, Fianna Fail.

Irish officials cannot predict the outcome, but think that the choice is most likely to lie between a. and b.

3. Northern Ireland Office officials do not know whether the Secretary of State for Northern Ireland will wish to minute his colleagues in advance of tomorrow's meeting or will prefer to give

his views orally at the meeting. The Home Secretary is circulating a note by officials summarising the legal powers to proscribe which are available in Great Britain and in Northern Ireland.

## HANDLING

4. Since the Irish Government's decision will not be known when the meeting takes place, it will be necessary to tackle the question hypothetically. You might begin by confirming that the consensus is against proscription by the British Government in the event that the Irish Government decides not to proscribe. You might ask the Secretary of State for Northern Ireland and the Home Secretary whether there is any corresponding action to be taken here if the Irish limit themselves to strengthening the penalties against incitement. (The view of officials is that the Government already has sufficient powers to deal with incitement, and that no further action in this area would be either necessary or appropriate.)

5. The main question to be addressed is what to do if the Irish Government does decide on proscription. You will wish to ask the Secretary of State for Northern Ireland to give his views; the Home Secretary and other colleagues should then be invited to comment. The points to be covered in discussion include:

a. could there be any question of banning Sinn Fein in Northern Ireland but not in Great Britain? (This is legally practicable; but there would seem to be little sense in banning an organisation in Northern Ireland in consequence of a crime committed in Great Britain, especially since the effect could be to encourage Sinn Fein to leave Northern Ireland and establish itself on the mainland.)

b. what is likely to be the impact of failing to follow the Irish example (i) on domestic opinion (which will presumably expect the British Government to be at least as severe on Sinn Fein as the Irish Government); and (ii) on Anglo-Irish relations (where there might be accusations that the British were "soft" on Sinn Fein and still harboured hopes of doing a deal with them)?

c. what would be the positive advantages of banning Sinn Fein? Would the disruptive effects on its activities be significant? Within Northern Ireland, would it help the SDLP to strengthen its position with the minority at Sinn Fein's expense? Would it hamper Sinn Fein's efforts to attract financial and other support in the United States?

d. what would be the negative consequences of banning Sinn Fein? Would it be seen as our overreaction to a single - admittedly horrendous - incident for which there are not only precedents in Great Britain but more especially in Northern Ireland? As far as is known, there is no precedent for banning a party which has elected representation at Westminster. What would be Gerry Adams' legal position as an MP if his party were proscribed? If he chose to challenge the Government's decision, go to jail and embark on a hunger strike, what would be the political consequences in Northern Ireland and in the Republic? What would be the longer term consequences for a political settlement in the province of banning a party which has significant electoral support? Would the minority be even less inclined than at present to pursue its interests by constitutional, non-violent means?

e. what would be the practicalities of imposing a ban? (The Attorney General should advise on this.)

f. Timing. How soon after the Irish Government's decision became known should a British ban be imposed? Should there be further consultations with the Irish Government on this point?

g. Are there alternative measures which could be taken against Sinn Fein without going as far as proscription - eg exclusion orders against leading members which would keep them out of Great Britain?



## CONCLUSION

6. This is primarily a question for political judgment. But you will wish, in the light of the discussion, to weigh the short term considerations (which may well be thought to favour following suit if the Irish decide to proscribe) against the long term consequences, which are much more uncertain and could well be negative.

*h.*

*P.A.* D S GOODALL

19 December 1983



From: THE PRIVATE SECRETARY



HOME OFFICE  
QUEEN ANNE'S GATE  
LONDON SW1H 9AT

19 December 1983

DEAR JOHN,

POSSIBLE PROSCRIPTION OF SINN FEIN

Following the Home Secretary's meeting with the Prime Minister this afternoon after his statement in the House, he has asked me to circulate the attached note by officials setting out the powers to proscribe under legislation relating to Great Britain and Northern Ireland, to assist the Ministerial discussions at 11.45 a.m. tomorrow.

..... I am copying this letter and enclosure to Peter Ricketts (Foreign & Commonwealth Office), John Lyon (Northern Ireland Office), David Hayhoe (Lord Privy Seal's Office), Henry Steele (Law Officers' Department), Murdo Maclean (Chief Whip's Office) and Richard Hatfield (Cabinet Office).

Yours BVW,  
H. H. Taylor

H. H. TAYLOR

John Coles, Esq.

## POSSIBLE PROSCRIPTION OF SINN FEIN

## POWERS TO PROSCRIBE: NOTE BY OFFICIALS

The Prevention of Terrorism (Temporary Provisions) Act 1976 gives the Secretary of State power to proscribe, in Great Britain, "Any organisation which appears to him to be concerned in terrorism occurring in the United Kingdom and connected with Northern Ireland affairs, or in promoting or encouraging it". The IRA is proscribed under this Act as it was under its predecessor, the 1974 Act. The Irish National Liberation Army was proscribed in July 1979 following the assassination of Airey Neave.

2. The Northern Ireland (Emergency Provisions) Act 1978 (section 21) gives similar powers to the Secretary of State for Northern Ireland, in respect of the Province. The following organisations are currently proscribed in Northern Ireland: Irish Republican Army; Irish National Liberation Army; Cumann na h'Bhan; Fianna na h'Eirann; The Red Hand Commando; Saor Eire; Ulster Freedom Fighters and Ulster Volunteer Force.

3. Under both Acts it is an offence to belong or to profess to belong to a proscribed organisation, to seek or knowingly to give money or other resources to it, to support or invite people to support it, or to be involved in the organisation of its meetings. On summary conviction for membership under either Act a person is liable to imprisonment of not more than six months or a fine. On conviction on indictment the penalties are imprisonment of not more than five years (Great Britain)/10 years (Northern Ireland) or an unlimited fine, or both. The courts may also order the forfeiture of money or other property.

4. The IRA has been proscribed in Northern Ireland since its inception. Sinn Fein was also proscribed, and after direct rule the Northern Ireland (Emergency Provisions) Act 1973 continued this proscription. It was lifted on 23 May, 1974 in order to allow that wing of the Republican movement to participate in constitutional political affairs and to wean it away from terrorism. (The Ulster Volunteer Force was also deproscribed in 1974, but the proscription was reimposed the following year because it had clearly continued to participate in terrorist activity).

5. Sinn Fein has never been proscribed in Great Britain. The view has been so far that it has not yet gone beyond the expression of views, however repugnant, and that the proscription provisions are not intended to inhibit political discussion. (A similar view has been taken in respect of the Irish Republican Socialist Party, the political "counterpart" of INLA).

6. The Secretary of State may add to the list of organisations already proscribed by order made by Statutory Instrument. The order is subject to the affirmative resolution procedure (i.e. a 90 minute debate after 10 o'clock) unless the Secretary of State declares that, by reasons of urgency, it must be made without having been so approved. Where the urgency procedure applies, the order must be laid before Parliament after being made and ceases to have effect unless it has been approved within 40 days (excluding any period of dissolution, prorogation or adjournment of both Houses for more than four days). The procedure for proscribing an organisation in Northern Ireland, under the Northern Ireland (Emergency Provisions) Act 1978 is the same.

7. No proscriptions other than those mentioned above have been made, and there is no other power in any other legislation to proscribe organisations or individuals.

8. Under section 1(6) of the 1976 Act, a person is not guilty of an offence by reason only of his membership of an organisation before it was proscribed. There is a similar provision in section 21(7) of the 1978 Act for Northern Ireland. This means that a member of Sinn Fein would have to engage in its activities after proscription in order to be charged with an offence.

F E R Butler Esq



CABINET OFFICE

With the compliments of  
Sir Robert Armstrong GCB CVO

*Secretary of the Cabinet*

*and Head of the*

*Home Civil Service*

70 Whitehall, London SW1A 2AS

Telephone 01-233 8319



NBPM

70 WHITEHALL, LONDON SW1A 2AS

01-233 8319

*From the Secretary of the Cabinet and Head of the Home Civil Service*

Sir Robert Armstrong GCB CVO

Ref. A083/3488

16 December 1983

Mr Enoch Powell has now replied to the letter I sent him on 14 November.

--- I attach a copy of his reply herewith.

I was at first tempted to send a further reply, pointing out that the whole point of my earlier letter was that I did not accept that civil servants had been "airing views and floating ideas" which were different from those of their Ministers. But on reflection I think that there is not much point in pursuing the correspondence, and if you agree I propose to let it rest without a further reply.

I am sending copies of this letter and Mr Powell's letter to Antony Acland and Michael Kerry.

**ROBERT ARMSTRONG**

Sir Philip Woodfield KCB CBE

*with pp 72*



From: The Rt. Hon. J. ENOCH POWELL, M.B.E., M.P.,

House of Commons,  
London, S.W.1.

CABINET OFFICE  
A 9870  
29 NOV 1983  
FILING INSTRUCTIONS  
FILE No. ....

28th November 1983

*c Mr Goodall*

*Dear Sir Robert,*

Thank you for your personal letter of 14th November under reference A083/3233.

I may have caused the misapprehension which underlies your second paragraph when I spoke in my speech of 28th October of the "embarrassingly candid conversations which the Secretary of State pretends still to believe never took place". I assumed this would be understood to mean that he continued to deny not that any conversations took place at all, but that the conversations took place as recorded by Mr Sloan.

As regards Mr Goodall, I can only say, on the point of fact, that "others who were present have confirmed to me" that he did make the remark I attributed to him or words to that effect. Nor do I find that surprising, since the effect of the remark accords with so much other evidence which has recently become public on U.K. policy objectives in relation to the Irish Republic and Ulster.

As regards the matter of confidentiality, I do not consider it in the public interest that civil servants should be free under the seal of confidence to air views and float ideas which either differ from those of their ministers or which their ministers would not publicly avow. Least of all do I approve of this in the presence of members of other governments.

I am of course under no illusion as to the seriousness of the step which a senior Privy Councillor takes in publicly quoting views and statements attributed to named civil servants. I would not have taken it unless I believed that by doing so I might help to prevent courses of action which I regard as calculated to betray the national interest.

*Yours sincerely,  
J. Enoch Powell*

Sir Robert Armstrong, GCB, CVO,  
Cabinet Office,  
70 Whitehall,  
London, S.W.1.



The National Archives

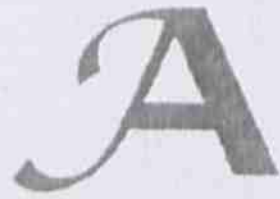
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Extract/Item details:  <i>Telegram 165 dated 16/12/1983</i>  <i>Paper extracted and temporarily retained under Section 3(4) pending completion of review</i>	
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Extract/Item details:  <i>Minute Cole to PM dated 16/12/1983 &amp; attachment</i>  <i>Paper extracted and temporarily retained under</i> <i>Section 3(4) pending completion of review</i>	
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Extract/Item details:  <i>Letter Bone to Coles dated 16/12/83 x attachment</i>  <i>Paper extracted and temporarily retained under Section 3(4) pending completion of review</i>	
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SECRET AND PERSONAL

FCSE SH



18

10 DOWNING STREET

*From the Private Secretary*

MR. GOODALL  
Cabinet Office

Northern Ireland

Thank you for your minute of 14 December about the proposed Chequers discussion.

The Prime Minister is content with the participation which you suggest. In order to avoid circulating papers unnecessarily on this matter, I wonder if I might leave it to you, in the course of your normal contacts with the Departments concerned, to invite those whom you list. Perhaps you could then kindly confirm later that all will be free to come.

BT

A. J. COLES

15 December, 1983

SECRET AND PERSONAL

gc

Ref: B06922

MR COLLES

c Sir Robert Armstrong

Northern Ireland

Sir Robert Armstrong will shortly be putting to the Prime Minister the paper on Northern Ireland she commissioned after the Anglo-Irish Summit at the beginning of November with a view to discussion by a small group of Ministers and officials at Chequers in January. I understand that the Chequers meeting has now been fixed for Wednesday, 4 January, and that you have asked for advice on participation.

2. I have consulted Sir Robert Armstrong about this. We assume that the Prime Minister will wish to keep consideration of this subject, at least for the moment, to the very restricted circle of people which has been privy to the post-Summit exercise. On this basis attendance at Chequers on 4 January should be -

- ✓ the Foreign and Commonwealth Secretary
- ✓ the Secretary of State for Northern Ireland
- ✓ Sir Robert Armstrong
- ✓ Sir Antony Acland (or Sir Julian Bullard)
- ✓ Mr Alan Goodison (HM Ambassador, Dublin)
- ✓ Sir Philip Woodfield
- ✓ Mr Robert Andrew
- ✓ and myself.

5. If Ministers decide at Chequers to pursue the possibility of some policy change towards Northern Ireland, it will certainly be necessary at that point to widen the circle involved. But unless and until such a decision is taken it seems sensible to keep knowledge of the exercise to a minimum.

*Doris Goodall*

14 December 1983

A D S GOODALL

Prime Minister.

17

Content with (a) date

(b) participation?

*Yes*

A.D.C. 14/12

J. COLES.  
No. 10.



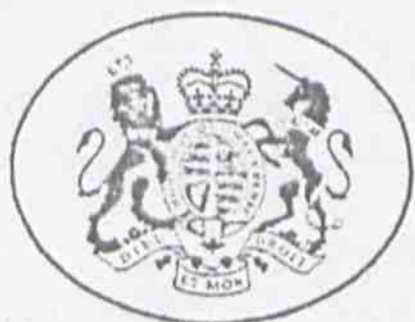
*With the compliments of*

**THE PRIVATE SECRETARY**

Roger Gore.

**FOREIGN AND COMMONWEALTH OFFICE**

**SW1A 2AH**



BRITISH EMBASSY,  
DUBLIN.

13 December 1983

THE IRISH QUESTION: FIRST IMPRESSIONS FROM THE REPUBLIC  
OF IRELAND

SUMMARY

1. HM Ambassador offers an impressionistic account of attitudes in the Irish Republic towards Northern Ireland and of the possible recommendations of the Forum for a New Ireland (paragraphs 1 and 2).
2. Many in the South want to have nothing to do with the North. In a recent public opinion survey 64% said unity would not take place within fifty years, if at all. But there is a basic nationalism which is easily aroused. The nationalist myths place all the responsibility on Britain. The Taoiseach designed the Forum for a New Ireland to reduce belief in these myths, but though it will re-examine them it will not repudiate them entirely (paragraphs 3-10).
3. The Unionist position is not generally understood. The Northern Catholics are seen as victims and the consequent tensions are seen as bound to lead to violence. This means a public tolerance of Sinn Fein which alarms the Irish Government. The SDLP is not seen as effective (paragraphs 11-13).
4. The Taoiseach and his friends see the first key to progress as lying with the British Government. They are concerned about the alienation of the minority in the North. They mean a number of things:
  - (a) the loss of votes by the SDLP; there are various not very satisfactory ways of trying to help them;
  - (b) the alienation of the SDLP from the institutions of government in the North; the future of the Assembly is now in doubt;
  - (c) the refusal of the Catholic population in the North to accept the legitimacy of the institutions of law and order; the Irish see a need to provide security forces with a new legitimacy (paragraphs 14-23)



5. This new legitimacy could, they think, be conferred by proposals for joint sovereignty or joint authority. They are also considering proposals for a federation, or a confederation (paragraphs 24-27).

6. Repartition or other demographic solutions would not meet their concerns (paragraph 28).

7. Dr FitzGerald and his friends do not know the answer to Ireland's problems. They hope the British will find it for them (paragraph 29).

CONFIDENTIAL



BRITISH EMBASSY,  
DUBLIN.

13 December 1983

The Rt Hon Sir Geoffrey Howe QC MP  
Secretary of State for Foreign and  
Commonwealth Affairs

Sir,

THE IRISH QUESTION: FIRST IMPRESSIONS FROM THE REPUBLIC  
OF IRELAND

1. I have sent you no first impressions from Dublin till now. This unhappy island's problems are complex enough to defy superficial examination. Her Majesty's Ambassador in Dublin is so heavily protected from injury or insult that he is sometimes bound to feel the realities of Irish life to be very remote. Add to this the assurances I have received from a number of Irishmen that I must never believe what an Irishman says, and the logical confusion this engenders, and it is not surprising that I have hesitated to write to you. I will incorporate in my Annual Report a general view of the Republic as I have found it. But you may wish to have separately a first view of the attitudes in the South towards Northern Ireland: of the prejudices and aspirations which history has formed here: and of the ways in which people here might seek to satisfy them. This is the material of which murder is made, and I must confront it.

2. Since the Forum for a New Ireland is likely to publish its report within the next couple of months or so, it may also be of use for me to survey briefly the kind of things which may appear in it. We shall not be able to avoid comment on it; we ought to prepare our minds now. I will consider this later in this despatch.

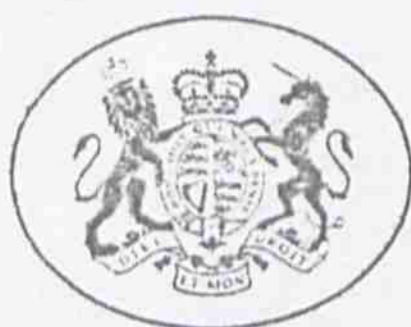
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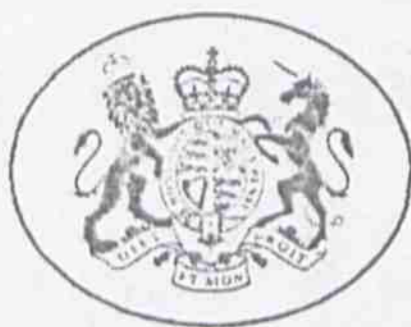
3. First, many people in Southern Ireland often seem as if they want to have nothing to do with the North. De Valera's ideal was a self-sufficient Gaelic Catholic rural Ireland. The Irish have often felt they must keep themselves untouched by the real world outside and by the twentieth century. It is not only that their ideals have little to do with material progress. The triumph of Irish separatism was not a liberal triumph. There is much hypocrisy, particularly about religion and family matters and particularly about Ireland. It often seems a country of obscurantists who are afraid of the North not only because of the violence but because of the contamination of Protestantism and the influence of British contemporary society. Many Irish are reluctant to face the fact that they cannot escape that influence, any more than the British can escape the cultural influence of the United States. Dublin and its surroundings hold one-third of the population. Though largely Catholic, they are now somewhat less assiduous churchgoers than they were, they are not Gaelic speaking, they are not rural, and they are not self-sufficient. But for many of them the image of Ireland they have grown up with is still one of 26 cosy counties, whose whole way of life could be totally disrupted by the Northerners. They don't even care for the Northern Catholics, who may have been victimized by the British, but have still adopted a number of foreign ways. Very few travel North, except for crossborder shopping, which is profitable, and the occasional sporting or business trip. A substantial number believe the economic cost of unity would be unacceptable. A substantial number do not believe that Irish unity is anything but a figment of politicians' fantasy. In a recent survey of public opinion 64% said unity would not take place within the next fifty years, if at all. This is a figure to be borne in mind in reading the rest of this despatch. The difficulty in taking account of it is that this majority is silent in public. It is the rest who make the political speeches.



4. Many in the South quite naturally also want to avoid thinking about Northern Ireland because it is distasteful. People in Britain also surely find Northern Ireland too painful and disagreeable to contemplate. It is easy to decide that it is all so awful and there is nothing to be done about it, so that the best thing is to get on with one's own affairs.

5. Neither this distrust nor this distaste however is more than superficial. Underneath there is a basic nationalism about being Irish, among the most sophisticated as well as the least. It is this feeling which has drawn the whole of the South together in anger against the British at regular intervals and which inspires a feeling of solidarity with Northern Catholics against Britain after each new horror for which Britain is held responsible, whether it is Bloody Sunday or the suicides in the H-blocks. There is a raw nerve which never sleeps.

6. When people in the South do think about the North, I believe their principal reaction is to blame the British for what is going on there. Of course, the inclination to blame the British for one's misfortunes is not exclusively Irish. But perhaps the Irish have more reason. The British planted the settlers, the British persecuted the Catholics, the British let them die in the famine, and the British legislated for partition. The British are seen by the Irish as historically responsible for the difficulties the North is in now. Of course it is useless to deplore the events of the past, as the Irish do continually. We have to deal with the present problems. We shall not, however, understand Irish views and Irish sensitivities without a feeling for and some knowledge of the past. For them it is a continuous tragic presence. Perhaps it is one of the burdens of the Celt that he naturally sees history in terms of defeat.



7. There are other things for which Britain is blamed which I do not think reasonable. One of them is the belief that we deliberately foment the troubles in the North in order to ensure that Northern Ireland remains British territory available to NATO, as if a province in turmoil was very much use. Another variant of this is that we are trying to pressurize the Republic into joining NATO, as if we thought their armed forces significant. They even suppose we feel we need them in the Commonwealth, or indeed the United Kingdom. These are admittedly the fantasies of what are generally called opinion formers - journalists, politicians, academics - not of the average Irishman of no opinion, but they affect speculation about the future. Mr Haughey is clearly willing to trade Irish unification for Irish membership of NATO, as if, from the point of view of the Unionists, any more than the British, they could be weighed in the same scales.

8. The central myth about Britain and Northern Ireland, however, runs like this - and I am indebted to John Bowman's recent book on de Valera and the Ulster Question for the formulation. He says that the 1920's Irish nationalists presumed:

- (i) that the people of Ireland comprised one nation;
- (ii) that Britain had partitioned Ireland solely from self-interest;
- (iii) that an independent, politically 're-united' Ireland was inevitable;
- (iv) that even if Britain had to coerce the Ulster Unionists into unity - as she was, in honour, if necessary, bound to do - the resulting united Ireland would be economically prosperous and politically stable;
- (v) that if Britain unilaterally broke the link with Northern Ireland, the Ulster Unionists would be obliged to accept an accommodation with the south;
- (vi) that Britain had the necessary resources - military, economic, and political - to coerce the Unionists into accepting a united Ireland.

/This



This is what Fianna Fail preaches even now, although it is generally agreed that a united Ireland would require very substantial financial assistance from Britain for a long time. But that is not thought to be a worry, since Britain is seen as having the money and the moral obligation to provide it. And not merely Fianna Fail, many people of all parties think we have the duty and the means to push the Unionists into accepting Irish unity. An addition to this myth, espoused for instance by Cardinal O'Fiaich, is that because they are all Irish there would be no difficulties between Catholics and Protestants in getting together if only the British would leave, and that the Protestants only appear quarrelsome because the British make them so. These beliefs are sincerely held by people whose image of Ireland is at the same time, and incompatibly, that of a Roman Catholic paradise.

9. The Taoiseach himself has told me that when he set up the Forum for a New Ireland earlier this year one of his aims was to reduce belief in these nationalist myths. But a leading theorist of Fianna Fail has told me that there is no possibility of accepting a report by the Forum which abrogates the right of Ireland to unity. I take this to mean that the Taoiseach's aim will not succeed. The Report will express various points of view: one of them will be the assertion that these myths about what Britain can do and is bound to do need re-examination in the light of facts; another will reaffirm the myths.

10. Of course the Taoiseach and his party too will not abandon the formal aspirations to unity. Nor will they excuse Britain from blame. Sometimes they seem simply to be pursuing the same aims as Fianna Fail in a more half-hearted way. At others it seems as if they espouse unity by consent partly to protect themselves from early attainment of unity. The Civil War disagreements are still central to the differences between the parties here. That is one reason why Fine Gael are trying to look at the facts and to get others to look at them.



11. These facts include the views of the Unionists. It seems to me that the majority of people in the South, like Cardinal O'Fiaich, cannot imagine that the Unionists are afraid of the British Government letting them down, since it is axiomatic that the British are on their side. Equally, they cannot imagine that the Unionists are afraid of the South, since they see themselves as open-hearted and harmless people. They do not suppose that there are people in the world who are alarmed and offended by the dominance in the South of Roman Catholic ideas. Life in the Republic is filled with taboos and hang-ups other English-speaking people do not share. A number of people here even see Ulster Protestants as the enemies of true Irish religion just as some Protestants in the North see the Southern Catholics as agents of anti-Christ; however distasteful it may be, we have to accept that there is a sectarian as well as a political dimension. It is expressed at its worst in the motto 'Kill a Prodigal for God'. That is the view of no more than a few in the South. But the Southerner in general sees the Ulster Protestants as people encouraged by the British to be aggressive. The Taoiseach and his friends know more about them than that. But even he is still inclined to think they can be charmed into some kind of unity. If the Irish Constitution were altered, if a more secular state were established, things would fall into place, he feels. They have aspirations which need satisfying, he would say, about The Queen, the Union Jack, the Commonwealth. This is no doubt true, but it seems to me that he attaches too much importance to such symbols and is mistaken in believing the Unionists can easily be satisfied with them.

12. And how are the Northern Catholics seen here? Of course, primarily, they are seen as the victims of British policy and Protestant brutality, denied civil rights in the past, still discriminated against and denied their aspirations now. Many feel that it is not surprising if the boys get a bit rough at times when they are provoked by the security forces. Of course people do not think that the violence in the North is no more than that. They recognize that dreadful things are done in the

/Catholics'



Catholics' name. But all the Northern Catholics are seen in the South as being denied their natural aspirations for the union of Ireland and the consequent tensions and frustration are seen as bound to lead to violence. All the Irish heroes of the past have been violent men and the use of force in the name of Ireland is hallowed by their memory. Of course, most of those who are unwilling entirely to reject the use of force would assert that force ought to be used only against the British army, whose brief image as the saviour of the Catholics from Protestant violence has faded, against the RUC, which is still mistrusted as an instrument of Protestant violence, and against Protestant para-militaries. Nearly all would say it is wrong to kill indiscriminately. But the activities of the IRA are widely seen as an inevitable response to an intolerable situation. There are Dublin pubs where men sing IRA songs and decent ordinary people put money in IRA collecting boxes. Even immediately after the killings at the gospel hall at Darkley 7% of the electorate - or over 2,000 people - in the Dublin Central constituency were willing to vote for Sinn Fein, the party of violence. I do not believe there is much instinctive horror of Sinn Fein outside sophisticated circles in the South any more than there is in a wide range of the Northern Catholics. It is this range of feelings that inspires in the Irish Government the fear that Sinn Fein are set, both in the North and in the South, to achieve further political advances. If Sinn Fein were to get only 51% of Catholic votes in the North, the Irish Government's position as the spokesman of those voters would be intolerable. They fear that Sinn Fein would then surge forward in the Republic and they know Sinn Fein's aim is destabilization. There would be the danger of a successful electoral campaign in the South based on the Republican border counties and deprived inner city areas. But there would, too, be the danger of a general radicalisation of public opinion in the South similar to what was seen for a time during the 1981 hunger strike. Sinn Fein would be well placed to heighten tension in the North and to benefit from the accentuation of

/Anglophobia



Anglophobia here. The Irish Government would be forced to trim its policy towards Britain accordingly. Fianna Fail, which prides itself on offering a constitutional alternative to Sinn Fein, would no doubt lurch even further in the same direction, and intimidation, never far from the surface in Ireland, would begin to affect leaders of opinion.

13. But for the time being the Social Democratic and Labour Party (SDLP) can be sustained as the legitimate voice of Northern Catholics, though its electoral failures, given that it is manifestly ineffective, are not seen as surprising. The Forum for a New Ireland has been set up partly as a platform for the SDLP and the Irish parties have so far been content to allow the SDLP leaders to make the running in the Forum. But it is uncertain whether the final report will reflect their preoccupations; it is much more likely that at that stage the historic attitudes of the Southern parties will dominate the Forum's deliberations.

14. So far I have been trying to convey feelings and report the prejudices revealed in a superficial contact with the Irish scene. I ought to try to complement these with some suggestions about the kind of policies they may engender. I ought to offer a more precise forecast about the content of the report of the Forum. I ought, despite the difficulty of such an analysis, to say how I think the Taoiseach and his friends, the Minister for Foreign Affairs, Mr John Hume, and others, -- lumbered as they are with this background of prejudice themselves and hampered in their freedom of action by the existence of these prejudices among the electorate, approach the problems of Northern Ireland and of their solution.

15. First, they cannot avoid including the early unification of Ireland among their stated aims. The nationalist myths still impose certain slogans and though they have the intelligence to regard them sceptically they cannot reject completely the aspirations on which they were brought up. They freely  
(acknowledge



acknowledge that it cannot all be achieved at once and without qualification. They know that neither their own electorate nor that of the North is ready for that. But the immediate incorporation of the North into some kind of Irish unity will have to figure among the demands to be put to the British.

They have said over and over again (notably in Mr Hume's paper of last August for the Forum) that the first key to progress lies with the British, not the Unionists, and by that they mean the British Government. Although, like all other Irish constitutional parties, they affirm their devotion to the proposal that there should be no change without consent, like all other Irish constitutional parties they are to some extent equivocal about it, that is, uncertain at times about whose consent they are talking about. It has been suggested, for instance, that the votes of a majority of United Kingdom electors would suffice, and that the British would certainly vote to get rid of the Ulstermen. There is a body of opinion which does not rule out the possibility of a switch of British policy on these lines.

16. The most immediate problem as they see it is described nowadays in Dublin as the alienation of the minority in the North. The term has become fashionable and like most fashionable words it has lost precision. I think they mean a number of things.

17. They are particularly worried that Sinn Fein are gaining votes and the SDLP are losing them. It is said that the Catholic electorate are being alienated from the constitutional party which represents their interests. (It may seem strange to describe as constitutional a party which ignores the Assembly and whose leaders spend much of their time in Dublin and not in the North. But the term is not intended to mean more than that they oppose the use of force.) What the Taoiseach and his friends want is for HMG to make the SDLP attractive to the voter. One suggestion sometimes heard is that HMG should provide

/more





more money in a manner in which the SDLP were clearly seen to have the spending of it. The best way, however, would be to give some expression, not at present available, to the 'Irish dimension'. And what would that be?

18. One answer is the parliamentary tier which was contemplated at the Anglo-Irish Summits of December 1980 and November 1981 but which we have taken no steps to establish. A tier which consisted exclusively of members of the Dail, of the Opposition at Westminster, and of the SDLP would certainly not be very impressive. There are in any case certain doctrinal difficulties for the Irish about the inclusion of Northern Ireland representatives. Dr FitzGerald no doubt recognizes all this but does not see why he should not press the British Government on the point.

19. The Irish dimension could also be expressed in the North by such things as the wide use of the Irish flag, greater recognition of the Irish language, and the promotion of Irish culture. But it is difficult to believe that these would in themselves have any decisive effect on Nationalist opinion, in contrast to the trouble they would cause with the Unionists.

20. Other embodiments of the Irish dimension correspond to other definitions of alienation. It has been said that the SDLP is alienated from the institutions of government in the North and particularly from the Assembly. Sometimes it has seemed that Dr FitzGerald saw advantage in the SDLP's joining the Assembly and snatching as much power as Her Majesty's Government was willing to offer, which at the least appeared to be some kind of veto. But the veto has not been seen as enough to justify going back on their refusal to participate; some further gesture was required. Now the Irish regard the future of the Assembly as very doubtful; and some are delighted.



21. What might help the SDLP would be some kind of welcome by HMG for the report of the Forum. Helping the SDLP was certainly an important motive in the establishment of the Forum. It was presumably thought to add to their weight to be seen to be debating on equal terms with Irish parties. If therefore we were seen to be taking the report of the Forum seriously it could be maintained that we were taking the SDLP seriously. But the Irish have at present not much better an idea than we of what the report of the Forum will be. As I have already suggested, I believe that it will say 'Some thought this ..... Some thought that .....'. I see little reason why HMG should not welcome a report which contains an account of Unionist opposition to Southern aspirations. We could acknowledge it as an account of current thinking though not necessarily as a guide to policy. But I do not see how it would help the SDLP much for the British to say they are glad the Forum has recognized the importance of the Unionists.

22. A different definition of alienation is the refusal of the Catholic population in the North to accept the legitimacy of the institutions of law and order. I understand that in Belfast this problem is thought to be exaggerated. The Irish in the South say that this is not what the SDLP tell them, and I think that we must accept that what the SDLP say is what the Irish Government perceives as the truth. Just as we are arguing with the Irish on the basis of very different prejudices, so we argue on different data. We affirm that the RUC have abandoned the practices which made Castlereagh an infamous name in the South. We say that members of the security forces are always put on trial if they appear to have performed illegal acts. We say the supergrass system is just. The Irish dispute this. The Irish Government certainly believe the British army, the RUC, and UDR, and to some extent, the courts, the prisons, and the judiciary to have lost the confidence of the minority, so that they lack the bases of law and order which are the bases of civilization. The Catholics will neither respect nor obey the security forces.



23. Stemming from this premiss is the thought that the minority must be given security forces with a new legitimacy. This legitimacy could be derived from their composition or from the authority controlling them. The Irish do not suppose that the RUC could recruit enough Catholics to patrol their own areas under the central authority of the RUC. They do not see HMG as able to gain sufficient confidence from the Catholics to be able to form a separate Northern Catholic security force. The only alternative way to provide one would be to use the Garda. This, therefore, would be an Irish answer. But under whose authority would the Garda work? They cannot operate in Northern Ireland without political control, and it is unthinkable in terms of Dublin politics that they should be placed under a British Secretary of State. (The Irish do not appear to have observed that whatever authority the Garda might work under they would be bound to be in cooperation, to begin with at any rate, with the British establishment, and if the Garda become associated with the British establishment they would automatically lose some legitimacy, in the South as well as in the North.) The main answer, they feel, is that the Irish Government should acquire some authority in the North.

24. This line of argument quickly reaches a proposal for joint sovereignty. Dr FitzGerald has been at pains to deplore the publicity given to this idea. It answers the question about the legitimacy of the Garda. But it answers too many other Irish aspirations as well for the British to be faced with it without careful preparation. However many Irish aspirations it might meet it would certainly arouse the opposition of the Unionists. But Dr FitzGerald sees the solution to the problems of the Catholics and the Unionists alike in the reconciliation of two identities. He seeks a formula in which each community can have its own rights and its own identities and can express its loyalty both in a different direction and in the same. From his point of view, it would not save him from accusations of compromise, of acquiescing in continued British sovereignty

/over



over the North. But in establishing Irish sovereignty as well in the North he would have achieved what all his predecessors failed to gain. The trouble is that joint sovereignty is the most elusive and impractical of concepts. This does not matter to the Irish. It is their habit to look for a commitment in principle, leaving the details to be looked at later. They would not understand us if we said that the value of a proposal could only be judged if its details were known. They might agree that a system of joint sovereignty might well lead to disagreements between the joint sovereigns. The Irish might think it worth the disagreements. But they might acknowledge that the prospect of the problems of exercising sovereignty together is not calculated to make the idea attractive to the British.

25. Perhaps in consequence we are now hearing talk from the Irish side on the theme of joint authority. It seems to me that it must have less attraction for them and no more for us. It would not dilute the concept of sovereignty but it would certainly dilute its exercise, without bringing any compensating practical advantage.

26. Another panacea which the Forum is examining is federation. A federation of North and South has much to commend it from the point of view of Fine Gael. It would establish Irish sovereignty, satisfying the major Irish aspiration, without making Dublin responsible for the details of government in the North. It is not clear however whether they see that the problems of devolution which affect Northern Ireland as part of the United Kingdom would be at least as severe if Northern Ireland were part of the Republic. How would it be governed on democratic principles? Would it not be in continual danger of secession? How would the Catholic minority fare? These questions would be raised by those who would regard federation as a continued betrayal of Irish unity.



27. Confederation is also mentioned as a Forum option. If it means the same as federation, only less of it, then the same questions arise, only more acutely. But there is another version which the Forum has not ignored. It is known by the acronym IONA (Islands of the North Atlantic); it would be a confederation of Ireland, England, Scotland and Wales, probably under The Queen. The independence of a united Ireland under the British Crown was a dream in the past which one would have thought past for ever. But the Irish are capable of living in the past, and their views of Britain can be very ambivalent.

28. There are a few options more, which I must deal with even more summarily. One is repartition. It is said that Catholics are now in a majority West of the Bann. I doubt whether this would satisfy anyone in Dublin unless it were explicitly an interim measure leading to further changes. It would meet no Irish aspiration except helping some of the Catholics. It would not help the Catholics of West Belfast and it would land the Irish with some very indigestible Protestants, notably in Londonderry. Another solution is population transfer. The only form of this which they could be prepared to contemplate would be the expulsion of one million Protestants. Although de Valera toyed with this idea at one stage I think Dr FitzGerald too decent to regard it as feasible. The third is waiting for demographic change. They are confident that the Catholics will be prolific and will swamp the Protestants in due course; they do not believe Northern Ireland actuaries who say it will take sixty years. But they do not have the patience to wait and see whether the British Government will then stick to its principle of majority rule. After all, we drew the borders of Northern Ireland in order to protect the Protestants. They fear we would change the borders if necessary to perpetuate Protestant rule and put Irish unity further off; that would be the effect of repartition. In any case, they dare not wait very long while the Sinn Fein tide is rising to flood the barriers of democracy.

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29. So, as people in the Republic contemplate the problems of Northern Ireland, Dr FitzGerald and his friends are feeling desperate. They see no obvious answer to Ireland's problems. But precisely because the Unionists are so intransigent, the logic of the nationalist myths is that only Britain can produce the basis for a solution, by withdrawing the guarantee and obliging the Unionists to reach an agreement with the South. If only - the reasoning goes - HMG were more interested. If only the British knew more about Ireland. Then perhaps the British could find the solution itself. They think that if they press us hard enough - and they don't even know how to do that - we shall tell them what the answer is. I do not believe that we know what the answer is either.

30. I am sending copies of this despatch to the Secretary of State for Northern Ireland, the Secretary to the Cabinet, HM Ambassadors in Washington and to the Holy See and HM Consul-General, New York.

I am Sir  
Yours faithfully

CONFIDENTIAL

From: THE PRIVATE SECRETARY



NORTHERN IRELAND OFFICE  
WHITEHALL  
LONDON SW1A 2AZ

Tim Flesher Esq  
10 Downing Street  
LONDON  
SW1

13 December 1983

*Dear Tim*

EUROPEAN PARLIAMENT AND NORTHERN IRELAND

.....  
As John Lyon reported on 2 December the Haagerup Report was published last night. I attach a background note and a few lines to take for the Prime Minister's use at Question Time this afternoon.

The report was featured on "Newsnight" last night and there is coverage in this morning's press. The three Northern Ireland MEPs (Ian Paisley, John Hume and John D Taylor (UUP)) may well try to take an opportunity to get the Prime Minister to record as opposing or supporting parts of the report and draft resolution. In view of this and the fact that this subject will be around for some months the background note contains a longer than usual analysis of the report and draft resolution.

I am sending a copy of this letter to Roger Bone.

*Yours ever*

*Dave*

D A HILL

ssd



NORTHERN IRELAND OFFICE  
WHITEHALL  
LONDON SW1A 2AZ

J O Kerr Esq  
Private Secretary to  
Chancellor of the Exchequer  
Treasury Chambers  
Parliament Street  
LONDON  
SW1

9 December 1983

*Dear John*

THE EUROPEAN PARLIAMENT AND NORTHERN IRELAND

... As Mr Lawson will be in Brussels early next week, Mr Prior has asked me to send you the enclosed Background Note about the report on the situation in Northern Ireland which will be presented to the Political Affairs Committee of the European Parliament in Strasbourg on Monday evening. Attached to the note is the press line which Government spokesmen will be using and which Mr Lawson could draw on if necessary, although as the note explains, we aim to keep our response in low-key.

I am sending copies of this letter and its enclosures to the Private Secretaries to Mr Fletcher, Mr Jopling, Mr McGregor, Mr Trippier, Mr Stewart, Mr Channon, Mr Waldegrave, whose Ministers will be in either Brussels or Strasbourg next week and to John Coles, Roger Bone and Sir Michael Butler (via the FCO mufax) for information.

*Yours ever*

*D A Hill*

D A HILL



EUROPEAN PARLIAMENT AND NORTHERN IRELAND: THE HAAGERUP REPORT

Background Note

1. Towards the end of 1982 several motions for resolution raising issues connected with the political situation in Northern Ireland were tabled by various pro-Irish nationalist groups of MEPs. In February 1983 the Political Affairs Committee of the European Parliament decided to commission a report from Neils Haagerup MEP (Danish, Liberal) to serve as the basis for further discussion within the Committee and ultimately in the Parliament. This decision aroused considerable criticism among Unionist Parties in Northern Ireland and also in the House of Commons. The Prime Minister and the Secretary of State for Northern Ireland took the line that the European Parliament had no business to discuss the internal political affairs of a member state.

2. We have, however, since then made discreet efforts to ensure that Haagerup was well briefed on the situation in Northern Ireland and on the Government's policies. Published material was passed to him via the EDG, a detailed official level briefing on economic and social issues was provided when he visited Northern Ireland in early September and Mr Scott (Parliamentary Under Secretary of State at the Northern Ireland Office) has met him informally.

3. The report and draft resolution which are to be published on 12 December are not as unacceptable as they might have been. The draft resolution concentrates on social and economic issues of proper concern to the European Parliament. It also condemns violence, and those (eg Sinn Fein) who condone it. Where it does stray onto the political field it does so in a way generally supportive of HMG's policies in that it calls for progress towards an "equitable sharing of Government responsibilities" within Northern Ireland. It also calls on the UK and Irish Parliaments to set up an Anglo-Irish Parliamentary Body: this proposal was first noted in the Anglo-Irish Joint Studies of 1981 which were endorsed by the Prime Minister and Taoiseach at their Summit

Meeting in November 1981, although we continue to believe that the question of whether to set up an Anglo-Irish Parliamentary Body is a matter for the two national Parliaments.

4. Haagerup's report contains his personal comments and conclusions but is helpful from our point of view. He says that straight-forward Irish unity is not a realisable prospect in the foreseeable future and urges all concerned to acknowledge that political progress can and should be made within the present constitutional framework.

5. The report is now in its final form but the draft resolution can be amended in Committee and during debate in the full Parliament (probably in March). We may, via the EDG, seek one or two small amendments but our main interest lies in helping Haagerup to resist unhelpful amendments from pro-nationalist groups. For this reason we do not wish to make too much of the positive aspects of the report and draft resolution at this stage as that might prejudice Haagerup's status as an impartial rapporteur, and make it more difficult for him to defend the present text. Government press spokesmen will therefore stick ... to the attached low-key press line.

SIL DIVISION  
Northern Ireland Office  
8 December 1983

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R.

THE HAAGERUP REPORT: PRESS LINE

The United Kingdom Government has made clear its view that the European Parliament has no locus to discuss the internal political affairs of member states. The Government would therefore welcome reaffirmation by the Parliament in the terms of the draft resolution that it has no competence to make proposals for changes in the constitution of Northern Ireland. The Government's current policies in Northern Ireland are directed to securing peace, political stability and economic recovery, which it notes are the aims also sought in the report. It is glad to see the emphasis given in the report and the draft resolution to the EC's role in helping the economy of Northern Ireland, the support for those who promote the welfare of its people by peaceful means and for the work of the Anglo-Irish Intergovernmental Council, and the clear condemnation of violence.

From The Rt. Hon. Baroness Elles



House of Lords · Westminster

1. Dr. Flesler (we shall need  
briefing for Questions on  
Tuesday).

2. Prime Minister

To be aware.

A.S.C. 9/12

8th December, 1983

Dear Prime Minister

Haagerup Report on Northern Ireland

This Report will be presented by Haagerup to a special meeting of the Political Affairs Committee at the European Parliament in Strasbourg on the evening of Monday 12th December. The status of the document is as follows :

- i) It will not be official because it will only be in English and not in the other languages of the Community.
- ii) a) The "Explanatory Memorandum" will contain the personal view of the Rapporteur (Haagerup) and is not in any sense the expression of the view of either the Committee or the Parliament.  
b) The "Motion for a Resolution" which will be attached to the Report will only be a draft, which may be modified or amended in the Committee stages (January and February 1984) and finally in the plenary session of March 1984 (if there is no slippage).  
c) The Motion for a Resolution remains a draft until it is adopted by the Parliament in plenary session.

In the compilation of this Report, Haagerup has been solely responsible. There has been no public hearing or visit of the Political Affairs Committee to Northern Ireland, as had been suggested when he was appointed Rapporteur.

Although the document has not yet been circulated, I think we can assume there will be no proposal of any kind concerning a change in the constitution of Northern Ireland which, in any case, even the Parliament has accepted is not within its competence.

You will, of course, be kept fully informed of developments in the European Parliament.

continued . . .

continued . . .

Because of this meeting in Strasbourg it will not be possible to attend the Dinner in your honour in the House of Lords on Monday 12th. I am extremely sorry not to be able to come but you will understand that as Group Spokesman for the time being on Northern Ireland, I feel I must be in Strasbourg that evening.

I am sending a copy of this letter to Jim Prior and to Henry Plumb.

*All best wishes, as always*

*[Handwritten signature]*  
*Baroness Elles*

BARONESS ELLES

The Rt.Hon. Margaret Thatcher, M.P.,  
Prime Minister,  
10, Downing Street,  
London S.W.1.

From: THE PRIVATE SECRETARY



NORTHERN IRELAND OFFICE  
WHITEHALL  
LONDON SW1A 2AZ

Tim Flesher, Esq  
10 Downing Street  
London SW1.

7 December 1983

*Dear Tim*

MURDER OF MR EDGAR GRAHAM

..... I attach the draft statement which Mr Butler will make this afternoon on the murder of Mr Edgar Graham, who was a member of the Northern Ireland Assembly. We spoke earlier about it.

I am copying the letter to David Heyhoe, Murdo MacLean and David Beamish.

*Yours ever*

*Dave*

D A HILL

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MURDER OF MR EDGAR GRAHAM DRAFT STATEMENT

With permission, Mr Speaker, I should like to make a statement on the murder earlier today of Mr Edgar Graham. I do so on behalf of my rt hon Friend the Secretary of State, who is in Northern Ireland.

Mr Edgar Graham, a member of the Northern Ireland Assembly, was murdered at 10.55 this morning outside Queen's University Belfast where he worked. He was approached whilst talking to a colleague on the pavement by 2 youths on foot who fired a number of shots and then fled. The Provisional IRA have claimed responsibility for the murder.

The whole House will join me in extending sympathy to Mr Graham's family, as also to those rt honourable and honourable members who were his colleagues. It will also join me in expressing disgust and horror at this outrage. It is yet a further indication of the ruthless barbarity of the terrorists. This cold blooded assassination reminds us not only of the true nature of those who carry out acts of terrorists' violence, but also of all those who advocate or support such violence.

E.R.

A full Police inquiry was immediately mounted. At this moment I am not able to tell the House of any outcome to these inquiries, but honourable members should be left in no doubt as to the urgency and energy with which the Royal Ulster Constabulary is seeking to identify the killers.





10 DOWNING STREET

*From the Private Secretary*

7 December, 1983

*Dear Royce,*

I enclose a copy of a letter from the Prime Minister to the Taoiseach in reply to his message about Mr. Tidey. I should be grateful if you could arrange for this to be despatched.

I am sending a copy of this letter to Hugh Taylor (Home Office) and John Lyon (Northern Ireland Office).

*Yours ever,*

*David*

R. B. Bone, Esq.,  
Foreign and Commonwealth Office



The National Archives

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[LORD KENNET.]

the missile base would lead to the order to fire on British saboteurs or attackers being given by a American officer?

**Lord Trefgarne:** My Lords, I think I said they were under joint command at the Greenham Common base and not under United States Air Force command. I hope that the noble Lord will allow me to amplify that in correspondence for it is not, in fact, as simple a matter as some people would have us believe. With regard to the Rapiers, as I have said, the fact is that the Royal Air Force Regiment squadrons in the United Kingdom employed to defend the American bases are under British command. We have agreed to provide these squadrons to overcome a particularly difficult problem which has emerged. It is a measure of the strength of the NATO Alliance and our own flexibility that we could respond to the difficulties that arose in the way that we did. The Rapier arrangement reflects nothing but credit on all those involved and I hope your Lordships will agree with that.

**Lord Mayhew:** My Lords, before the noble Lord sits down, can he confirm that, since the operational use of the RAF Regiment at the missile sites subject to joint control, there is no sense in which one can say that the RAF Regiment could veto a decision by the United States to fire the missiles?

**Lord Trefgarne:** My Lords, the decision to fire the missile is a matter not for the RAF Regiment, not for the United States forces on the base, but for the President and the Prime Minister.

**Lord Bishopston:** My Lords, may I ask the Minister briefly whether he will send me a copy of the correspondence which he is to send to the noble Lord? I am sure he will confirm there is no possibility of any United Kingdom citizens being shot by US personnel at a time of a possible breach of security.

House adjourned at ten minutes before eight o'clock.

### Written Answers

#### TRESPASS ON RESIDENTIAL PREMISES

**The Earl of Onslow** asked Her Majesty's Government:

What conclusions they have reached on the need for a criminal offence of trespass on residential premises in the light of the comments received on the consultative document issued earlier this year.

**The Parliamentary Under-Secretary of State, Home Office (Lord Elton):** My right honourable and learned friend the Home Secretary has given careful consideration, in consultation with my noble and learned friend the Lord Chancellor and my right honourable and learned friend the Attorney General, to the considerable number of comments received in response to the consultative document on trespass on residential premises in England and Wales.

The response has shown a broad consensus that criminal sanctions should be available against uninvited intrusions into people's homes. It is clearly, too, the general wish that if there is to be a new criminal offence, it should afford protection to all citizens in their homes and not be confined, for example, to Royal residences. There is, however, also concern that any new offence should apply only to those who trespass intentionally and have no reasonable excuse for their behaviour. My right honourable and learned friend has therefore asked officials to draw up proposals for a new offence of trespassing on residential premises which achieves this result. The scale of the problem as indicated by our consultations was not such as to suggest that legislation is needed urgently. Proposals will be brought forward as soon as the details have been fully worked out and other commitments allow. My honourable friend will be writing to my noble friend about the arrangements for this very shortly.

#### EIRE KIDNAPPING: POLICE ACTION

**Lord Inglewood** asked Her Majesty's Government:

What action it is possible for the Metropolitan Police or other police forces to take over the kidnapping of a British citizen in the Republic of Ireland last week or in similar circumstances.

**Lord Elton:** The Gardai are in close and constant touch with the Metropolitan Police over the kidnapping. There is no further information I can give at the moment. It has been the policy of successive British Governments to oppose payment of ransom to terrorist organisations; and should that question arise within this jurisdiction in the present instance, all concerned have been asked to respect this policy and to act only after consultation with the appropriate authorities.

#### THE CIVIL SERVICE: GRADUATE ADMINISTRATIVE TRAINEES

**Lord Rochester** asked Her Majesty's Government:

How many vacancies there have been for administrative trainees in the Civil Service, and how many graduates have been recruited to fill those vacancies, in each of the years 1981, 1982 and 1983.

**The Minister of State, Privy Council Office, and Minister for the Arts (The Earl of Gowrie):** The number of vacancies for administration trainees and the number of graduates recruited to that grade in 1981, 1982 and 1983 (provisional) were:

	1981	1982	1983
Vacancies ..	55	44	60
Recruited* ..	54	24	45

\*There were, in addition, two non-graduate entrants in 1983 and one in 1981; the academic qualifications requirement may be waived for HM Forces candidates and serving civil servants nominated by their departments.



The National Archives

LETTERCODE/SERIES ..... <i>PREM 19</i> .....	Date and sign
PIECE/ITEM ..... <i>1069</i> ..... (one piece/item number)	
Extract/Item details:  <i>Message from Fitzgerald to PM - undated</i>  <i>Paper extracted and temporarily retained under Section 3(4) pending completion of review</i>	
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*Joak*

10 DOWNING STREET

*From the Private Secretary*

5 December 1983

European Parliament and Northern Ireland

Thank you for your letter of 1 December to John Coles. The Prime Minister saw this over the weekend and has noted the contents.

I am copying this letter to Brian Fall (Foreign and Commonwealth Office).

MR. D. BARCLAY

John Lyon, Esq.,  
Northern Ireland Office.

CONFIDENTIAL

*Jo*

S E C R E T

Filed in:  
1) European Council  
Athens Pt 13

→ 2) Includ: Sit 14

NOTE OF A CONVERSATION BETWEEN MR. COLES AND MR. NALLY ON MONDAY,  
5 DECEMBER; 1983 AT THE ZAPPEION HALL, ATHENS

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Mr. Nally gave me a detailed account of the McGovern case from December 1981 onwards.

Having rehearsed the history as he saw it, Mr. Nally said that the Taoiseach still hoped that an investigation of the McGovern case would be carried out in Northern Ireland (as the Chief Constable had promised in May). Dr. FitzGerald's only objective in all this was to get police co-operation back to its proper level. This meant re-establishing the Joint Co-ordinating Committee and healing the breach between the two police chiefs. The best course now might be to work for a successful meeting between Mr. Prior and the Irish Minister of Justice in January. That meeting could agree to re-constitute the Joint Co-ordinating Committee. We should also contemplate the possibility of the meeting being attended by the Commissioner and the Chief Constable. However, while these steps would be welcomed, they might not be sufficient. Press comment in Ireland was beginning to take an ugly turn. There was a suspicion that the Irish Government was involved in a cover-up. Possibly only an enquiry could clear the air. The other possibility was that the pending court cases in both the North and the South should go ahead - and that might remove the need for an enquiry.

I said that I would report these observations, that I thought the Prime Minister might well wish to discuss the matter again with Mr. Prior and that we would consider the extent to which we could use the January meeting to resolve the problems created by the McGovern case.

A. J. Coles.

5 December 1983

S E C R E T

## Northern Ireland Act 1982 (Amendment) Bill

*Order for Second Reading read.*

1.10 pm

**Mr. Ken Maginnis** (Fermanagh and South Tyrone): I beg to move, That the Bill be now read a Second time.

The luck of the draw—how I wish that that luck had been a little better—has given me the privilege of seeking at a relatively early stage in the life of this Parliament to implement one part of the policy on which Members of my party were elected to this place in June. It was a policy which earned my party 65 per cent. of Northern Ireland seats in the House of Commons, a proportion that the Conservative party, with its unprecedented success, has not equalled in Great Britain. However, no one could or would seek to deny the right of the Conservative Government to administer and legislate on the basis of their democratic achievement. It will be noted that I was on my guard not to use the expression "election pledge". My party was careful, as any party should be, to distinguish between actions which lie in a party's power to achieve and those which clearly should be presented to the electorate as objectives, desirable perhaps, but not necessarily within the power of the party to command.

When we told the electorate that we should sooner or later obtain an end to direct rule, that was a pledge. It was a pledge that we were entitled to make because we know that sooner or later the House will be unable to deny to the people of one part of the United Kingdom that which it accords to another. This argument has been consistently advanced by my right hon. Friend the Member for Lagan Valley (Mr. Molyneux), the leader of my party. My right hon. Friend has further pledged:

"Whatever the future of the Assembly, we must get rid of direct rule. Not for us vain attempts to bridle it—only its removal will satisfy us. For it is monstrous that such a system devised in 1972 for one year should have been preserved for the succeeding 10 years. That has surely made a mockery of the word 'temporary' by which the process is described. That annual renewal of direct rule has the effect of implanting in the minds of our enemies the belief that Ulster is held on a 12 month lease. How can there be political stability on the basis of one year at a time? How great is the encouragement for terrorists to overthrow a system which is claimed to be only temporary?"

That is not, however, the part of our policy with which I am currently concerned. I am concerned with our stated policy that

"We will seek amendment of the Northern Ireland Act 1982 so as to transform the Assembly into a structure acceptable to Unionists."

That is an objective which could be construed as giving special treatment and a special constitutional framework to our Province and one, consequently, which we cannot demand as of right. However, devolution is a prospect which successive Governments have repeatedly held out to Ulster and which was the professed purpose of the Act which my Bill seeks to amend. The object of my Bill, therefore, is to enable the Act to achieve what its authors declared to have always been its intention.

As the Act reached the statute book last year, it held out the prospect of devolution but only as a tantalising and unobtainable result, always just out of reach, like the luscious fruit which hung a few inches above that unfortunate character in Greek mythology.

I pay tribute to my right hon. Friend the Member for Down, South (Mr. Powell) for his great assistance in

bringing the Bill before the House. [*Interruption.*] It does not behove the hon. Member for Mid-Ulster (Rev. William McCrea) to question my right hon. Friend's parliamentary awareness. My right hon. Friend needs no lessons in parliamentary awareness from anyone. From the wording and construction of the Act, not an atom of real responsibility or administrative, let alone legislative, power was to accrue to the Assembly unless the condition of power sharing was fulfilled. My Bill seeks to delete those sections of the Act.

We are not accustomed to power sharing in the House. It never occurs to us that the two main parties, although the programmes on which they were elected have more in common than do the policies of Unionists and Republicans in Ulster, should share power in the Government of the United Kingdom. Therefore, we have never believed that the insistence on power sharing in Ulster, which contradicts the principles of British democracy, was genuinely aimed at the extension of democratic devolution to the Province. We see it rather as a dangerous ambiguity on the part of those who, at least in Ulster, wish to be all things to all men. We cannot accept a structure by which those who lose an election are given parity with or a veto upon those who win an election. My Bill puts to the acid test the seriousness of the Government's professed wish to devolve legislative and administrative powers to a locally, democratically elected Assembly in Ulster.

However, we do not wish to be misunderstood. We are ready to accord to any minority that secures the election of some of its members, and that seeks to attain its ends by constitutional means, whatever rights the fact of that election properly secures for them. That is the reason for a further provision in the Bill, which I hope will be given a Second Reading today.

There is a fundamental distinction between the legislative powers and the administrative powers of an Assembly, although I acknowledge that the two are linked in the 1973 and the 1982 Acts, as they were linked in legislation enacted for Northern Ireland in 1920. The distinction is that legislation lays down major policy, and creates the framework within which the country is administered. Therefore, legislation must be proposed and can be enacted only by those sharing similar aims and acknowledging collective responsibility for what they introduce and carry into law. In the context of a power to change or to make laws, power sharing between those with opposite political views is even more inconceivable in Ulster than it is in the House.

However, the same considerations do not apply to administration. Here I need not belabour the theory, because in all parts of the United Kingdom, including Ulster, administrative power sharing is busy at work in local government. Local government decisions are taken by a majority vote, whether in Committee or in the entire body of the council. Minorities not only have a voice in debate, but are accorded a place and influence, sometimes a distinguished one, in the workings of the authority, proportionate to their electoral support and their personal qualities and contributions.

Last year, before I was elected to the House, some of my colleagues on the Official Unionist Bench proposed amendments to the Northern Ireland Bill on this very point. It always appeared to us that the Government, in framing the Northern Ireland Act 1982, made the attainment of any degree of local devolution even more

[Mr. Ken Maginnis]

unattainable by treating legislative and administrative devolution as inseparably linked. My Bill would cut the cord between those Siamese twins.

The Secretary of State, so far as I can judge, is an exponent of gradualism. After all, he built into his Act a mechanism for inch-by-inch devolution. In that same spirit my Bill proposes to make it possible to devolve administration, however gradual, to the Assembly without attaching to that devolution the veto of power sharing.

The Secretary of State and the Government will ultimately have to do something about the Northern Ireland Act 1982. The Assembly's best friend could not imagine, when contemplating the original non-participation of two of the parties elected to it and the fact that the largest and by far the most representative of all the parties in Ulster can no longer in honour continue to participate in it, that in its existing form it serves any useful purpose. The Bill invites the House to make the absolute minimum of change which could offer some prospect of a future for the Assembly.

I referred at the beginning of my speech to certain things that the House could not in the long run continue to deny Ulster. One of those things, in the words of our manifesto, is "democratic local government controlling the same services as in Great Britain". That will have to come.

The House of Commons cannot go on insisting year after year that the citizens of a part of the United Kingdom shall have their vital social and community services administered by non-accountable appointed boards. I hope that the Government will be wise enough and clear-sighted enough to see that the Assembly could, initially, be transformed into a vehicle for fulfilling that basic requirement of fairness and justice for the people of the Province, whom we on this Bench represent. My Bill gives the Government the opportunity, if they care to grasp it, of doing that.

It is in that spirit that I ask the House to give a Second Reading to my Bill and thus enable all these matters to be examined and debated further by the due processes of the House of Commons.

1.23 pm

**Rev. Ian Paisley** (Antrim, North): I am sure that the people of Northern Ireland looking at this House today will see what an interest the House of Commons has in Northern Ireland and the future of its citizens. Official Unionist party members tell the people of Northern Ireland of the vast importance to them of this House of Commons and that though they boycott the Assembly, this House must be supported because it is here that the power in security lies. How is it that some of them were absent—indeed, all of them were absent apart from the right hon. Member for Down, South (Mr. Powell)—from a recent debate—

**Mr. James Nicholson** (Newry and Armagh) *rose*—

**Rev. Ian Paisley:** I shall not be giving way in this debate. This is a Friday. The hon. Member for Newry and Armagh (Mr. Nicholson) does not understand that this is a Friday. If the hon. Gentleman wishes me to talk for longer, he will get up and continue to get up. I am making a point and I will make it today.

Where were all those hon. Members on the Official Unionist Bench when the Secretary of State had a statement to make about the Darkley murders? Where were they? This is the House that has security in its control. They were conspicuously absent. The only Member present was an hon. Member not born and bred in Northern Ireland. The hon. Member for Belfast, North (Mr. Walker) tried to say that he was present. I want to nail that claim today—he was conspicuous by his absence. Yet he found time later in the evening to vote on the Telecommunications Bill. Surely the death of people in Northern Ireland and the safety of those living there are more important than a Bill before the House.

This Bill was discussed in the depleted Assembly, where more people took an interest in it than we see hon. Members in the House today. I see only two Members of the official Opposition, four Members of the Conservative party and two Ministers.

**Mr. A. Cecil Walker** (Belfast, North): I want to nail the lie of the hon. Member for Antrim, North (Rev. Ian Paisley)—

**Mr. Deputy Speaker (Mr. Paul Dean):** Order. I know that the hon. Gentleman is a fairly new Member. I am sure that he can rephrase what he wishes to say without going outside the bounds of order.

**Mr. Walker:** I apologise, Mr. Deputy Speaker. I want to nail the accusation about my non-attendance in the House. I want to say categorically that I was standing outside the Bar for the whole of the time that the matter was discussed, and my right hon. Friend the Member for Down, South (Mr. Powell) stood next to me. I was in the House throughout the time that the Telecommunications Bill was debated, but the hon. Member for Antrim, North skulked home to Belfast, leaving the people of Northern Ireland disenfranchised by his non-attendance here. We were taking steps to protect the jobs of thousands of people in the Province while he and his two colleagues skulked home to do those little things that disrupt the policy for which we are fighting. The hon. Gentleman must not accuse me of something that is completely untrue.

**Mr. Deputy Speaker:** Order. I hope that we can get away from the whereabouts of hon. Members and return to the substance of the Bill.

**Rev. Ian Paisley:** If the hon. Member for Belfast, North was standing outside the Chamber when the security of the people of Northern Ireland was being discussed, that makes him doubly condemned in the eyes of the people of Northern Ireland. It is disgraceful for a Member representing Northern Ireland to stand outside the Bar of the Chamber—[*Interruption.*] If the hon. Member for Belfast, South (Rev. Martin Smyth) thinks that that is something to laugh about, he should remember the widows and orphans who are weeping in Northern Ireland.

I will not be indicted in this House by the hon. Member for Belfast, North, who was not present and did not take part in the debate. Everyone who rose to his feet following the statement was called by the Chair. The hon. Gentleman did not take part. I will not take from him any accusation about skulking home. I visited the injured and the widowed and orphaned. He cannot tell me that I should not have done that simply because the right hon. Member for Down, South will not visit one injured person or console one person who has been bereaved. The hon.



Gentleman will learn that the people of North Belfast will give him their answer at a future date. I leave him to sulk behind the precincts of the Chamber while men and women are being murdered in Northern Ireland and their security is being discussed in the House.

The House can see from that exchange what we are really dealing with today. It is an attempt to tell the people of Northern Ireland that the Assembly should be smashed, in keeping with Sinn Fein policy. I see that there are some Sinn Fein supporters on the Bench below the gangway. Their programme is to smash Stormont. The only barrier to a deal between London and Dublin is the elected forum of Northern Ireland, in which the Unionists have a solid majority and can make known their wishes and take their stand in defence of the Union. If the Official Unionists wish to sweep away the forum and bulwark of the elected representative Assembly they can do so, but the consequences will be on their heads.

**Mr. Ken Maginnis:** Will the hon. Gentleman give way?

**Rev. Ian Paisley:** I shall not give way. There is an unwritten law in the House that if an hon. Member accuses someone, he should give him an opportunity to reply. I did not need to let the hon. Member for Belfast, North reply, but I did so because of the courtesies of the House. If I had known that he would make such a statement, I should not have given way. His statement was a complete fabrication of the facts that I had put to the House.

It is interesting to notice the way in which the Official Unionists have acted. In Northern Ireland, an attempt is being made to tell the people that this fight in the House is for full-blooded legislative and executive devolution for Northern Ireland. The Official Unionist spokesmen have been telling the people that they will make the Government declare their position and that they want a Stormont with real powers and authority.

Strangely, the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) did not quote from the Official Unionist manifesto. That manifesto told the people of Northern Ireland that they would be represented "in true tradition" at Stormont. "In true tradition" at Stormont is not shown by the boycott of the Assembly, which is also Sinn Fein policy. Perhaps the Official Unionists have adopted the Sinn Fein policy—"We, ourselves, alone". The Official Unionists also said that they would strive constructively to use the Assembly as "a further step". How can they strive constructively to use the Assembly when they have withdrawn from it?

The manifesto also states:

"We pledge, as our forebears did, to work for the best interests of Ulster within the United Kingdom, and will seek to transform the Assembly into a positive instrument for the well-being of Ulster".

The Official Unionists are striving, not to bring about Stormont, as their forebears did, but for its complete annihilation.

I come to what I call the "Enoch Powell" policy, which the right hon. Member for Down, South has advocated continually in the House. He made similar representations during the passage of the Bill. The right hon. Member went to the constituency of the former hon. Member for Londonderry and made a speech in which he said that Stormont was dead and buried and would never be resurrected. Today, he finds himself in great difficulty. No wonder he is not present. The right hon. Member when

addressing a meeting of the faithful in the Ballymageough Orange hall in his constituency, was reported in the "Rathfriland Outlook" as saying:

"He didn't believe that the Government would fall into the trap of devolved government for Ulster".

His right hon. and hon. Friends are now telling the people that we are here today to make the Government give us devolved Government. The right hon. Gentleman, however, said that the Government would never fall into that trap

"but rather would take a more careful approach with the involvement of local government".

We were told today that the cord of the Siamese twins must be cut. That is a bad metaphor, because if the cord is cut both will die—and that is exactly what will happen. The Government have already declared their policy on this. Perhaps the promoter of the Bill has not read the appropriate documents. He should have taken more care to make the Bill consistent when he drafted it.

**Mr. Peter Robinson (Belfast, East):** In referring to inconsistencies in the Bill, is my hon. Friend drawing attention to the fact that the 1982 Act makes frequent reference to widespread acceptance throughout the community? That is just the kind of phrase that the Bill seeks to delete, but it does not delete them all. Could it be that the promoter wishes to delete such references only in respect of certain aspects of the Act?

**Rev. Ian Paisley:** Yes, if the promoter wished to be consistent he should have deleted all references to widespread acceptance, but he has not done so. The Bill was clearly drafted in haste and without due care and attention.

Perhaps, however, the promoter and sponsors are not clear about their intentions on some points as there is a great division in the Official Unionist party on this. Some Members of that party want full-blooded devolution, both executive and legislative. Others wish to bring in a second tier of local government by the back door, which is exactly what the Bill seeks to do.

Way back in 1976, the right hon. Member for Lagan Valley (Mr. Molyneaux) said:

"Ulster needs a regional Government now. It needs a regional Government in which—as in the present government of metropolitan regions in England—all political parties would automatically participate in proportion to their elected representation."—[*Official Report*, 13 December 1976; Vol. 922, c. 1045.]

When the people of Northern Ireland talk about a regional Government they think of Stormont, because the old Stormont was always regarded as a regional Government, but the right hon. Member for Lagan Valley was referring to something very different. The attempt today to delete legislative devolution from the Act and to leave only administrative devolution is an attempt by the Official Unionists to turn Stormont into a second tier of local government.

The hon. Member for Fermanagh and South Tyrone said that it was not possible to have legislative devolution because of power sharing. Power sharing is obnoxious to the hon. Gentleman, or so he would have us believe. However, his right hon. Friend the Member for Lagan Valley said something quite different. He said that all political parties would automatically participate in proportion to their elected representation.

We all know what happened in the city council last night. Members of Sinn Fein and the People's Democracy

[Rev. Ian Paisley]

justified the death of Councillor Armstrong. They publicly justified the use of the Armalite. We also know what Gerry Adams said in the Republic of Ireland at the weekend. He said that the person who murdered Councillor Armstrong was fully justified in doing so. He said that anyone who put on the Queen's uniform or that of the Royal Ulster Constabulary was a legitimate target and that those who kill them are justified in doing so.

I would not associate myself in any way with Sinn Fein, the People's Democracy or any others of that ilk who publicly stand up in a council chamber and say that the death of another local councillor is justified because he happened to be a member of the Ulster Defence Regiment. Indeed, when Councillor Armstrong was referred to as "Councillor" in that debate, they shouted out, "No, you mean major." It is clear that those people want to kill and maim the people of Northern Ireland, yet they want to have some part in the government of Northern Ireland. Nevertheless, all of their acts are aimed at the destruction of Northern Ireland.

There is no need for any Executive in order to have legislative devolution. How are the laws of the United States enacted? They are enacted in the elected chambers of Congress. No Cabinet members are present and they do not operate the system that we employ. There is no reason why legislative devolution could not be introduced into Northern Ireland without an Executive. It is clear that right hon. and hon. Members opposite believe that legislative devolution, if given Northern Ireland, would in some way tend against the Union. That is in spite of the fact that, for many years Stormont had legislative and administrative devolution. In 1976, the right hon. Member for Lagan Valley—he was then the Member for Antrim, South—said that he regarded legislative devolution as repugnant to the integrity of Northern Ireland. I do not believe that. I believe that Stormont had legislative and administrative devolution and that that was a safeguard for the Union. The same consideration is important today.

On Second Reading we deal with the principles rather than with the nitty gritty. I should like to deal with the principle of the 70 per cent. issue. Those who read the debates of this House will know that my hon. Friends and I opposed the 70 per cent. provision in the original Bill. The 70 per cent. should be changed to 70 per cent. of the House when it takes its vote, rather than 70 per cent. of its entire membership. What would happen here if we were tied by a law which required that 70 per cent. of the entire membership of the House had to agree to legislation? Not one piece of legislation would be passed. The Whips already have enough trouble, especially on Fridays, to keep even token forces present.

I am opposed to the 70 per cent. rule, but if we must have it, it should apply to 70 per cent. of those who attend. The 70 per cent. rule makes it impossible for those who are prepared to carry the burden of the Assembly's work to do so. It is important that that should be said to this House and that the House should know exactly the strictures under which it has placed the Northern Ireland Assembly.

To expect widespread acceptance is nonsense. There will never be widespread acceptance in Northern Ireland when representatives of Sinn Fein and the People's Democracy stand up and tell us that they can justify the killing of public representatives. Are the Government

saying that they should accept Sinn Fein Members of the Assembly, that they are prepared to give the green light—an appropriate colour—for proceeding in that way and that without it no progress can be made? The need for widespread acceptance should be swept from all provisions.

**The Under-Secretary of State for Northern Ireland (Mr. Nicholas Scott):** The hon. Gentleman knows that that is not the Government's position. When we talk about "widespread acceptance" we mean the involvement of the constitutional nationalist community and its representatives in a political party—the SDLP. No one has suggested that any of the criteria involved in widespread consent involves the consent of Sinn Fein or others who advocate violence.

**Rev. Ian Paisley:** That is an amazing statement, because the Minister has not written that proviso into legislation. He should write it into the Bill. He has the opportunity to carry out his pledge and say in the Bill that only constitutional nationalists, whoever they may be, are involved. In the City hall last night the whole of the SDLP voted in favour of a gunman and those who advocate murder.

**Rev. William McCrea (Mid-Ulster):** There is grave doubt about the SDLP's position as a constitutional party, bearing in mind that the SDLP, to a man and to a woman, in Magherafelt council voted in favour of honouring one of the mass murderers in Ulster, Francis Hughes, by naming a street after him and thereby uplifting his name in the south Londonderry community. The chairman of the Magherafelt branch of the SDLP when Lord Mountbatten and 19 British soldiers were murdered, laughed and said, "I shed no tears over them." When he was told that many were Roman Catholics, he said, "Yes, but they were not Irish." Are they constitutional politicians?

**Mr. Deputy Speaker:** Order. I hope that the hon. Gentleman will not be tempted to go down that road, because if he does he will be moving a long way from the Bill.

**Rev. Ian Paisley:** With respect, Mr. Deputy Speaker, the Minister intervened and told the House that the Government's policy was that widespread acceptance involved only the SDLP. I am entitled to give an answer. I invite the Minister to act upon his assurance and to amend the Bill so that it is clear that the Government have only constitutional nationalists in mind.

By the look of things, the SDLP will be replaced by Sinn Fein. When Sinn Fein grows—God forbid that it should, but it looks as though it will—what do the Government do about "widespread acceptance?" We must face reality. It is wrong for any Government to give a veto to any political party in Northern Ireland. All parties must submit themselves to the ballot box and take the answer from the electorate. That is the only way in which the issue can be decided.

The hon. Member for Fermanagh and South Tyrone said that the Assembly serves no useful purpose. We know that the hon. Gentleman's energetic attendance at Committees of the Assembly would not make it serve any useful purpose. What answer will he give to the people of Northern Ireland about that statement? Was no useful purpose served when the farmers of Northern Ireland were given intervention grain? Will he tell the intensive farmers

of his community that no useful purpose was served when the hon. Gentleman's constituents attended the Agriculture Committee and said what was needed? Will the hon. Gentleman tell the farmers of Fermanagh and South Tyrone that the Assembly served no useful purpose when it forced the hand of the British Government on the issue of LFAs and put the application before Europe? I visited the hon. Gentleman's area and I listened hour after hour to his farmers. They said that they wanted the LFAs. Is that no useful purpose? What about the representation? —[*Interruption.*] The hon. Gentleman for Newery and Armagh may laugh, but there is nothing to laugh about. He was enthusiastic in those days. He attended the Committee. No one worked harder than the hon. Gentleman. He told us what a good job we were doing and to keep at it. He need not now intervene and say, "No useful purpose".

What about the bread-and-butter issues? What about the housing orders and the changes? I have been a Member of Parliament since 1970 and all the time that direct rule has been in operation. I know a little about the House. I never have the opportunity to bring a Minister to a room and question him on what he is doing, but I can do that at the Assembly. I never have the opportunity in the House to question the Under-Secretary of State for Northern Ireland on his policy for roads and hospitals in the Ballymena area, but I have an opportunity to do so in the Assembly. We did not agree, but at least I was able to represent the views of my constituents face to face with the hon. Gentleman. I never have the opportunity to do that in the House.

What about the proposed fishery order, which was so repugnant to the people of Northern Ireland? What about all the changes which the hon. Member for Fermanagh and South Tyrone and the Assembly agreed were good and supported? The hon. Gentleman now says, "No useful purpose". He had better learn that the only things that one gets in politics are those for which one works hard and makes sacrifices.

I have learnt in my short life as a public representative that one can achieve only the "possible". The "impossible" will never be achieved. The first part of the Assembly is good. If that is taken away, we revert to direct rule without a bridle. Hon. Gentlemen appreciate that they are having difficulties in getting their proper proportion of representatives on the Committees of the House. Difficulties are faced in that area. They have experience of the Northern Ireland Committee. We all know how effective that has been in the past and what we have achieved through it.

I understand that the right hon. Member for Lagan Valley told his fellow Unionists, "We are doing well in Westminster. We got a debate on UHT." So we did, but the Minister who replied to that debate did not mention Northern Ireland. It was not even considered.

Then the right hon. Member for Lagan Valley said "We are opposing the Select Committees." However, it was my hon. Friend the Member for Mid-Ulster (Rev. William McCrea) alone who opposed them when motions in respect of them last appeared on the Order Paper. Mr. Speaker called him and asked whether he was objecting to all of them. It was my hon. Friend's objection, not that of the right hon. Member for Lagan Valley and his hon. Friends.

Those right hon. and hon. Members had better take stock of their actions in the House. The people of Northern

Ireland will learn from this debate that the place where they really can be heard and make their presence felt is the Assembly of Northern Ireland. There must be a change. That Assembly must have proper legislative and administrative powers. We must have a full-blooded devolution and not some cosmetic exercise of a second tier of local government.

1.56 pm

**Mr. James Molyneux** (Lagan Valley): The hon. Member for Antrim, North (Rev. Ian Paisley) has paid me the compliment of quoting extensively from speeches that I delivered in the House in 1976. I shall not concern myself with correcting the inaccuracies. I say simply that at that time I was speaking as Leader of and with the authority of the United Ulster Unionist coalition. At that time the hon. Member for Antrim, North was my deputy leader. He did not object on that occasion, and he did not resign. It may be that in that finely balanced Parliament considerations of patronage were not entirely absent from his mind. At any rate, he appeared to agree with and supported me loyally in all that I did and said during that period.

**Rev. Ian Paisley** *rose*—

**Mr. Molyneux:** No, I will not give way.

**Rev. Ian Paisley:** The right hon. Gentleman must give way. He has made an accusation against me.

**Mr. Molyneux:** No. I was conveying my thanks—

**Rev. Ian Paisley:** I challenged the right hon. Gentleman on his speech at the time.

**Mr. Molyneux:** —for his paving operation for my short contribution—

**Rev. Ian Paisley:** On a point of order, Mr. Deputy Speaker. Is it in order for a right hon. Member to make a totally unfounded accusation in the House? He knows that he made that speech without consulting the UUUC, that there was a row in the UUUC about it and that afterwards it broke up.

**Mr. Deputy Speaker:** It is a matter for the Member who has the Floor whether he gives way.

**Mr. Molyneux:** I take it that there is not time today to seek an opportunity to table a manuscript amendment thanking the hon. Member for Antrim, North for the tribute that he paid me earlier. Time is passing, so I shall have to deny myself that courtesy.

**Rev. Ian Paisley:** This is a lot of nonsense.

**Mr. Molyneux:** It will come as no surprise if I as leader of the Ulster Unionist party repeat that my party is pledged above all else to the maintenance of the Union. Without the Union we could not regard ourselves as the Unionist party. The Prime Minister and the Secretary of State for Northern Ireland are supporters of the Union. They support the Union unless and until the people of Northern Ireland decide otherwise. That is a perfectly sound position.

The Prime Minister was commissioned by the Sovereign to form a Government to govern the United Kingdom of Great Britain and Northern Ireland, and the right hon. Lady can be commended for the leadership that she has provided not just for the United Kingdom but for regions further afield which are under neither her

[Mr. Molyneux]

jurisdiction nor the sovereignty of Queen Elizabeth II. The Prime Minister has not been reluctant to advise them on the ordering of their affairs, and other heads of Government might profit from taking heed of the refreshingly candid views of the right hon. Lady from time to time.

These matters aside, the Prime Minister cannot be accused of suggesting that the burden of governing the United Kingdom could be lessened if she disposed of a portion of the United Kingdom, and apparently she has no intention of redrawing what might be called her Prime Ministerial constituency boundaries or suggesting any reduction in the total acreage of the estate under her management.

The Secretary of State has accepted the stewardship of one of the four component parts of the United Kingdom. This morning's newspaper seemed to forecast his re-entry into the debate on economic affairs. In other words, he may, if the forecasts are right, seek to modify Government policy by the use of his own personal standing in Cabinet, with behind him the prestige, if not the authority, of the Northern Ireland Office. If he can bring himself to accept my hon. Friend's Bill, and give the Northern Ireland Assembly real powers, who knows, in due course he might be able to say to the Cabinet that he is expressing the support of the Northern Ireland Assembly for his policy and claim to speak on behalf of the people of Northern Ireland. I hasten to say that that claim might be disputed by others, depending on their electoral fortunes at any given time.

For a variety of reasons, the Secretary of State can have no vested interest in abolishing Northern Ireland, removing it from the United Kingdom and thereby sawing off the branch on which he is sitting. The Secretary of State is influenced by worthier motives. He has been delegated by the Prime Minister to govern Northern Ireland, and he has received from the Queen the seals of office and been charged with the duty of governing that part of her realm.

In fairness, the Secretary of State has shown a greater commitment than his noble Friend Lord Gowrie, who, when he was asked in another place to come out more warmly and enthusiastically in favour of the Union, said that it would be quite all right for an individual to do so, and quite all right for a political party in what he called a "non-governmental" capacity to do so, but it would be quite improper for a British Government to do so as they believe in self-determination, and to come out in favour of the Union would be taking sides and would be "loading the question". Although the noble Lord is to be congratulated on his candour, I cannot believe, nor do I believe, that he was expressing the view of the Government as a whole. His attitude is, quite properly, that Northern Ireland is part of the United Kingdom unless the people of Northern Ireland decide otherwise. That for me is the true meaning of self-determination.

My hon. Friend the Member for Fermanagh and South Tyrone (Mr. Maginnis), in moving the Second Reading of the Bill, has provided the Government with an opportunity to give evidence of their good faith in a form which more than anything else would knock the stuffing out of terrorists. The Government could show that they meant what they said when they declared that the purpose of the 1982 Act was to provide a full legislative and

administrative means of achieving what has been the declared objective of the Government since 1979—to give to the people of Northern Ireland more control over their affairs. That is precisely what the Bill aims to do, to:

"Facilitate the resumption of legislative and executive functions by the Northern Ireland Assembly".

In the Government's aim of control over their own affairs by the Northern Ireland people, "control" is the operative word because an Assembly without control in its second year is a failed experiment. It need not be a failed experiment. The Assembly's standing would be dramatically increased if the Government were to accept my hon. Friend's reasonable and practicable proposals for making it possible, after a year, to move on to the second stage of the Act now that the time-serving first year of the Assembly has been completed. Only the Government have the power to take that decision, a decision that would breathe new life into the Assembly. Only the Government can save the Assembly.

I hope that today's reply by the Minister will not be just a restatement of the Government's position, or a slamming of the door on future progress. I hope that the Government and the House will recognise that the conditions and requirements in section 1 of the Act will not be achieved and cannot be achieved. I hope that that having been done, the Government and the House will face the reality of the fact that if progress is to be made the twin road blocks in section 1 must be removed.

2.4 pm

**Mr. Clive Soley** (Hammersmith): I am not sure that this short debate will have done much to improve the image of the Unionist party in the United Kingdom. That is sad, but to some extent inevitable.

The debate is not entirely new. Those of us who were in the House during the passing of the original Bill will remember the long days and nights that we had going through many of the arguments and rehearsing them, as we have done today. It is ironic that the Official Unionists, having walked out of the Assembly, are now trying to amend it. They walked out for utterly the wrong reasons at the wrong time. That needs to be said loudly and clearly.

I know that the Official Unionist party was never very enthusiastic about the Assembly. I realise that there is a deep split within that party as to whether it participates in the Assembly. To walk out as a result of paramilitary activity, does no good to anyone on any side or with any view on Northern Ireland. It means that the message goes out from the Assembly, and indirectly from the House, that if one wants to bust a political initiative it can be done by the bullet and the bomb.

Although I have never made any secret of my doubts and my difficulties about accepting the Assembly in its current form, it would do my cause no good to recognise that a political initiative can be broken by paramilitary activity. It is a fundamental mistake and one into which we should never slip when debating Northern Ireland or any other matter when violence is being used to achieve political change. I want to make one other point to the Democratic and Official Unionists. One cannot force people to make a political institution work. To say in an amendment, as the Official Unionist party is doing, "We will accept you only if you take part in the Assembly and vote" is, in effect, to say to those who pursue the Republican cause in the north, "If you will not participate, we will go ahead without you."

The problem for the Unionists is precisely the same as for the Republicans. The two sides will not go away. They live in Northern Ireland, and unless one side is allowed to drive out or kill the other it will be the problems which must be faced in the island of Ireland, and the United Kingdom in its relationships with the island of Ireland.

To attempt to torpedo the Assembly at this time is not a good idea. In previous debates I have made clear my doubts about the Assembly's ability to function well, but I recognise, and recognised in the debate in the House last year, that it was an honest and genuine attempt by the Secretary of State to resolve the problem of Northern Ireland. I felt that the Assembly would never work effectively until we gave some meaning to the all-Ireland dimension.

The Secretary of State tried to deal with that by including the 70 per cent. part of the guarantee, which is what the Official Unionists are trying to remove today, and by trying to ensure that any decision taken by the Assembly had genuine cross-community support. I recognise that it was a genuine attempt, but I always felt, and said at the time, that it was inadequate and did not go far enough.

There was another message in all that, which is that if we do not have some form of devolved government working in Northern Ireland, in the short term the only alternative is direct rule. The Unionists and the Republicans need to recognise that at the end of the day that will alienate both communities. Direct rule to some extent plants the seeds of rebellion in both parts of the community because it gives nothing to either. It removes from them, as a number of hon. Members have already said, the power to decide local issues in their own community. Those local issues cannot be decided unless each side of the community recognises the rights of the other.

That is the difficulty today. It is sad that when the people of Britain—I use the term “Britain” advisedly—read the report of the debate they will recognise the deep hostility and strength of feeling between two parts of the Unionist party as represented in the House. They will then begin to understand the difficulties that we face in making Northern Ireland a viable political and economic unit.

The hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) began by saying that he felt that no one should have a veto over an election. I think that those were his words. Would he have used the same words in 1918? If the Unionist party had not chosen to veto the outcome of the 1980 election for an all-Ireland settlement, I wonder how many more people would be alive today and how many people's lives would not have been torn apart by bombs and bullets. If that thought can be left with the Official Unionists, they might be a little less keen on imposing their will on the minority community in the north.

The Labour party's position is clear. We have been developing it and expanding it in recent times and we shall continue to do so. Our position is that one day we must recognise that Northern Ireland has been a failed political and economic border. We have known that for many years and have recognised it. I have said on many occasions in the House that political parties and Governments of both complexions have recognised that implicitly. Members of the Democratic Unionist Party understand better than most that we have always treated Northern Ireland differently.

The Unionist party has always complained about that but that has told us what we know, that Northern Ireland is treated differently.

The hon. Member for Antrim, North (Rev. Ian Paisley) is more aware of that fact than most because he knows the way in which the people of England, especially, relate to the people of Northern Ireland. There is a real difference and the hon. Gentleman touched on it indirectly in his speech.

The British Government have to take a view on the border. We must be one of the few nation states to say “If the people of this part of our state want to remain part of the state they can do so, and if they do not they can go.” In other words, the British Government have no views on where the border should be. We would not take the same view if, instead of Northern Ireland, we were dealing with Caithness or Cornwall. If that were the position, we would take a very positive view. We would not allow a veto to be given to those who lived in those areas.

We are faced with a different problem in trying to achieve a united Ireland by consent. We must recognise that we are trying to achieve reunion between two groups of people who have sufficient cause and sufficient numbers to veto the desires of the other. Both sides must recognise that.

**Rev. Martin Smyth** (Belfast, South) *rose*—

**Mr. Soley:** I shall not give way because of the lack of time. I recognise that the Minister wishes to intervene.

If we are to continue to challenge the attempts to set up a form of devolved government which crosses the divide in Northern Ireland, we shall find it that much more difficult to get a solution within Northern Ireland. However, the Unionist party must recognise that there is a growing feeling in this country and in the island of Ireland that the solution at the end of the day must involve an all-Ireland dimension.

**Rev. William McCrea:** Never.

**Mr. Soley:** That might be a relatively small or minor matter for some people. It means to me a united Ireland by consent with no veto for other political developments.

**Rev. William McCrea:** There will never be one.

**Mr. Soley:** That is the way out of the trap at the end of the day. It will not be achieved by shouting abuse from one side to the other.

**Rev. William McCrea:** It will not be achieved, full stop.

**Mr. Soley:** It will not be achieved by one side trying to bomb or kill the other into consent. It will not be achieved by people trying to veto political developments. If today's debate has shown anything, it has shown that.

2.14 pm

**The Under-Secretary of State for Northern Ireland (Mr. Nicholas Scott):** First, I congratulate the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) on his good fortune in winning such a high place in the ballot and on bringing forward a Bill which enables us to discuss a vital matter for the future government of Northern Ireland. I know of the tensions that exist in the part of Northern Ireland that he represents. Therefore, I am especially grateful for the extremely reasonable way in

[Mr. Nicholas Scott]

which he presented his case. Although, as he will discover, I cannot agree with the terms of the Bill, I hope to respond in an equally reasonable manner.

In the strict conventions of the House, the term "hon. and gallant Gentleman" is restricted to those hon. Members who use their military, naval or air force titles regularly; but the record of the hon. Gentleman in combating terrorism in Northern Ireland before he came to the House fully entitles him to the title of "hon. and gallant Gentleman."

The long title of the Bill expresses its purpose as being to

"Facilitate the resumption of legislative and executive functions by the Northern Ireland Assembly".

It is a most important and serious subject. I am sure that I speak for my hon. Friend the Under-Secretary of State when I say that we, as the Ministers who operate the system of direct rule, are only too conscious that it is a less than completely satisfactory way of running Northern Ireland, as the hon. Member for Fermanagh and South Tyrone also said. That is why we are as committed as we ever were to finding a way in which the full range of potential functions can be returned to a Northern Ireland Assembly. That alone would be the basis for long-term peace and prosperity in the Province.

Although I recognise the sincerity of the hon. Gentleman's views, I must say that, having examined carefully the provisions of the Bill, we do not believe that it will bring us closer to the realisation of those objectives. Rather, the Bill would, if it were enacted, widen the divisions in Northern Ireland and make it even more difficult to create lasting and widely acceptable political structures that take account of the Province's special circumstances.

It is almost 18 months since the Northern Ireland Act 1982 became law, and just more than a year since the newly elected Assembly first met. It is common ground that the Assembly has not, in its first year, achieved all that we hoped when it was set up. However, the Government never supposed that it would provide an instant solution to the problems of the Province. Nevertheless, as we were reminded by the hon. Member for Antrim, North (Rev. Ian Paisley), the Assembly has accomplished much that has been worth while for the people of Northern Ireland.

The House may remember that the 1982 Act conferred two new functions on the Assembly. It was to embark directly upon a scrutiny of the activities of the Northern Ireland Departments. Ministers can testify to the effectiveness with which that duty was carried out. The Assembly pursued the function vigorously, but it was clear from the debates on the Bill and from the wording of the Act that the principal function of the Assembly was to bring forward new proposals for the devolution of both legislative and executive functions to the Assembly and to those responsible for it.

As it is only a year since the Assembly was set up, those hon. Members who took part in the debates may remember that several amendments were moved which sought to put a time limit on the realisation of that second stage, and to provide that the Assembly should cease to exist if, after six months or two years or any other period, devolution had not been achieved. The Government took the view that it was impossible to put a time limit on the process. We believed that something as sensitive and new as the

Assembly would take time, and that it might be some time before other parties gave their consent to the Assembly. It would have been wrong to curtail the process by putting an artificial time limit on it. It is much too early now to say that it will not be possible, under the terms of the Act, to provide for devolution of power to the Assembly.

However, it is clear that for such proposals to be introduced they must either command the support of 70 per cent. of all the members elected to the Assembly; or, if the Secretary of State believes them likely to command widespread acceptance throughout the community, the support of a simple majority. Hon. Members will remember that, under the Act, the proposals may then be submitted to my right hon. Friend the Secretary of State, who will lay them before Parliament. When proposals have been laid, arrangements for devolution can, with the approval of each House, be given effect by Order in Council. However, any such order must meet one fundamental condition. It must set out arrangements which, in the view of each House, and irrespective of whether the Secretary of State has previously expressed a view on the matter, are likely to command widespread acceptance throughout Northern Ireland. Those are the main provisions that the hon. Gentleman asks us to amend in the Bill.

The statutory background is a little complex. It is not my purpose today to go through the Bill to see how technically it might be amended. I have been in the same position as the hon. Gentleman. I have brought forward legislation as a private Member and been taken through it by a Minister who has explained how it does not match some other piece of legislation. I do not wish to do that this afternoon, for reasons of time, and also because that is not the spirit of our debate. We want to talk about the broad picture.

I wish to spend my limited time on the principle of seeking to abandon a precept that has been respected by successive Governments as they have addressed themselves to the political difficulties of the Province. The words "widespread acceptance throughout the community" are, in the circumstances, of Northern Ireland far from being a platitude. The hon. Member for Antrim, North says that acceptance is unattainable, but my view is clear. Those words are simply the statutory formulation of a principle that any new system of government in Northern Ireland must have a substantial measure of support in both parts of the community. The policy that that phrase embodies, when put to this House over the years, has always commanded large majorities in its support. The need for widespread acceptance of any new arrangements for the government of Northern Ireland is a recognition of the realities of life in the Province, not just a matter of political argument.

The hon. Member for Fermanagh and South Tyrone made much of what he described as the reluctance of the two Front Benches to come together. I must reiterate what my right hon. Friend the Secretary of State said within the past week—that had we had proportionately the scale of deaths and damage in Great Britain that Northern Ireland has had to endure over the past 14 years, the people of Great Britain would have come to this House and said that the political parties must get together to arrange our affairs better.

Until 1972 the nationalist population in Northern Ireland was, in effect, permanently excluded from power. That state of affairs would have persisted for as long as the

system of political parties in Northern Ireland continued to be dominated by the issue of unionism against nationalism. The result, in my view, was inevitable—serious disillusionment with, and resentment of, these arrangements on the part of one third or so of the population. There was near universal recognition in the House, in the light of that experience, that such a system offered no way ahead and that the only promise of an end to dissension and a return to normality lay in the establishment, as it was put, of government by consent. That remains as true now as it did then. Unless the minority as well as the majority can be bound to the support of new political arrangements, there is little prospect that such arrangements will yield stable and effective government in Northern Ireland or create an atmosphere—this is of central importance to the people of Northern Ireland—in which it will be possible to tackle the Province's pressing security and economic problems.

**Sir John Biggs-Davison** (Epping Forest): When partition occurred in Ireland, was not the then considerable southern unionist population permanently excluded from political power?

**Mr. Scott:** I wish to cover the inevitable consequences that occurred as a result of what happened in Northern Ireland and the need now to move in a different way if we are to achieve stable government for the Province.

The Bill, in effect, provides for a return to the very system that existed in 1972 and brought about the frustration and ultimately many problems that we face today. I do not believe that it would be possible simply to hand over either executive or legislative powers on their own. Under the terms of the Northern Ireland Act 1982, it is clear that both executive and legislative powers must be handed over together. The Government do not have a closed mind about handing over one or other of those functions. We would look carefully at any proposals that seemed to have widespread support throughout the community. There can be no stable or effective Government in Northern Ireland that does not have a substantial measure of support in both parts of the community. That is the simple, stark truth.

The Bill envisages a system that would leave the nationalist population in permanent, powerless and, one could not but imagine, increasingly disaffected, opposition—and, realistically, much of the opposition would be expressed outside the Assembly. I do not believe that the House will see that as a way forward.

We still believe that the Assembly, as it is regulated by the 1982 Act, offers the most hopeful framework for developing a satisfactory solution to Northern Ireland's political difficulties. I stress that it is no more than a hopeful framework. Any who chide it for not being a guaranteed solution misunderstand its nature. We cannot in this House conjure up a form of government that will meet the widespread acceptance criterion. We can only provide structures and offer the opportunity to the elected representatives of Northern Ireland to work together in the interests of all its people. That is the whole point of the Assembly and the Act upon which it was established.

**Rev. Martin Smyth:** With the SDLP and Sinn Fein having been elected on a policy of abstentionism, how can we move towards acceptance within the next three years?

**Mr. Scott:** I agree that we cannot get the constitutional nationalists into the Assembly unless the Unionist parties are prepared to sit down with them and find a basis on which that participation can take place. The ball rests within the camp of the Unionist parties. If they want devolved government, they must be prepared to get together with the SDLP and determine whether a basis for participation can be found.

The Assembly has many obstacles to fact in formulating proposals which will command widespread acceptance, not least—and I say this more in sorrow than in anger—the recent withdrawal from it of the Official Unionist party. But in its first function, the scrutiny of direct rule, the Assembly has already done work of great value. It has examined, often in great depth, 11 proposals for draft Orders in Council, and I believe that many here found the Assembly's reports helpful when legislation came to the House for its consideration.

Leaving apart the longer term devolution prospect, in which I still believe as the right way forward for Northern Ireland, the Assembly still has an important part to play in the politics of the Province. The Assembly has not only considered draft orders, but produced other reports on issues that it has selected for investigation. It has offered an opportunity for well informed debate on issues of great importance to the people of Northern Ireland. Ministers and officials have willingly offered themselves for searching questioning. The Secretary of State, other Ministers and I have attended 10 times in plenary sessions of the Assembly, and 21 times at departmental committees, though we have always been conscious of our overriding responsibilities to this House. While the Assembly has not progressed to the discharge of its second function—the submission of proposals for devolution in the form the 1982 Act demands—it has shown in all its work an energy and enthusiasm that must, if it could be harnessed to a widely acceptable machinery of Government, be a force for good in the Province.

Certainly, as a Minister with Departmental responsibility in the Province, I know the effective and useful roles that the Assembly and its Committees have played. It was a source of great regret to the Government that they have not been able to persuade the SDLP to attend the Assembly and to add its contribution to the work of scrutiny and to join in the drawing up of plans for devolution. Attendance would in no way have compromised its national identity, and it could have done a great deal for the benefit of its supporters.

Equally, the withdrawal of the Official Unionist party is a cause of dismay. We all understand the feelings following the bestial regime of violence that Northern Ireland has endured, particularly its latest manifestation at Darkley. The objective of the terrorists who committed that atrocity is to weaken and destabilise democratic institutions in the Province. I hope that the hon. Gentleman and his colleagues will look—

*It being half past Two o'clock, the debate stood adjourned.*

## Private Members Bills

### JURIES (DISQUALIFICATION) BILL

*Order for Second Reading read.*

**Hon. Members:** Object.

*Second Reading deferred till Friday 9 December.*

### GENERIC SUBSTITUTION (NATIONAL HEALTH SERVICE) BILL

*Order for Second Reading read.*

**Hon. Members:** Object.

*Second Reading deferred till Friday 30 March.*

### CONTROL OF DOG NUISANCE BILL

*Order for Second Reading read.*

**Hon. Members:** Object.

*Second Reading deferred till Friday 16 December.*

### LOTTERIES (AMENDMENT) BILL [Lords]

*Order for Second Reading read.*

**Hon. Members:** Object.

*Second Reading deferred till Friday 9 December.*

### SOCIAL SECURITY (AGE OF RETIREMENT) BILL

*Order read for resuming adjourned debate on Second Reading—[25 November].*

**Hon. Members:** Object.

**Mr. Deputy Speaker (Mr. Paul Dean):** No day named.

### CRIMINAL LAW ACT 1977 (AMENDMENT) BILL

*Order for Second Reading read.*

**Hon. Members:** Object.

*Second Reading deferred till Friday 9 December.*

### CHRONICALLY SICK AND DISABLED PERSONS (AMENDMENT) BILL

*Order read for resuming adjourned debate on Second Reading—[18 November].*

**Hon. Members:** Object.

*Second Reading deferred till Friday 9 December.*

### CARAVAN AND TENT SITES BILL

*Order for Second Reading read.*

**Hon. Members:** Object.

*Second Reading deferred till Friday 9 December.*

### TRADE MARKS ACT 1938 (AMENDMENT) BILL

*Order read for resuming adjourned debate on Second Reading—[11 November].*

**Hon. Members:** Object.

*Second Reading deferred till Friday 9 December.*

### AGRICULTURE (AMENDMENT) BILL

*Order for Second Reading read.*

**Hon. Members:** Object.

*Second Reading deferred till Friday 9 December.*

**Mr. Laurie Pavitt (Brent, South):** On a point of order, Mr. Deputy Speaker. Last week, the Chair kindly undertook to refer to Mr. Speaker for guidance certain matters arising out of the procedures that have operated in this place for many years. Has there been any further communication as a result of that reference to the Chair or the Select Committee on Procedure? Originally, when the Government did not want a Bill the Government Whips objected from the Whips' Bench. That procedure seems to have changed. The point that was raised last week was whether Mr. Speaker, on behalf of Back Benchers, would seek the advice of the Select Committee on this vexed question about which many hon. Members on both sides of the House are concerned.

**Mr. Deputy Speaker Mr. Paul Dean:** I am grateful to the hon. Member for the way in which he has raised that point. The matter was reported to Mr. Speaker. As I believe that the hon. Gentleman and the House know, however, no Select Committee on Procedure has been set up. Even if the House decided to set one up, that would be a matter for the House to decide. It is not for Mr. Speaker to decide what matters the House should consider and what recommendations the Committee should eventually bring before the House for decision.



From: THE PRIVATE SECRETARY

2



**CONFIDENTIAL** NORTHERN IRELAND OFFICE  
WHITEHALL  
LONDON SW1A 2AZ

A J Coles Esq  
Private Secretary  
10 Downing Street  
LONDON  
SW1

1st December 1983

*ms*

Prime Minister

*A.S.C. 1/2*

*Dear John,*

*Give copy for me to take  
to Brussels please.*

NORTH/SOUTH ANGLO-IRISH SECURITY COOPERATION

The Secretary of State mentioned to the Prime Minister this morning the outcome of a number of exchanges we have had with the Irish in the past week about North/South Security Cooperation, culminating in his discussion with Mr Barry. I understand the Prime Minister asked for some further background and a speaking note in case there were an opportunity to raise it in the margins of the forthcoming European Council Meeting in Athens.

The Prime Minister will recollect Dr FitzGerald's reference at their meeting on 7 November to the McGovern case. I subsequently wrote to you on 17 November setting out the background, and the Prime Minister agreed to the proposal that the Ambassador should call on Mr Nally to set out the sequence of events and make plain our readiness to look at any further evidence the Irish might produce; to emphasise the RUC's wish for full cooperation and confidence whilst not accepting that the RUC action in the matter required apology; and making clear our feeling that a single incident of this kind should not be allowed to impair cooperation.

The Ambassador spoke accordingly to the Irish. In these exchanges it became clear that the Irish perceived a much more fundamental disruption to North/South security cooperation than just over the McGovern case, referring for example to the Garda's lack of trust in the RUC down to the level of sergeant. Following the Darkley murders, the Irish Minister of Justice publicly referred critically to security action in the North. The Secretary of State concluded that he should have an urgent meeting with the Minister of Justice to seek ways of restoring confidence. He was naturally content that the Foreign Minister, Mr Barry, should be present if that made it easier for the Irish. In the event the Irish felt unable to agree to a meeting involving Mr Noonan, and the Secretary of State therefore met Mr Barry in Brussels on 29 November.

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On McGovern, the Secretary of State finally persuaded Mr Barry that in the absence of further evidence from the Republic there was nothing more we could do. Mr Barry said that we could now regard the issue as closed, although it might need to be re-opened at a later date if fresh evidence were produced as a result of inquiries in the Republic into political interference with the Garda. Mr Prior thinks that we can take this as meaning the Taoiseach will not raise the McGovern case with the Prime Minister at the European Council, as he did at such a meeting earlier in the year.

It would however be appropriate for the Prime Minister to emphasise to Dr FitzGerald our concern about any lack of confidence between the two forces and our disappointment that the Irish should not feel able to agree to a meeting between Mr Noonan and the Secretary of State at least until early January (we gather that the Irish Cabinet has considered the matter and concluded that there cannot be such a meeting for the time being). We hope the Prime Minister might also regret the refusal of the Garda Commissioner to meet the Chief Constable of the RUC; we have known that at a personal level they have not got on well in the past, but the Chief Constable is ready and anxious to establish the best possible cooperation at a senior level in order to foster and encourage cooperation at operational level. The press speculation in the last few days about poor security cooperation is harmful to both sides.

.....  
Mr Prior hopes that the Prime Minister may be able to secure Dr FitzGerald's agreement to quickly confirming the meeting with Mr Noonan very early in January at which these matters can be examined and the right political will created to overcome any problems. I attach a speaking note for the Prime Minister's use to this end, which as I write has not been seen by FCO Ministers.

A copy of this letter goes to Richard Bone, FCO, and to Richard Hatfield, Sir Robert Armstrong's Office.

*Yours ever,*

*John*

J M LYON

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NORTH/SOUTH ANGLO-IRISH COOPERATION

I was impressed at our Chequers meeting by the emphasis you placed on the need to defeat terrorism in Northern Ireland and your readiness to examine new approaches to that end.

2. I was therefore surprised to hear that Jim Prior's proposal, after the Darkley murders, that he should meet your Minister of Justice to review security cooperation, was not accepted and that the Garda Commissioner had refused even to meet the Chief Constable of the RUC. How can security cooperation thrive if the responsible Ministers and police have such difficulty even talking to each other? Press reports of chief police officers refusing to speak to each other give an impression of petulance which brings discredit on them, the police service and both our Governments. What can I or Jim Prior say when asked about security cooperation in Parliament? (Mr Prior is top for Oral Questions on 8 December).

3. I note that Jim Prior and Peter Barry agreed that there was nothing further we could pursue at Ministerial level about the case of James McGovern. The Chief Constable remains ready to follow up any evidence the Irish provide but cannot act on mere speculation. The McGovern case, whatever its merits, cannot justify holding back on security cooperation. It is for the Irish Government to ensure that the Commissioner acts accordingly - as the United Kingdom Government will with Sir John Hermon.

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4. I welcome the renewed arrangements for liaison at Deputy Chief Constable level and below. Vital they should work effectively.

5. I believe it is entirely in the spirit of the close relations between our two countries on security, or on other matters, that Ministerial exchanges should take place if that seems necessary to one side or the other. I hope the provisional arrangement Jim Prior made with Peter Barry for him to meet Mr Noonan very early in January will restore the relationship we all want. Your help in ensuring that the arrangements are speedily confirmed would be much appreciated. (If it was easier, we should be happy with an announcement that the meeting was at your suggestion, and we should naturally be very content if Mr Barry was also present).

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From: THE PRIVATE SECRETARY

**CONFIDENTIAL**

NORTHERN IRELAND OFFICE

WHITEHALL

LONDON SW1A 2AZ



A J Coles Esq  
10 Downing Street  
LONDON  
SW1

1st December 1983

Prime Minister.

A.S.C. 1/12

Dear John,

EUROPEAN PARLIAMENT AND NORTHERN IRELAND

You should be aware that Mr Haagerup is about to finalise his report to the Political Affairs Committee of the Parliament on a group of motions which touch on the political situation there. He has (in strict confidence) given us a copy of the draft report. It has been possible so far to study only the draft resolutions. This is the part which matters most since it will form the basis of future discussions of Northern Ireland in the Parliament; it is subject to amendment as it proceeds through the Political Affairs Committee and ultimately, the full Parliament.

.... On political matters the resolution (of which I attach a copy) is by and large acceptable. Mr Prior believes that we can be reasonably satisfied with how it has turned out; we had feared something a great deal less comfortable. Though there are some awkwardnesses for the United Kingdom, like a call to join the EMS, he believes this is to a considerable extent due to the effort Mr Scott was able to make to explain to Mr Haagerup the complexities of Northern Ireland and the importance in his report concentrating on the economic and social matters which are the proper concerns of the Parliament.

Mr Haagerup has said he is willing to look at textual comments. We will pass some to him in the next few days, though it is not certain how far he will be ready to make changes. He will undoubtedly be subject to counter pressures.

Mr Prior hopes to be able to meet Lady Elles of the EDG on 8 December to discuss the attitude the EDG might adopt over the report and resolution.

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The Report will be presented to the Political Affairs Committee on 12 December but there is a possibility that it will leak before then. The Prime Minister may therefore wish to know the position before going to Athens. We believe that the Irish Government has received a copy on the same confidential basis (though we would of course dispute the assumption, which this move implies, that the Irish Government has an equal interest with us in the affairs of Northern Ireland) and the Brussels press corps is already aware that the report is in virtually final form. If the report does leak before 12 December and it appears necessary to express a view, we will reassert that the European Parliament has no business to discuss the internal political affairs of a member state; say the United Kingdom Government would welcome reaffirmation by the Parliament as in the terms of the draft resolution that it is not competent to make proposals for changes in the constitution of Northern Ireland; say that the Government's current policies in Northern Ireland are directed to securing peace, political stability and economic recovery; and say that it is glad to note the emphasis given in the resolution to the EC's role in helping the economy of Northern Ireland, the support for those who promote the welfare of its people by peaceful means, and the clear condemnation of violence. When we have had the opportunity to examine the full report we will consider if this needs any refinement.

We will consider separately whether a fuller statement is called for, perhaps over a Minister's name, when the report is formally published.

A copy of this letter goes to Brian Fall.

*Yours ever,*

*John*

J M LYON

**CONFIDENTIAL**

The European Parliament,

- A. conscious of the responsibility of the European Parliament by deciding to draw up a Report,
- B. recalling its resolution of 7 May 1981 "strongly opposing all forms of violence and expressing its determination to condemn acts of terrorism in whatever circumstances they are committed" and "recognising that the European Community has no competence to make proposals for changes in the Constitution of Northern Ireland",
- C. taking account of the European Community's involvement in economic and social affairs of Northern Ireland,
- D. recognising and supporting the efforts made for several years by the Commission and endorsed by the Council to ameliorate the situation of the peoples of Northern Ireland by a number of projects already implemented or in the process of being implemented including the recently adopted measure for urban renewal in Belfast;
- E. recalling the Martin Report of 4 May 1981, doc.
- F. bearing in mind the direct responsibility of the United Kingdom in maintaining law and order in Northern Ireland,
- G. realising the potential threat of terror which is not limited to Northern Ireland, but has claimed the lives of people in the Republic of Ireland and the United Kingdom, as well as in other parts of the Community,
- H. concerned that the estrangement between the two communities in Northern Ireland has prevented the normal democratic process of changes of government, thereby alienating the minority from the political system,

- I. recognising the legitimate Irish interest in the achievement of lasting peace and stability in Northern Ireland,
- J. aware that improvement in the situation requires the closest possible co-operation between the British and Irish Governments, taking inspiration from the resolution of conflicts already achieved in other parts of the Community,
- K. aware that the conflict, deeply rooted in British-Irish history, is less one of religious strife than of conflicting national identities in Northern Ireland,
- L. having regard to the motions for a resolution:  
Doc. 1-630/82, Doc. 1-637/82, Doc. 1-752/82,  
Doc. 1-1264/82/rev. and Doc. 1-113/83.



1. Solemnly declares its readiness to assume a greater responsibility for the economic and social development of Northern Ireland to the limit of the financial capacity and legal obligations of the European Community;
2. asks the Commission and the Council of Ministers of the European Community to undertake a major review of all current and planned projects in Northern Ireland and in the Border areas of the Republic, to present an integrated plan for a lasting contribution to the development of Northern Ireland, and especially its most backward areas, in conformity with the overall objectives of the Regional Policy and the Social Fund of the European Community and to report to the European Parliament on the progress achieved as part of this plan;
3. asks the competent Community bodies to establish that all current and future EEC efforts be made additional, in so far as practically possible, to the already existing United Kingdom schemes to further the development of Northern Ireland and asks the Government of the United Kingdom to co-operate fully in such an endeavour to allay all fears that the principle of additonicity is not being strictly adhered to;
4. encourages the elected representatives of Northern Ireland to continue to co-operate with the Commission of the European Communities in matters related to the economic development of Northern Ireland, to stimulate additional foreign investment, taking advantage of the remarkably good record of industrial relations in Northern Ireland and to expand the economic and commercial links with the rest of the European Community as well as with the United States of America and other parts of the world;

... / ...

5. expresses its support for and appreciation of the work carried out by the Anglo-Irish Intergovernmental Council since its establishment in November 1981, following the meeting with the then Irish Prime Minister and the British Prime Minister and since continued and expanded;
6. expresses its support for the growing British-Irish co-operation in exploiting resources on both sides of the border in Ireland with a view to creating additional employment and to promote better understanding through a larger number and wider range of personal contacts. In this connection, the recent agreement for a 22 year period, on the supply of natural gas to Northern Ireland from a field in the Republic is welcomed;
7. recognising the significance of the recently completed studies by the Economic and Social Committee of the European Community of a number of border co-operation projects and urging the Institutions of the EEC as well as the two most directly affected Governments to implement these plans as yet another important contribution to the economic development of Northern Ireland;
8. urges the United Kingdom to join the European Monetary System, thereby lessening the obstacles to trade created by uncertainty over the fluctuating British exchange rate and stimulating the exchange of goods and services between the UK and the Republic of Ireland in general and between the Republic and Northern Ireland in particular;

... / ...

9. strongly condemns all acts of violence and terrorism in Northern Ireland and elsewhere and expressed its support for all individuals and parties who unreservedly work for the welfare of the peoples of Northern Ireland solely on the basis of peaceful and democratic means;
10. encourages and supports the existing co-operation between the British and the Irish Governments in combating terrorism irrespective of its source and strongly urges all other member governments to underwrite these efforts thereby reinforcing the joint European efforts against terrorism;
11. impresses upon the Governments of the United Kingdom and the Republic of Ireland their individual and collective responsibility for expanding and enlarging the mutual co-operation not only in matters related to security North and South of the present border, but also to use their influence with the two communities in Northern Ireland to bring about a political system with an equitable sharing of government responsibilities, so upholding the ideals and the concept of tolerance vis-à-vis minorities practised in the two countries and in other EEC Member States;
12. urges the setting up of a joint Anglo-Irish parliamentary body with representatives of the parliaments of the two countries and of any elected body truly representative of Northern Ireland, and offers to have members of the European Parliament take part in such a body in so far as it meets with the unanimous support of the British and Irish members;
13. Instructs its President to forward this Resolution to the Commission, the Council, the Governments and Parliaments of the Irish Republic and of the United Kingdom.



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FM UKREP BRUSSELS 301745Z NOV 83  
TO IMMEDIATE FCO  
TELEGRAM NUMBER 4264 OF 30 NOVEMBER  
AND TO PRIORITY COPENHAGEN

EUROPEAN PARLIAMENT REPORT ON NORTHERN IRELAND

1. AS ARRANGED WE RECEIVED THIS EVENING TWO COPIES OF HAAGERUP'S REPORT ON NORTHERN IRELAND. ONE COPY WILL BE SENT TO ANGEL, NIO BY BAG TOMORROW 1 DECEMBER, WITH A SEPARATE COPY FOR COPENHAGEN. PLEASE ENSURE THIS GETS INTO ONE OF THEIR BAGS ON FRIDAY, 2 DECEMBER. WE ARE SENDING BY MUFAX TODAY TO HALLETT, ECD(1) THE TEXT OF THE DRAFT RESOLUTION, BUT NOT THE EXPLANATORY NOTE WHICH COVERS 65 PAGES.
2. HAAGERUP WILL PRESENT THE REPORT TO THE POLITICAL COMMITTEE AND THE PRESS AT 7.00 PM ON 12 DECEMBER IN STRASBOURG APART. FROM STRASBOURG HE THINKS THERE IS A REASONABLE CHANCE IT WILL NOT LEAK BEFORE 12 DECEMBER SINCE ONLY 6 COPIES HAVE BEEN MADE, INCLUDING OURS; AND PHOTOCOPYING WILL NOT START UNTIL THE 12TH. HOWEVER, THERE IS ALREADY SPECULATION ABOUT THE REPORT AMONG THE BRUSSELS PRESS CORPS AND THE RISK OF A LEAK REMAINS.
3. AT FIRST SIGHT THE RESOLUTION IS OF THE BALANCED AND MODERATE KIND WHICH HAAGERUP PROMISED. IT CALLS ON THE COMMUNITY TO GIVE ECONOMIC SUPPORT TO NORTHERN IRELAND AND TO DRAW UP AN INTEGRATED PLAN FOR THE PURPOSE. IT STRONGLY CONDEMNS ACTS OF VIOLENCE AND TERRORISM IN NORTHERN IRELAND AND SUPPORTS COOPERATION BETWEEN THE BRITISH AND IRISH GOVERNMENTS IN COMBATING TERRORISM. IT STEERS CLEAR OF PROPOSALS FOR CONSTITUTIONAL CHANGE.
4. THE MAIN POLITICAL SUGGESTION, WHICH THE PRESS WOULD BE LIKELY TO TAKE UP IS THAT THE RESOLUTION URGES THE SETTING UP OF A JOINT ANGLO/IRISH PARLIAMENTARY BODY WITH REPRESENTATIVES OF THE PARLIAMENTS OF THE TWO COUNTRIES AND 'OF ANY ELECTED BODY TRULY REPRESENTATIVE OF NORTHERN IRELAND'.
5. THE EXPLANATORY MEMORANDUM CONTAINS MUCH DETAILED ANALYSIS AND COMMENT WHICH COULD BE DRAWN ON SELECTIVELY TO SUPPORT THE VIEWS OF ANY OF THE PARTICIPANTS IN THE DISPUTES OVER NORTHERN IRELAND. IT DISMISSES THE PROSPECT OF A SIMPLE SOLUTION - 'THERE IS NO 'SOLUTION' AS SUCH TO THE PROBLEMS OF NORTHERN IRELAND'. ANOTHER STRIKING SENTENCE IS 'THERE IS NO PROSPECT OF REALISING IRISH UNITY FOR THE FORESEEABLE FUTURE'. IT ALSO SAYS

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/THAT

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THAT A 'BRITISH WITHDRAWAL WOULD NOT SOLVE THE VIOLENCE IN NORTHERN IRELAND BUT RATHER INCREASE IT TO CIVIL WAR PROPORTIONS', BUT THERE ARE ALSO COMMENTS WHICH ARE MILDLY CRITICAL OF DETAILED ASPECTS OF THE UK ROLE.

## COMMENT

6. PRESS HANDLING OF THIS REPORT WILL BE IMPORTANT. A LEAK COUPLED WITH A SELECTIVE AND PARTISAN COMMENT OF THE REPORT COULD BE UNHELPFUL TO US. WE SHOULD BE READY WITH A FULL PRESS LINE AT SHORT NOTICE. THIS MIGHT REFER TO HAAGERUP'S ACKNOWLEDGEMENT THAT THE EUROPEAN PARLIAMENT'S HAS ONLY LIMITED RESPONSIBILITIES IN THIS FIELD (ESSENTIALLY ECONOMIC), AND STRESS THE ASPECTS WHICH ARE HELPFUL TO US. AN ON THE RECORD STATEMENT BY A MINISTER, TO BE ISSUED AT SHORT NOTICE ON A CONTINGENCY BASIS, WOULD STRENGTHEN OUR PRESS IMPACT.

## ~~FCO ADVANCE TO :~~

FCO - PS, PS/MR IRFKIND, HEAD RID, HANNAY  
NIO - PS/SOS NI, ANGEL, HILL  
NO.10- PRIVATE SECRETARY

BUTLER

(ADVANCED AS REQUESTED)

LIMITED  
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PS  
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MR. HANNAY

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Foreign and Commonwealth Office

London SW1A 2AH

*I have asked that  
Lady Young should do this.*

*A.J.C. 20/10.*

30 November 1983

*John [unclear]*

*f.a.*

Visit of Mrs Nuala Fennell: 1 December 1983

The Irish Embassy have asked whether Mrs Nuala Fennell, who is paying a visit to London on Thursday 1 December, could pay a brief courtesy call on the Prime Minister.

Mrs Fennell is Minister of State in the Taoiseach's Department and the Department of Justice, with responsibility for Women's Affairs and Family Law. She is a close friend and political ally of Dr FitzGerald and is a well-known figure in the Irish Republic. Mrs Fennell's portfolio and her long-standing commitment to women's rights explain her particular desire to call on the Prime Minister. She is not involved in the Irish Government's handling of Northern Ireland and Anglo-Irish relations but her views on them are sensible. I enclose a curriculum vitae.

I understand that the Prime Minister's diary for 1 December is fairly full but that it might be possible for her to see Mrs Fennell for five minutes or so after Question Time at the House of Commons. There is not a strong political case for the Prime Minister to see Mrs Fennell, but it would undoubtedly be much appreciated in Dublin if she did so. If the Prime Minister did not wish to see Mrs Fennell, Lady Young would be happy to take this on.

*[Handwritten signature]*

(R B Bone)  
Private Secretary

A J Coles Esq  
10 Downing Street

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MRS NUALA FENNELL TD (FINE GAEL)

Minister of State at the Department of the Taoiseach and the Department of Justice with responsibility for Women's Affairs and Family Law Reform since December 1982.

Born 1935, Dublin. First elected to the Dáil in June 1981 in the Dublin South constituency. She has retained her seat in the two subsequent elections. Educated at the Dominican College, Eccles Street, Dublin. A journalist and writer whose political career began with her involvement in the women's movement. She is a representative of the more liberal wing of the Fine Gael party and is a close friend and supporter of Dr FitzGerald, the party leader.

Married with three children.

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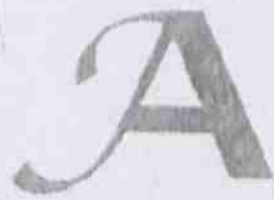
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## County Armagh (Church Shootings)

3.36 pm

**The Secretary of State for Northern Ireland (Mr. James Prior):** I shall, with permission Mr. Speaker, make a statement about the shootings at Darkley in county Armagh yesterday evening.

At approximately 6.15 pm yesterday, at least three men armed with automatic weapons entered the Mountain Lodge Pentecostal gospel hall near the village of Darkley in county Armagh. They opened fire in the entrance hall, killing two church elders and fatally wounding a third, whom they then followed into the gospel hall itself. There the gunmen opened fire on the congregation of between 60 and 70 people, including about 20 children. Seven members of the congregation were injured, two seriously. The gunmen then ran outside, fired another 25 shots at the congregation through the outer walls of the hall, and then fled. None of the congregation had any connection with the security forces. Responsibility for this appalling attack has been claimed by a body calling itself the Catholic Reaction Force. One of the weapons used has previously been used in incidents for which the Irish National Liberation Army has claimed responsibility.

The whole House will join me in extending our sympathy to the families of those killed and injured. It will also share my horror and disgust at this outrage. Though in the course of the 14 years campaign of terrorism endured by the people of Northern Ireland there have been other incidents involving greater loss of life, none before has involved the cold-blooded murder of people at worship. The shootings show the true nature of terrorism, and the true nature therefore not only of those who perpetrate it but of all those who advocate and support it.

The universal condemnation they have received from all sides of the community, and from all parts of the United Kingdom and Republic of Ireland, shows in full measure the revulsion that this hideous act has aroused.

The Government of the Republic have given the strongest possible assurances of their full co-operation in pursuing those responsible. The RUC, assisted by the Army, is determined to arrest the murderers.

**Mr. Peter Archer (Warley, West):** Will the right hon. Gentleman accept that the Opposition share fully his feelings of outrage at this heartless and mindless act of wickedness? We strongly associate ourselves with the right hon. Gentleman's expressions of sympathy for the victims and their families.

Does the right hon. Gentleman agree that if the Protestant community reacts by seeking some form of retaliation or by withdrawing from the search for a solution, not only would that be to blame the Catholic community for an act that it has overwhelmingly condemned but it would bring about the objective that the murderers set out to achieve, and it might encourage such murders by those who wish to widen the divisions?

Will he further agree that while he will, understandably, receive calls to take further action against terrorists, any action relating to the processes of the criminal courts, taken in advance of the report by Sir George Baker, is unlikely to reduce terrorism or to increase protection of the public, as terrorism is not discouraged by increasing the risk of convicting the wrong people?

**Mr. Prior:** I am grateful for what the right hon. and learned Gentleman has said and I agree with all of it. I urge

the people affected by this horrific situation, about which they feel extremely deeply, to leave security to the security forces. However hard or desperate people may feel, they must not take the law into their own hands. Under no circumstances will the Government permit that to happen.

**Rev. Ian Paisley (Antrim, North):** I am sure that the right hon. Gentleman will be aware of the feelings on both sides of the House of those who represent Northern Ireland constituencies. I associate myself with the Secretary of State's expressions of sympathy.

When gunmen appear in a congregation of worshippers on a sabbath evening, slay three of the church elders and spray the congregation with bullets in an attempt to murder them as well, I assume that the right hon. Gentleman is aware that this is a new departure in republican terrorist strategy.

As the RUC had intelligence to the effect that there would be an attack on a place of worship yesterday, why was there no security for that very isolated Protestant building? After the incident, why were orders given to the RUC that it should appear in strength in Protestant areas in case of a severe backlash, with the result that men were unable to go into the areas to which those who had committed the outrage had, perhaps, fled? Why was it that although the police visited Protestant ministers and congregations in the same area and warned them that similar atrocities might take place, they could not assure them that there would be a continual presence during church services because of manpower shortages and difficulties resulting from a cut in overtime?

Will the Secretary of State give the House an assurance that isolated congregations will be protected so that they will not have to defend themselves? Will the Secretary of State accept that a person has a duty to defend himself if there is no possibility of him being legally defended by the security forces? Does not the Secretary of State agree that in those circumstances people are entitled to defend themselves against murderous thugs?

**Mr. Prior:** Of course, I understand the strong feelings that exist throughout the House and, not least, among Northern Ireland Members.

It is true that the police had some information that led them to believe that there might be an attack on a policeman, or policemen, at worship somewhere in the Province. That is a very wide indication. Of course, it would be quite impossible for the police to guard every congregation. However, after the attack, every effort was made to tell congregations near the scene of the attack what had happened. I should have thought that that was a wise precaution. The hon. Member for Antrim, North (Rev. Ian Paisley) mentioned the concern about a backlash in Protestant areas, which had led to a shortage in the numbers of police available to round up the murderers. I cannot comment on that without further notice, other than to say that there would have been no question of any curtailment of overtime on operational duties. I can assure the House about that. The Chief Constable knows that he has any amount of overtime available, when requested.

Of course, there is a right to use a weapon, but only in self-defence, when an attack has been made. Some people are issued with weapons for that purpose. Concern about a backlash, sectarian killings and the Protestant Action Force—which has since made a statement—would seem to suggest that everyone in Northern Ireland has a duty to ensure that the police are given every possible support.

**Mr. J. Enoch Powell** (Down, South): I should like to ask the Secretary of State two questions. First, the Government say that they are determined to arrest the murderers. How can they do that if the murderers are in another jurisdiction; or have the Government received an assurance from the Irish Republic that those wanted for the murders will be extradited? Secondly, bearing in mind that no area can be saturated indefinitely by the security forces, will the right hon. Gentleman do his best to ensure that where—as in the case of county Armagh—there is an indication that a definite set is being made upon a sector of the frontier, that part of it is so saturated by the security forces that terrorist movements become virtually impossible?

**Mr. Prior:** With regard to the right hon. Gentleman's second point, I am, of course, in close touch with the General Officer Commanding and the Chief Constable. Obviously, we shall have to see what else can be done in that area of county Armagh, and in the Dundalk corridor, which is now causing us so much trouble. I had a long talk with the GOC and the Chief Constable on such matters only yesterday. I cannot answer for the Government in the South, but the North will do all that it can to catch the murderers. If they are caught in the South, we very much hope that they will be extradited. Indeed, there are grounds for thinking that the Government of the Republic take the same view on this issue.

**Sir Humphrey Atkins** (Spelthorne): Will my right hon. Friend do everything that he can to persuade the Official Unionist party to reconsider the decision that it is reported to have made to withdraw from the assembly? Does my right hon. Friend agree that that is precisely what the terrorists want? Does he further agree that if terrorists can get what they want by violence, it will only make them increase the level of violence?

**Mr. Prior:** I am grateful to my right hon. Friend for those views. It is much easier to destroy than to find a solution in Northern Ireland. I would very much regret any decision by the Official Unionist party that helped, even in a small way, to make Northern Ireland's institutions more difficult to run and less effective. I greatly hope that in its understandable anger and concern about what has happened, it will recognise that it is only by building democratic institutions slowly and methodically that we shall overcome the problems.

**Mr. Merlyn Rees** (Morley and Leeds, South): Does not the Secretary of State agree that these latest murders by the so-called Catholic Reaction Force, like the actions recently taken by the Protestant Action Force—as I think it calls itself—clearly illustrate to all those who want to see that the murders in Northern Ireland are pure criminal murders, and that those who invoke politics—whatever organisation or side they may come from—are deceiving the world about the sort of pure criminal murders that occurred last night? Will the right hon. Gentleman confirm that in Armagh and on either side of the border there are no more than 20 or 25 such men who move from one organisation to another? Does not he accept that to swamp the area with soldiers would be to fail to understand that a small number of guns move around within the group? Will the Secretary of State take up the response in the South? Perhaps he or one of his Ministers could meet a Minister from Southern Ireland on

the border. We all know the names of those whom the police want. Someone knows where those men are. That is what the police need to know. We do not want any talk about soldiers swamping the area as if a John Wayne sort of battle was involved.

**Mr. Prior:** I am grateful to the right hon. Gentleman for his points, and I shall certainly consider his suggestion. I think that we know who the people responsible are, and we want them to be caught. There is a good deal of concern because they have not yet been caught. Anything that we can do by better co-operation with the Republic, along the lines suggested by the right hon. Gentleman would be much appreciated.

**Mr. Peter Robinson** (Belfast, East): Will the Secretary of State take it from me that this act of genocide will not weaken the resolve of the Protestant community in Northern Ireland to resist Republican terrorism from whatever organisation? Will he also accept from me that the Protestant Community, in particular, in Northern Ireland will study his words today to see what comfort they can get from him? Is he prepared to tell the House that there have been failures under his present security policy? Gallant men in our security forces are sitting ducks for the terrorists. Will he change that security policy to one of resolute initiative against the IRA and its kinsmen?

**Mr. Prior:** I suspect that there are always some failures in security policy. I should be deluding myself and the House if sometimes we did not admit to getting things wrong. I believe that the security forces have done a fantastic job in the past year or two in the frustration of many attacks that could have been devastating. They never receive any credit for frustrating these attacks.

I am in close touch with the security forces. Yesterday, I addressed 200 officers of the Ulster Defence Regiment and gave them a number of assurances about the importance which the Government and the country attach to their role. I am doing all that I can to help Northern Ireland proceed towards peace and the defeat of terrorism. That will require enormous effort by all the people of Northern Ireland if we are to be successful.

**Mr. Stephen Ross** (Isle of Wight): I assure the Secretary of State that we share his revulsion of that terrible deed, which has hit an all-time low in depravity. We admire greatly the courage shown by many people recently particularly the former chairman of Armagh council—I think it was—who not only had his council stand in memory of a shot Catholic, but who was blown to smithereens within minutes himself. His action showed great courage.

Will the Secretary of State resist any demands for the resignation of the Chief Constable who, I believe, is held in high regard in most circles in Northern Ireland? Certainly all who have met him think a great deal of him. Will the Secretary of State resist any demands for his resignation and impress upon local residents, north and south of the border, that the greatest thing they can do is to expose these people who are, as the right hon. Member for Morley and Leeds, South (Mr. Rees) has said, generally known to the police, so that they can be brought to justice as rapidly as possible?

**Mr. Prior:** I am grateful for what the hon. Gentleman said, particularly about the Chief Constable. I cannot imagine that there is a more difficult job than that of Chief

[Mr. Prior]

Constable of the Royal Ulster Constabulary in Northern Ireland. He deserves all possible support from everyone in the House and the country. He is a man of great integrity, working under enormous pressure, and carrying out his tasks in the highest tradition of the Royal Ulster Constabulary. I am grateful to him and to the hon. Gentleman.

**Sir Hugh Rossi** (Hornsey and Wood Green): Will my right hon. Friend accept that the feelings of revulsion expressed in the House today are fully shared by all Catholics throughout the United Kingdom? Does he agree that these acts of horror are perpetrated by evil men—whatever label they may give themselves—who are more intent upon destabilising society in Northern Ireland to further the aims of revolution and more interested in an atheistic philosophy than any aspect of Christianity?

**Mr. Prior:** These are just cold-blooded murderers out to cause all the trouble that they can, and to destabilise the Province. I accept that the whole Catholic population feels as much revulsion about these murders as anyone else.

**Mr. Martin Flannery** (Sheffield, Hillsborough): Is it not a fact that no matter how horrified we are about these murderous events, our task is to help the legitimate security forces to handle this problem and not to usurp their function by intensifying an already inflammatory position by making speeches calling on new forces to enter this dreadful arena? Must we not try to make it clear that our aim is to lower the tension and to show that sectarian killings invariably result in a mirror image in the other community? We must try to gentle that down and to help the security forces to do the job without further inflaming the position.

**Mr. Prior:** We need the security forces to catch murderers, to prevent terrorism, and to give confidence to the local population. I have to bear those points in mind at the same time as I bear in mind the other point raised by the hon. Gentleman—the need, the whole time, to try to lower tension and to allow people to lead normal lives. It is a difficult balance to keep and the security forces have a difficult job.

**Rev. William McCrea** (Mid-Ulster): I join the Secretary of State in saluting the gallantry of the Ulster Defence Regiment and all members of Ulster's security forces. Does the Secretary of State agree that Roman Catholic terrorist thugs have plumbed the depths of

depravity with this latest atrocity? Has the Secretary of State any information or evidence that a well-known mass murderer from my locality, Dominic McGlinchey, has been involved in this devilish deed, or that any of those who escaped from Long Kesh have been involved? Does the Secretary of State agree that the time has come for this insane, devilish brat McGlinchey to be destroyed for good?

**Mr. Prior:** I condemn violence and murder from whatever source, whether Catholic or Protestant. I have to be careful about the second question asked by the hon. Gentleman. There is no evidence to suggest that the man mentioned was involved in this offence, but it resembles a number of offences that have been committed in recent months, and the man mentioned by the hon. Gentleman is very much on our wanted list. He is certainly one who is due for extradition from the Republic.

**Mr. David Winnick** (Walsall, North): As this foul and evil deed was plainly carried out to stir up sectarian warfare, should not anyone with influence in Northern Ireland exercise restraint so as not to play into the hands of the murderers? May I make the suggestion that I have made previously after such atrocities. Would it not be useful for such crimes to be well publicised in the United States so that people over there understand that this is not political warfare? These are crimes against humanity.

**Mr. Prior:** It does not happen very often that I say thank you to the hon. Gentleman for what he has said, but I thank him very much. Yes, I agree with the hon. Member.

**Mr. Anthony Beaumont-Dark** (Birmingham, Selly Oak): Does my right hon. Friend agree that in circumstances like these, in fighting a guerilla war where people can hide in the jungle or the mountains, people who harbour these criminals—that is all they are—should be treated as though they had taken part in the offence? All these people cannot flee across the border. If we are to solve this matter, surely the time has come when people, even families, who shelter such people and who know that they possess arms for these deeds, should be treated as mad and criminal, and be deemed to be as guilty as those who take part in the offence.

**Mr. Prior:** I shall have to study the legal position of what my hon. Friend said, but I should be surprised if those who harbour known criminals are not in some contravention of the law. I am not a lawyer and I shall have to study that point.

bc Press



10 DOWNING STREET

THE PRIME MINISTER

21 November, 1983

My dear Pastor Bain,

I had to write to you straightaway to send you personally my deepest sympathies on last night's horrific outrage.

I can imagine the sense of shock, grief and anger that must be in all your hearts today. I fully share these feelings. It was a despicable and disgusting act perpetrated by people without humanity and without conscience. We shall do everything in our power to bring them to justice.

I deeply mourn the deaths of your elders and pray for their families and the families of all those who were so wickedly injured. I profoundly hope that Sally will soon be restored to health and that all of you will in the fullness of time be able to rebuild your lives together.

With all kind thoughts  
Yours sincerely

Margaret Thatcher

Pastor Robert Bain



## THE SHOOTINGS IN COUNTY ARMAGH

I shall, with permission Mr Speaker, make a statement about the shootings at Darkley in County Armagh yesterday evening.

At approximately 6.15 pm yesterday, at least 3 men armed with automatic weapons entered the Mountain Lodge Pentecostal Gospel Hall near the village of Darkley in County Armagh. They opened fire in the entrance hall, killing two church elders and wounding a third, whom they then followed into the Gospel Hall itself. There the gunmen opened fire on the congregation of between 60 and 70 people, including about 20 children. Seven Members of the congregation were injured, two seriously. The gunmen then ran outside, fired another 25 shots at the congregation through the outer walls of the Hall, and then fled. None of the congregation had any connection with the Security Forces. Responsibility for this appalling attack has been claimed by a body calling itself the 'Catholic Reaction Force'. One of the weapons used has previously been used in incidents for which the Irish National Liberation Army has claimed responsibility.

The whole House will join me in extending our sympathy to the families of those killed and injured. It will also share my horror and disgust at this outrage. Though in the course of the 14 years campaign of terrorism endured by the people of Northern Ireland there have been other incidents involving

greater loss of life, none before has involved the cold-blooded murder of people at worship. The shootings show the true nature of terrorism, and the true nature therefore not only of those who perpetrate it but also of all those who advocate and support it.

The universal condemnation they have received from all sides of the community, and from all parts of the United Kingdom and Republic of Ireland, shows in full measure the revulsion which this hideous act has aroused.

The Government of the Republic has given the strongest possible assurances of its full cooperation in pursuing those responsible. The RUC, assisted by the Army, is determined to arrest the murderers.

CONFIDENTIAL

n bpm  
(arrived too late for mtg)  
DMS  
2/11

SHOOTING AT MOUNTAIN LODGE ELIM PENTECOSTAL GOSPEL HALL,  
DARKLEY, KEADY - SUNDAY 20 NOVEMBER 1983

At 6.20 pm two gunmen armed with automatic weapons shot dead two elders of the above hall while they were in the entrance porch. A third elder was hit and staggered into the hall. The two gunmen then went after him, shot him again, this time fatally, and then sprayed the congregation numbering between 60/70. Seven people, (four women and three men) were hit and one seriously injured.

None of the dead and injured had any connection with the security forces.

An anonymous caller purporting to represent the "CATHOLIC REACTION FORCE" later claimed responsibility for the attack.

There was no intelligence indication that the attack would take place.

One of the weapons used was previously used by INLA, which indicates that the attackers might be INLA. The area is also one where Dominic McGlinchey has operated.

The Police have sealed off the border and are carrying out road checks. The Church is, however, one minute from the border by car and there was no telephone so that the attacker could get away over the border, before the alarm could be raised.

It is extremely difficult to provide security for one million Protestants, if targets are picked at random.

Line to take

The Police will pursue the attackers vigorously. The Police will be considering urgently what further measures can be taken.

CONFIDENTIAL

MR FLESHER

cc Mr Coles ✓ *AD 12/11*

This is to let you know that Granada TV are making a 30 minute TV film on Gerry Adams. IBA are aware of this and keeping a close eye on it. NIO and Home Office have been informed.

*B. Ingham*

B. INGHAM

17 November 1983



CABINET OFFICE

With the compliments of  
The Private Secretary to the  
*Secretary of the Cabinet*

70 Whitehall, London SW1A 2AS  
Telephone 01-233 8319



cc - Ps/ Sir P Woodfield  
Ps/ Sir A Acland  
Ps/ Sir M Kerry  
Mr Goodall  
Mr Butler

file

70 WHITEHALL, LONDON SW1A 2AS

01-233 8319

*From the Secretary of the Cabinet and Head of the Home Civil Service*

Sir Robert Armstrong GCB CVO

Ref. A083/3233

14 November 1983

I read with interest the handout of your speech at Dungannon on 28 October. As you referred to me in the course of it, in most friendly and courteous terms, I hope you will allow me to take up a couple of points in it with you.

As to your reference to Mr Sloan's conversations with Mr Abbott, I am sure you know that the Secretary of State for Northern Ireland does not pretend and has never pretended to believe that the conversations never took place. I explained to you when we met a year ago why it seemed to me impossible to accept Mr Sloan's notes as a fair or accurate account of what Mr Abbott said during the course of these conversations. If Mr Abbott said anything resembling what you have attributed to him, it was as a description of views put forward by some people outside, not of views held by himself or by the Northern Ireland Office. We discussed all this when we met, and the Secretary of State made the position very clear in the debate on 10 December 1982; so I do not need to go over that ground again.

As to your reference to Mr Goodall, you were not at the British Irish Association meeting in September, so that you could not be aware that (as others who were present have confirmed to me) Mr Goodall did not make the remark you attribute to him or anything like it, and that it reflects a total misunderstanding of his intervention in the discussion.

Perhaps I could also make the point that the British Irish Association meeting was held, as I think you know, under Chatham House rules, under which participants are not to be quoted or to have any statement attributed to them by name without their agreement.

/Part of the

The Rt Hon Enoch Powell MBE MP

Part of the purpose of these rules is to make it possible for officials and others in positions of responsibility to attend and contribute to the discussion without the risk of being misinterpreted and misreported. Chatham House rules do not apply just to meetings of the British Irish Association: they apply to a very wide range of meetings on all aspects of international affairs. I hope that you would agree that it is in the public interest that officials should not feel themselves debarred from taking part in such meetings for fear that they cannot rely on other participants to keep the rules. Quite apart from the question of Chatham House rules, I would also hope that, as a senior Privy Counsellor and former Minister, you would recognise the unfairness of naming individual civil servants who cannot publicly reply even when publicly misquoted.

ROBERT ARMSTRONG

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15 NOV 1987



# CABINET OFFICE

With the compliments of  
Sir Robert Armstrong GCB CVO  
*Secretary of the Cabinet*  
*and Head of the*  
*Home Civil Service*

A.S.C. 15  
p.a.

70 Whitehall, London SW1A 2AS

Telephone 01-233 8319



14

Ref. A083/3240

MR GOODALL

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c Mr ColesAnglo-Irish Relations

Thank you for your minute of 8 November, with a proposed draft letter about the sensitivity of the Prime Minister's discussion at Chequers after the departure of the Taoiseach.

2. As I told you, I was reluctant to send out a letter on the lines which you proposed, for fear of drawing more attention to the discussion than would otherwise have been the case. I have, however, had a chance of speaking in the sense of the letter to Sir Antony Acland, and the Secretary of State for Northern Ireland and Sir Philip Woodfield. All are seized of the sensitivity of the discussion and I particularly asked the Secretary of State for Northern Ireland, and he agreed, not to tell his junior Ministers.

3. In this way I hope that we have achieved the objective without writing a letter.

RA

ROBERT ARMSTRONG

14 November 1983





10 DOWNING STREET

*From the Principal Private Secretary*SIR ROBERT ARMSTRONG  
CABINET OFFICE

The Prime Minister has seen your minute of 10 November (A083/3193) about Mr. Enoch Powell's speech of 28 October. The Prime Minister is content that you should write to Mr. Powell in the terms attached to your minute. She suggests one amendment: the last word of the letter - "traded" - is a strong word which might antagonise Mr. Powell: Mrs. Thatcher suggests the word "misquoted".

E. E. R. BUTLER

11 November 1983CONFIDENTIAL

CONFIDENTIAL

Prime Minister

Content that Sir

Robert Armstrong should <sup>write</sup> reply to

Mr. Powell in the terms attached?

FERS

10.11.

Ref. A083/3193

MR BUTLER

Yes - as Mr  
have amended  
not

Mr Enoch Powell MP made a speech in Dungannon, County Tyrone, on 28 October, in which he revived his old canard that the Northern Ireland Office and the Foreign and Commonwealth Office were engaged in a conspiracy to work towards the creation of a united or a federal Ireland. By way of example he once again quoted from Mr Sloan's record of his now notorious conversations with Mr Clive Abbott of the Northern Ireland Office, attributing to Mr Abbott or the Northern Ireland Office views which he certainly never expressed as either his own views or those of the Northern Ireland Office. Mr Powell also refers to an intervention by Mr David Goodall, of the Cabinet Office, in a discussion of Irish neutrality at the British Irish Association meeting in September. Mr Powell himself was not at the meeting and did not hear what Mr Goodall said, and he is certainly totally misquoting and misinterpreting what Mr Goodall said.

2. The speech has not attracted much attention in the press, though two Irish newspapers picked it up. The speech certainly does not rate a public response. But, if nothing is said, Mr Powell will be able to argue that, because what he said has not been challenged or denied, it must have been true.

3. If the Prime Minister agrees, therefore, I should like to take advantage of the fact that I had a long conversation with Mr Powell a year ago about the Sloan-Abbott conversations and write to him about his latest speech on the lines of the draft attached. The draft has been cleared with the Permanent Under Secretaries of State at the Foreign and Commonwealth Office and the Northern Ireland Office, with the Treasury Solicitor and of course with Mr Goodall.

RA

ROBERT ARMSTRONG

10 November 1983

CONFIDENTIAL



DRAFT LETTER FROM SIR ROBERT ARMSTRONG TO  
THE RT HON ENOCH POWELL MBE MP

I read with interest the handout of your speech at Dungannon on 28 October. As you referred to me in the course of it, in most friendly and courteous terms, I hope you will allow me to take up a couple of points in it with you.

As to your reference to Mr Sloan's conversations with Mr Abbott, I am sure you know that the Secretary of State for Northern Ireland does not pretend and has never pretended to believe that the conversations never took place. I explained to you when we met a year ago why it seemed to me impossible to accept Mr Sloan's notes as a fair or accurate account of what Mr Abbott said during the course of these conversations. If Mr Abbott said anything resembling what you have attributed to him, it was as a description of views put forward by some people outside, not of views held by himself or by the Northern Ireland Office. We discussed all this when we met, and the Secretary of State made the position very clear in the debate on 10 December 1982; so I do not need to go over that ground again.



As to your reference to Mr Goodall, you were not at the British Irish Association meeting in September, so that you could not be aware that (as others who were present have confirmed to me) Mr Goodall did not make the remark you attribute to him or anything like it, and that it reflects a total misunderstanding of his intervention in the discussion.

Perhaps I could also make the point that the British Irish Association meeting was held, as I think you know, under Chatham House rules, under which participants are not to be quoted or to have any statement attributed to them by name without their agreement. Part of the purpose of these rules is to make it possible for officials and others in positions of responsibility to attend and contribute to the discussion without the risk of being misinterpreted and misreported. Chatham House rules do not apply just to meetings of the British Irish Association: they apply to a very wide range of meetings on all aspects of international affairs. I hope that you



would agree that it is in the public interest that officials should not feel themselves debarred from taking part in such meetings for fear that they cannot rely on other participants to keep the rules. Quite apart from the question of Chatham House rules, I would also hope that, as a senior Privy Counsellor and former Minister, you would recognise the unfairness of naming individual civil servants who cannot publicly reply even when publicly traduced.

The word 'traduced' is likely  
to antagonise Mr. Powell: 1  
Suggest 'misquoted' ✓

*The. Coler*



# CABINET OFFICE

**With the compliments of**

*M. Goodall*

*DD 8*  
*11*

*f-a.*

**70 Whitehall, London SW1A 2AS  
Telephone 01 233**



Ref: B06895

SIR ROBERT ARMSTRONG

c Mr Coles

Anglo-Irish Relations

You will recall that the Prime Minister placed special emphasis on the sensitivity of her informal discussion of Anglo-Irish relations with Ministers and officials after the Taoiseach and his colleagues had left Chequers yesterday; and that she gave instructions that knowledge of it should be strictly confined to those present plus Sir Antony Acland and Sir Philip Woodfield. Mr Coles and I have discussed how best to ensure that this instruction is implemented, and I agreed to recommend to you that you should yourself write to those concerned in the terms of the attached draft.

*David Goodall*8 November 1983

A D S GOODALL

DRAFT

SECRET AND PERSONAL

Anglo-Irish Relations: Northern Ireland

You will recall that the Prime Minister stressed the special sensitivity of the informal discussion which she had yesterday with Ministers and officials at Chequers after the departure of the Taoiseach. The Prime Minister has now asked me to write to all those who were present at that discussion to remind them that knowledge of ~~that~~ <sup>it</sup> ~~discussion~~ should be limited strictly to those who took part, plus Sir Antony Acland and Sir Philip Woodfield; *and that* information as to what was discussed should on no account be <sup>disclosed</sup> ~~given~~ to any other person.

The Rt Hon Sir Geoffrey Howe QC MP

cc The Rt Hon James Prior MP  
Sir Julian Bullard, FCO  
Mr Alan Goodison, Dublin  
Mr Coles, No.10  
Mr Goodall

Handwritten: *Age*

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Stamp: **ADVANCE COPY**

PS	PS/S of S Rm 66 A/2 GOGGS
PS/LADY YOUNG	SIR P WOODFIELD )
PS/MR WHITNEY	)
PS/PUS	MR BRENNAN )
SIR J BULLARD	MR ANGEL ) NIO
<del>MR JAMES</del>	MR BOYS SMITH )
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 AND TO IMMEDIATE NIO (LONDON)  
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 SAV

**THE COST OF VIOLENCE**

1. THE NEW IRELAND FORUM YESTERDAY RELEASED A 30 PAGE PAPER ON 'THE COST OF VIOLENCE ARISING FROM THE NORTHERN IRELAND SITUATION SINCE 1969'. COPIES OF THE PAPER, WHICH WAS PREPARED BY THE FORUM SECRETARIAT, FOLLOW BY BAG. TODAY'S IRISH TIMES CARRIES THE FULL TEXT.

2. THE PAPER GIVES A USEFUL AND GENERALLY UNBIASED ACCOUNT OF THE COST OF VIOLENCE IN HUMAN AND FINANCIAL TERMS IN NORTHERN IRELAND, THE REPUBLIC AND THE BRITISH MAINLAND. IT RECORDS OVER 2,300 DEATHS IN NORTHERN IRELAND, 45 IN THE REPUBLIC AND 72 IN BRITAIN. THE ULSTER DEATHS ARE CLASSIFIED BY RELIGION, BY CATEGORY OF VICTIM (CIVILIAN, SECURITY FORCES, PARAMILITARY) AND BY AGENCIES RESPONSIBLE (THE REPUBLICANS OR LOYALISTS, SECURITY FORCES AND OTHERS). REFERENCE IS ALSO MADE TO THE LARGE NUMBER OF INJURED (24,000 IN NORTHERN IRELAND) AND THE PSYCHOLOGICAL IMPACT OF VIOLENCE. THE GEOGRAPHICAL DISTRIBUTION OF INCIDENTS IS EXAMINED.

3. IN FINANCIAL TERMS, THE EXCHEQUER COSTS ARE PUT AT (ALL FIGURES IN STERLING):

FOR THE UK

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EXTRA SECURITY COSTS	4,195M
COMPENSATION FOR DEATHS, INJURIES,	

EXTRA SECURITY COSTS	4,195M
COMPENSATION FOR DEATHS, INJURIES, DAMAGE	1,010M
PREMIUM SCHEME FOR SECURITY STAFF	50M
	-----
TOTAL	5,255M

FOR THE REPUBLIC

EXTRA SECURITY COSTS	99M
COMPENSATION	29M
	-----
TOTAL	1,019M

4. THE ECONOMIC COSTS ARE DESCRIBED AS NOT A PRECISE ESTIMATE BUT 'A REASONABLE APPROXIMATION OF THE ORDER OF MAGNITUDE OF THE TOTAL COST OF THE VIOLENCE'. THEY ARE:

TO THE NORTHERN ECONOMY:

CUMULATIVE LOST OUT-PUT TO 1982 (OF WHICH DAMAGE TO TOURISM 1,065M)	3,490M
CAPITAL AND TRADING COSTS DUE TO DESTRUCTION OF INTER-CONNECTOR	190M
	-----
TOTAL	3,680M

TO THE SOUTHERN ECONOMY:

DAMAGE TO TOURISM	1,070M
ELECTRICITY INTER-CONNECTOR COSTS	40M
	-----
TOTAL	1,110M

5. THE TOTAL FINANCIAL COST OF 9.5 BILLION POUNDS STERLING IS HEADLINED IN TODAY'S DUBLIN PAPERS, WHICH APPLAUD THE PRODUCTION OF THE REPORT.

6. SEE MIFT.

FCO PLEASE PASS TO SAVING ADDRESSEES.

TATHAM

NNN

Ref.A083/3125

PRIME MINISTER

Anglo-Irish Relations: Northern Ireland

In his minute to me of 7 October, Mr Coles said that you would find it helpful to have, before the Anglo-Irish Summit, a considered assessment of the ideas being floated by the Irish for a new approach to the question of Northern Ireland. I now attach such an assessment in the form of a note by officials of the Foreign and Commonwealth Office, the Northern Ireland Office and the Cabinet Office. There will be an opportunity to discuss it with the two Secretaries of State concerned at your briefing meeting for the Anglo-Irish Summit at 3 pm tomorrow, 4 November.

2. The Irish ideas are imprecise and vary significantly according to who is presenting them. For this reason the assessment is necessarily tentative and some of its conclusions must be regarded as provisional unless and until we have a clearer idea of what the Irish might want, and of the relative priority they would attach to the different elements in what may or may not turn out to be a negotiating package. More detailed work could for example be done on joint policing or joint judicial arrangements if it appeared that the Irish (and the SDLP) were willing and able to offer us a sufficiently substantial political quid pro quo to make such ideas realistic. Meanwhile officials conclude that, while a very limited Garda Siochana presence in Northern Ireland might be acceptable and even useful, any arrangements which we might be able to contemplate for this would fall a long way short of Irish expectations. It also concludes that there is no practical requirement for joint judicial arrangements, which would be fraught with legal and constitutional difficulties.

3. The fact is that we do not know enough about Dr FitzGerald's own ideas to firm a definitive judgment on them. If the Irish proceed cautiously and handle their own political opinion skilfully, it is just conceivable that a balance might eventually be struck at an acceptable level of advantage to both the Republic and the United Kingdom. But the assessment spells out

the reasons why this seems unlikely; and on the basis of what we have been told of Irish thinking so far, the provisional view of officials is that no Irish Government is likely to be able to deliver these ideas in a form which would meet the British Government's political requirements; and that the consequences of seeking to implement them might well be to bring down Dr FitzGerald's Government, to destroy the credibility of the SDLP and to raise the level of IRA violence in the North. It will be for Dr FitzGerald, if he decides to float these ideas with you at the Summit, to explain why he apparently takes a more optimistic view.

4. Officials nevertheless argue that it would be premature to dismiss Dr FitzGerald's ideas out of hand. At this early stage of the game I am sure this is right. Dr FitzGerald's desire to find a new approach to the problem of the North appears genuine and serious, and this likely to weigh favourably with opinion in the United States. There are also elements in his thinking which it might be possible to turn to British advantage. Officials therefore recommend that, in your tete a tete with Dr FitzGerald at the Summit, you should listen sympathetically to what he has to say; probe him on the realism of his approach; and, while striking a strongly sceptical note, make it clear that you would be prepared to look at any practical and realistic ideas which might help to reduce the level of violence in Northern Ireland. At the same time you will wish to make it quite clear that any such ideas would have to be fully consistent with the obligations of the British Government to the people of Northern Ireland and that, for this reason, there can be no question of joint sovereignty.

5. I am sending copies of this minute and its attachment to the Foreign and Commonwealth Secretary and to the Secretary of State for Northern Ireland.

RA

ROBERT ARMSTRONG

3 November 1983

Ireland

St <sup>n</sup>



Pt 14



ANGLO-IRISH RELATIONS: NORTHERN IRELAND

INTRODUCTION

Since returning to power in December 1982, Dr FitzGerald has given priority to restoring Anglo-Irish relations from the low point reached earlier in the year under his predecessor. He is hoping that the Anglo-Irish Summit at Chequers on 7 November will signal that relations have now returned to normal.

2. Following the return to power of the present British Government in June this year, Dr FitzGerald believes there is the prospect of a period of political stability in London and Dublin of which use should be made to find a new approach to what the Irish see as the running sore of Northern Ireland. This belief is reinforced by genuine Irish fears that, unless some way can be found of eroding the influence of the Provisional Irish Republican Army over the minority community in the North and ending the community's alienation from the forces of law and order there, Sinn Fein will continue to advance, the SDLP will disintegrate and violence and instability will spread to the Republic.

? 3. The Forum for a New Ireland, originally set up largely to help the SDLP in the forthcoming British General Election, is being used by Dr FitzGerald as a sounding board for new ideas and to help educate nationalist opinion in the Republic to the formidable difficulties in the way of making progress towards the unification of Ireland. Meanwhile, looking ahead to the period after the Forum reports in early 1984, he has apparently licensed certain of his associates to explore informally with British Ministers and officials the possibility of changes in the relationship between North and South which would ostensibly leave the position on sovereignty unchanged but establish some visible Southern presence in the North. ? = =

Common Ground - Condemnation of PIRA  
willingness to take action against  
steps to reduce their influence



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4. The Irish ideas are neither precise nor consistent and vary markedly according to who is presenting them. But the central concept appears to be to strike a balance whereby in return for participation by the South in the security (and judicial) processes in the North, the Irish Government and the SDLP would abandon or cease to press the Republic's territorial claim and, in the case of the SDLP, play a full part in the political life of the Province, including in some variants acceptance of a majority (Unionist) devolved Government. In the version of these ideas presented by Mr Michael Lillis, Head of the Anglo-Irish Division in the Ministry of Foreign Affairs, recognition of the British dimension could involve a referendum to remove the territorial articles from the Irish Constitution and explicit acceptance by the Irish Government of the Union. In other versions, however, the "British dimension" is much more vaguely acknowledged and the aim seems to be to move towards a form of joint sovereignty over the North. The Irish have told us that Dr FitzGerald will wish to explore some of these ideas with the Prime Minister at Chequers on 7 November. Meanwhile they are beginning to appear in the press, and there is evidence that the Irish Government are keeping the United States Government informed.

5. The purpose of this note is to describe the Irish ideas in the various forms in which they have been floated, set them in context, assess their motivation and likely impact, North and South, and suggest how, in the light of the analysis, they might best be handled diplomatically at the Summit and in the period before the Forum reports.

#### THE IRISH IDEAS

6. The ideas which the Irish have been floating can best be described under three headings.

#### Irish Constitution

7. In a series of conversations with Mr Goodall, Mr Lillis, who is known to be close to the Taoiseach and claims to reflect his views, has suggested that the Government of the Republic might be prepared formally to recognise that Northern Ireland was, and would remain, part of the United Kingdom. For this purpose, he has suggested that the Irish Government might be willing to

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seek to amend Articles 2 and 3 of the Irish constitution so as to remove the territorial claim and substitute a long term "aspiration" to Irish unity. (He has also talked of building on Article 3 without recourse to constitutional amendment, possibly by means of a declaratory statement). This idea has been hinted at in documents considered by the Forum. But Mr John Hume of the SDLP told the Secretary of State for Northern Ireland on 7 October that he regarded the idea of constitutional amendment as "fanciful"; while Mr Barry made clear to Mr Prior on 19 October his view that amendments to the constitution were "not practicable". Ideas for amending the territorial provisions in the Irish constitution have a long political history in the Republic, which is examined in a Note at Annex A.

#### Security

8. It is a common theme of all the Irish interlocutors that, if terrorism is to be defeated, arrangements need to be devised to arrest and reverse the alienation which the minority community is currently held to feel towards the forces of law and order in Northern Ireland. All of them argue that this alienation is a root cause of the decline of the SDLP as the authentic and legitimate voice of the Catholic minority and of the consequent increase in support for Provisional Sinn Fein. As expressed by Mr Lillis, the suggestion is that the British Government would agree to participation by the Garda (and possibly the Irish Army) in security operations in the North (especially in Catholic areas) and would be willing in some way to associate members of the Irish judiciary with the judicial process in the North. These ideas too have a history; at Annex B is a note on the way that Dr FitzGerald's views on all-Ireland policing have developed over the past decade. Nevertheless, although Dr FitzGerald was talking about an all-Ireland police force as recently as November 1982, it is clear that the balance of opinion among his advisers is strongly against reciprocal policing arrangements in the Republic. Mr Barry, in his conversation on 19 October with Mr Prior, spoke in terms of the Garda or Irish Army patrolling minority strongholds in Northern Ireland. Their allegiance would be to the Irish Government. They might have a distinctive uniform but act jointly with the RUC or even the British Army. They would enable the Tricolour to be raised in minority areas. Mr John Hume has talked in similar terms. Mr Barry did not rule out some sharing among the judiciaries and could see no objection to Irish judges sitting with Northern Ireland judges, nor to this arrangement being reciprocated in the Republic.

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#### Government in Northern Ireland

9. According to Mr Lillis, the third element in a possible 'package' would be acceptance by the SDLP of a Stormont Government elected by majority vote (ie not power sharing, which had no future) and SDLP participation in the political structures created for this purpose (ie the Northern Ireland Assembly). But Mr Hume, in talking to the Secretary of State for Northern Ireland, while confirming that the SDLP might be prepared to accept majority rule, placed it more firmly in the context of joint sovereignty (ie of Republican involvement in the administration of justice) than of simply a "green presence on the streets". Mr Barry suggested that the Garda or Irish Army elements patrolling minority strongholds in the North might act under the authority of the Irish Government or the SDLP. While judging that Mr Hume was firmly in control of the SDLP, Mr Barry took the view that unless some role (he was not specific) could be found for the Party, its prospects were poor and it might not continue for more than two or three years.

#### BACKGROUND TO IRISH IDEAS

10. There is a growing recognition in Irish political circles that the unification of Ireland by consent (the declared aim of all the main parties in the Republic) is at best a long term aspiration. This new realism has been encouraged by the setting up of the New Ireland Forum in March 1983. But the population at large in the Republic remains generally indifferent towards Northern Ireland and profoundly ignorant of it. There is also considerable reluctance to become involved in the Northern Ireland problem and a persistent gut feeling that, ultimately, unity is the only just solution. At the same time, there is also increasing disillusionment with the violence in the North and fear of what may happen if the political and security situation there cannot be stabilised. Responsible Irish politicians in all the three main parties share Dr FitzGerald's worries about the alienation of the minority community in the North. They fear that the Provisional Sinn Fein will continue to make electoral headway (eg in the 1984 European elections) and that the SDLP will become discredited and even break up. This would leave the minority community without effective representation by politicians opposed to violence. It would also provide the Provisionals with legitimacy and a political base from which to challenge the southern state at a time of growing economic difficulty and high unemployment, particularly among the young.

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11. To that extent, the climate of opinion in the Republic would probably be favourable to a new Irish initiative which would signal a greater readiness to take account of British and Unionist concerns in the North. As against this, however, the pattern of Irish politics is still that established by the civil war. The Republican and nationalist tradition is still the dominant element in the identity of the southern Irish state, and its symbols and slogans are the common currency of political life. Fianna Fail (the "natural party of government" in the Republic) claims to be the natural and sole heir to that tradition; but no political leader in the Republic can afford to be seen as pursuing policies which contradict it. Dr FitzGerald has consistently tended to underestimate and mishandle the conservative and nationalist forces in Irish society (and in his own party) and it is difficult to have confidence in his ability to carry his party or the country in what would (if Mr Lillis' account of his ideas is taken at its face value) amount to a major departure from the central tradition of Irish politics.

12. In short, it is difficult to believe that Irish opinion generally, or even the Fine Gael and Labour parties, would be ready to make a formal surrender of the constitutional claim to the North without much more substantial concessions to the minority than Dr FitzGerald, as interpreted by Mr Lillis, might have in mind. Abandonment of the demand for power sharing and SDLP acceptance of majority rule would also go deeply against the grain of opinion in the South, which sees the Protestant ascendancy as the historical cause of all the present problems in the Province. Nor is opinion in the South sympathetic to proposals to link the police or judicial systems North and South, as Dr FitzGerald found out after his 18 November 1982 speech. Nationalist opinion would be unwilling to see the Garda subordinate to the Northern Ireland authorities and would fear for their safety; and RUC operations south of the border would, depending on their extent and visibility, provoke a response ranging from suspicion to outright hostility.

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13. Fianna Fail's attitude towards any new initiative by the Irish Government would be of great importance. Dr FitzGerald probably still hopes that Mr Haughey will join a consensus in the New Ireland Forum out of respect for the SDLP and from a desire to appear statesmanlike. But Mr Haughey may well prefer to cut loose and present himself as the defender of the true nationalist tradition. This temptation would be greatly increased if proposals as vulnerable to nationalist attack as Mr Lillis' were put formally on the table.

#### LIKELY IMPACT IN NORTHERN IRELAND

14. This section examines the Irish ideas from the standpoint of the situation in Northern Ireland and their likely impact there.

15. To start with security, there are a number of ways in which, for both practical and presentational reasons, it would be to the advantage of the United Kingdom to improve co-operation with the Republic in the law and order field. There are also steps which might be taken, in the area of joint policing in Northern Ireland, which, while they would have no great advantage to the United Kingdom, need not raise insuperable legal and constitutional problems. The kind of measures, within these two categories, which might be taken are outlined in Annex C which also discusses the possibility of joint judicial arrangements.

16. Although Mr Lillis has been guarded in his presentation of this element of the package, it is plain that none of the steps outlined in Annex C would measure up to the expectations of Mr Hume and Mr Barry as set out in paragraph 8 above. Indeed, in so far as they require the Republic to give extended co-operation against Northern terrorism without any clear reciprocal benefit for the South they could have little appeal to many strands of Republican opinion. What Mr Hume and Mr Barry appear to want is some form of joint authority in law and order matters, even extending to a separate police force in the minority strongholds which would be responsible to the Republic's Government; and there is talk of a joint police authority. The responsibility for preserving law and order in a State is, perhaps, the most fundamental element of its sovereignty; and officials assume that Ministers would rule out in principle the derogation from full sovereignty

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which would be involved in conceding to the Republic the responsibility for policing areas of the North. Any question of principle apart, there would be grave and probably insuperable practical problems in attempting to deal either with the overall terrorist threat or with particular incidents (for example, a major riot in Londonderry) through the medium of two forces and command structures. And there would be a serious risk that Unionist resentment at the presence of the Garda or the Irish Army would express itself in paramilitary activity.

17. At this stage the Lord Chancellor and the Lord Chief Justice of Northern Ireland have not been consulted about the possibility of joint judicial arrangements, and Annex C accordingly takes no account of any views that they may have. Officials' present conclusion is that there is no practical case for joint judicial arrangements (in which Mr Hume has, in any event, indicated that he has no great interest) and that they would be fraught with legal and constitutional difficulties.

18. Even if HMG could go all the way to meet the aspirations of Mr Barry and Mr Hume in the law and order field, the proposition that that would suffice to persuade the minority to accept a devolved Unionist majority government in the North must itself be treated with great reservations. Mr Hume has already hedged on it. But even if the SDLP, who can still claim to represent most of the minority, were willing to accept such a package, there can be no guarantee that they would retain minority support in doing so. There is a real possibility that, on the contrary, they would drive more of the minority into the arms of Sinn Fein, the very thing which the Republic is most anxious to prevent. The SDLP presents itself at present as a rudderless ship: it is essential, in evaluating the Lillis package and its variants, to look beyond what might serve SDLP interests as they at present perceive them, and consider how far proposed developments might serve to improve stability in Northern Ireland and ensure just government for both communities there.

19. In this context, the suggestion that the SDLP might be prepared, not only to participate in the Assembly but also to abandon the objective of power-sharing and accept devolution of power to a majority-based government, is surprising. At most, therefore, the degree of devolution envisaged might turn

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out to be limited. Clearly security matters would be excluded unless the arrangement envisaged a sharp division between Protestant and Catholic areas, with the former having security control in their areas to compensate for a wide measure of Republican control in the latter - a concept which would not fit the untidy way in which the communities are distributed around Northern Ireland.

20. Real devolution of power to the majority in all non-security matters would mean that the minority would perceive the ordering of daily life (housing, health service, school, jobs etc) entrusted to a government of a kind which they had learned to distrust so profoundly between 1920 and 1970. To counter balance this, a great deal of weight would need to be borne by the presence of "their own Garda" on the streets. Sinn Fein would accuse the SDLP of a sell out; and the United Kingdom interest would not be served by an arrangement which led to the destruction of constitutional nationalists and their replacement by Sinn Fein.

21. It is unlikely that the SDLP would commit itself to a bargain that represented electoral suicide. It therefore seems likely that any degree of devolution which they would be prepared to entertain would involve severe restraints on the exercise of power by the majority. They might also seek a right for the minority to appeal to the British Government if dissatisfied. Alternatively, they might expect that far reaching arrangements for policing in "Catholic" areas would in due course be followed by similar arrangements in political, administrative and other fields. Such an approach would certainly not be seen as a concession to Unionists. Moreover, both Mr Hume and Mr Barry have indicated that the SDLP's readiness to abandon power-sharing is founded on the belief that participation in an administration which was predominantly Unionist would be seen by their constituency as a sell-out. It is also noteworthy that all the variants of the Irish ideas appear to place the emphasis on separate treatment for the nationalist and Unionist communities, rather than on reconciliation and co-operation between them.

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22. Unionists have made much of the claim on the territory of Northern Ireland in the Constitution of the Republic. The claim is cited in justification of Unionist hostility to the Republic and suspicion of the minority in Northern Ireland as giving their loyalty to a hostile foreign power. Removal of the claim would be important, but Unionists would see it as a belated recognition of reality rather than a major concession for which they should pay a substantial price. Some would even say that changing words means little and the intention remains the achievement of unity. Withdrawal of the claim accompanied by acceptance by the minority of devolution of real power to Unionists would be more convincing and might tempt many Unionists to tolerate concessions to the minority which would not otherwise be acceptable. But co-operation with the South on security which was seen as undermining sovereignty would not be acceptable and could provoke a violent reaction.

#### CONCLUSION

23. What emerges from the foregoing analysis is that there is no clear or coherent package or proposition on offer from the Irish side and that in consequence no definitive judgements can be made at this stage. It would appear that Dr FitzGerald, judging that the moment is right for some new initiative on the North, is testing the market to see what may be saleable to the various interested parties, ie to the British, the SDLP, the Unionists, his own political colleagues and Irish opinion generally. This goes some way to explain the conflicting accounts of the Irish ideas which we have been offered. It remains to be seen whether Dr FitzGerald himself will develop his ideas in the tete a tete with the Prime Minister at the Summit on 7 November, and, if so, in what form.

24. With those general provisos, the following tentative conclusions can be drawn -

- i. the underlying motive of the Irish in floating these ideas is to induce the British Government to re-appraise its approach to the problem of Northern Ireland and to do so before the Forum for a New Ireland reports in early 1984. Keeping the United States Government informed almost certainly has a dual purpose; to underline the seriousness of the

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exercise, as far as the Irish Government is concerned, and to exert vicarious leverage on the British Government not to be prematurely dismissive;

ii. there must be great scepticism whether any of the variants of the so-called Lillis package could be combined in such a way as to satisfy the conflicting interests of the British Government, the Irish Government and the two communities in Northern Ireland;

iii. although Dr FitzGerald himself has long recognised that the orthodox Irish nationalist approach to unification is unrealistic, he has still to find an alternative approach which could attract widespread support in the Republic. It looks as if he sees some form of joint sovereignty over the North as the most promising possibility. Even though he must be aware that joint sovereignty as such is unacceptable to the British Government, his ideas on joint policing and joint judicial arrangements may well be intended as a means of moving things in that direction.

iv. formal acceptance of the Union by the Irish Government, whether through constitutional amendment or declaratory statement, would be important and welcome to the United Kingdom. But whether Dr FitzGerald could deliver such acceptance must be open to serious doubt. If he attempted to do so, he might well create a political storm in the Republic which he would be fortunate to weather;

v. the suggestion that the SDLP might be prepared, not only to participate in the Assembly, but also to abandon the objective of power-sharing and accept devolution to the majority is surprising. It seems likely that such a policy could be contemplated by the SDLP only in exchange for far-reaching concessions by the British Government in the law and order field, accompanied by such severe limitations on the exercise of devolved power by the majority that it would cease to hold any attractions for the Unionists;

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vi. there are ways in which, for both practical and presentational reasons, it would be to the advantage of the United Kingdom to improve co-operation with the Republic in the law and order field. There are also steps which might be taken which, while having no great advantage to the United Kingdom, need not raise insuperable legal and constitutional problems. However, it seems unlikely that such steps would measure up to Irish expectations; and there would be grave and probably insuperable practical problems in going further towards the introduction of two forces and command structures in Northern Ireland;

vii. there is no practical case for joint judicial arrangements which would be fraught with legal and constitutional difficulties;

viii. the fact that Dr FitzGerald's ideas may be impractical, or would be likely to create political difficulties for him at home if he launched them publicly, is not necessarily an argument for warning him off. It could be advantageous to the United Kingdom, both internationally (eg vis-a-vis the United States) and domestically if an Irish Government were seen to have abandoned the Republic's traditional insistence on territorial unification; and if progress towards the new relationship between the Republic and the North were seen to be frustrated by Irish nationalist, rather than Unionist, intransigence, that too could be helpful.

25. Against this background, the best approach for the Prime Minister to adopt at the Summit might be to listen to whatever Dr FitzGerald has to say and, if it turns out that he does develop some or all of the ideas in the Lillis package, confirm that the general message (ie that the Irish Government is looking for a new approach to the problem of Northern Ireland) has been received and understood. She might then say that since she has hitherto had only conflicting accounts of what the Irish have in mind, she is not yet in a position to give a considered reaction. The history of Ireland shows that initiatives designed to improve relations between North and South, however well intentioned, are all too likely to fuel prejudice on one side or the other and to raise, rather than lower, the level of violence.

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26. The Prime Minister might rest on the position that no British Government would wish to reject out of hand any practical and realistic ideas which would help to reduce the level of violence in Northern Ireland, provided that they were fully consistent with the obligations of the British Government to the people of the Province and the Irish Government, for its part, was in a position to carry them through. Schemes based on joint sovereignty would definitely not be acceptable; but limited arrangements of a practical nature might be possible. She would, in due course, be prepared to consider the possibilities if they offered the hope of a practical and useful way forward.

Cabinet Office

1 November 1983

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ANNEX A

IRISH CONSTITUTION AND NORTHERN IRELAND: RECENT POLITICAL HISTORY

1. Article 2 of the 1937 Irish Constitution states that:

"The national territory consists of the whole island of Ireland, its islands and the territorial seas."

Article 3 states that:

"Pending the re-integration of the national territory, and without prejudice to the right of the Parliament and Government established by this Constitution to exercise jurisdiction over the whole of that territory, the laws enacted by that Parliament shall have the like area and extent of application as the laws of Saorstát Éireann and the like extra-territorial effect."

2. The drafting of Articles 2 and 3 marked the culmination of de Valera's campaign to annul the 1922 Treaty. The Irish newspapers at the time dismissed the two Articles as naive and counter-productive. The Fine Gael party was also sceptical of their value and one Fianna Fail Minister objected to the irredentist claim on the North, doubting its validity in international law. On the other hand, there was much criticism from others based on the view that the Articles were not sufficiently Republican.

3. The Constitution remained unchanged for over 30 years. By the late 1960s, the Irish Republic had become a much more liberal and secular society which no longer accurately reflected the social ideas built into the Constitution. The Fianna Fail leadership continued to claim that their policies were consistent with de Valera's orthodoxies but made no pretence that the Constitution would suit a united country.

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4. In 1966, at a time when relations with Northern Ireland were going through a short-lived honeymoon period, Sean Lemass, the Fianna Fail leader and Taoiseach, set up an all-party committee of senior politicians to conduct a general review of the Constitution. The Committee made several radical recommendations, one of which was that a gesture should be made to the North by deleting from Article 3 the words "and without prejudice to the right of the Parliament and Government established by this Constitution to exercise jurisdiction over the whole of that territory". In the Committee's view this would not relinquish the Republic's right to re-integration of the national territory, but would remove some friction in North-South relations. The idea shocked the fundamentalists in Fianna Fail, the "greenest" of the political parties in the Republic, to whom Articles 2 and 3 remained sacrosanct as de Valera's most formal legacy on partition. The Committee's report was not acted upon.

5. From 1969 onwards, the question of amending the Constitution has been discussed almost wholly in the context of the Northern troubles and of a hypothetical united Ireland. In May 1972, Jack Lynch, Taoiseach and Fianna Fail leader, set up an all-party Committee of parliamentarians to study the implications of a united Ireland and to make recommendations as to the steps required to create conditions conducive to a united Ireland. The Fianna Fail representatives on the Committee insisted that amending Articles 2 and 3 of the Constitution could be contemplated only in the context of a change in the status of Northern Ireland and as part of a settlement with Northern leaders. Many of the senior members of the opposition parties did not agree and were prepared to make changes then as a gesture to the North. Because of disagreement on this issue, the attention of the Committee centred on Article 44 of the Constitution relating to the special position of the Catholic Church. This Article was subsequently amended.

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6. In 1973, the Irish Coalition government (Fine Gael and Labour) signed the Sunningdale Agreement in which the South formally recognised that Northern consent was a pre-condition for unity. Kevin Boland, a senior member of the Fianna Fail party until his resignation in protest at what he regarded as the party's weak approach to the Northern problem, challenged the Agreement in the Supreme Court on the grounds that it was inconsistent with Articles 2 and 3 of the Constitution. Although unsuccessful, this action circumscribed the Coalition's policy options and was a reminder to the Fianna Fail leadership of the strength of nationalist feeling on the issue.

7. Jack Lynch, whose policy on Northern Ireland rejected the traditional emotive interpretation of Republicanism, nonetheless repeated the Fianna Fail orthodoxy on Articles 2 and 3 in an interview with the Irish Times in December 1977.

"In relation to Articles 2 and 3 ... I adhere to the view that the time to discuss this is when elected representatives of North and South get around a table to discuss the future of the country..."

Even so his views were criticised by some members of his party as insufficiently radical, and in 1979, he was replaced as leader by Charles Haughey who, since the beginning of the troubles in Northern Ireland, had adopted a harder line Republican stance than Lynch and had sought to present himself as the spiritual heir of de Valera.

8. In June 1981, a Fine Gael-Labour Coalition Government was returned to office headed by Dr Garret FitzGerald. The new Taoiseach had long been a critic of the 1937 Constitution and had argued in his book "Towards a New Ireland" (published in 1972) that the Constitution was marked by Catholic thought and should be amended to take account of the sensitivities of Northern Ireland Protestants. He later came to favour the modification of Articles 2 and 3, and in September 1981 launched a "Constitutional Crusade". He argued that the Constitution had entrenched Partition and that Articles 2 and 3 were offensive to the majority community in the North because the latter interpreted them as constituting a claim to their territory. He also laid stress upon the need to rid the Constitution of its "sectarian" bias.

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9. In a speech to the Senate in October, Dr FitzGerald said that it was a "tragic fallacy" to treat the Constitution as sacrosanct until the Ulster Unionists were at the negotiating table (Mr Haughey's thesis). This implied "the extraordinary illusion that the Unionists and Loyalists of Northern Ireland are really as eager as we are for Irish Unity", and Dr FitzGerald asked why Articles 2 and 3 could not be recast as an aspiration to unity.

10. In the heated debate which followed, Mr Haughey pursued the orthodox Fianna Fail line, defending Articles 2 and 3 and the idea behind them, as he saw it, that "this island should be one political unit". When Mr Haughey returned as Taoiseach in March 1982, he signalled that his Government would revert to the more traditional nationalist policies from which his previous administration had deviated in 1980/81. He spoke of bringing "closer the day when the rights of self determination of all the people of Ireland will again be exercised in common" - language which was taken by many to imply the abandonment of unity only by consent. He looked forward to "the final withdrawal of the British military and political presence". He blamed Britain for partition, declined to initiate changes in the South's Constitution and, in an interview with the IRISH TIMES, characterised the outgoing Coalition Government's Northern policy as "national sabotage".

11. Dr FitzGerald told the Fine Gael Annual Conference in October 1982 that the initiative to review the Constitution would be revived if he was returned to power. However, he also promised the Pro-Life Amendment Campaign that he would seek to introduce a change in the Constitution, to underpin the existing legal ban on abortion. When Dr FitzGerald's Coalition Government came to power in December 1982 it accepted the Fianna Fail wording of the proposed amendment. The Constitutional Crusade slipped into the background. A national debate ensued on the issue of the amendment and Dr FitzGerald shifted his position to oppose it. But the Bill passed the Dail and the referendum was held in September 1983. It resulted in a 2:1 majority in favour of a change in the Constitution. In these impropitious circumstances (and at a difficult time for the economy) the Government has not so far shown any signs of wishing to revive the Crusade. The Irish electorate is in any case fed up with elections and referenda and unlikely to turn out to vote for an issue which seems to them academic.

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ANNEX B

POLICING: DEVELOPMENTS IN DR FITZGERALD'S POSITION

1. In his book "Towards a New Ireland" published in 1972, Dr FitzGerald referred only very briefly to possible policing arrangements within the two parts of the new all-Ireland federal state which he envisaged. He noted that there could either be separate police forces within each "region" or a "mixed federal force" could be set up to operate throughout Ireland. Either way,

"the body responsible for maintaining peace and order in sensitive areas in Northern Ireland should be of mixed composition, so far as the two communities there are concerned, and under impartial control".

2. In November 1973 Dr FitzGerald (then Irish Foreign Minister) handed HMG a paper on "Policing, Common Law Enforcement and related matters" which formed the basis of the Irish Government's (and the SDLP's) position on these issues at Sunningdale. The paper proposed that the Council of Ireland should have some responsibility for policing throughout Ireland, in particular in the following respects:

- i. a Police Authority would be established in the Republic, the two police authorities north and south would each be responsible for their own forces, but both would be responsible to the Council of Ireland;
- ii. the Council would set up a complaints procedure for both forces, including a special "police ombudsman" whose recommendations would be implemented by the administrations north and south;
- iii. the Council would arrange for "institutional co-operation" between the two forces.

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The paper also suggested that special courts should be established to try specified offences, with judges drawn from both jurisdictions. (The details of this proposal were very unclear.) Finally, it was suggested that the human rights specified in the European Convention should be incorporated into the domestic law of both jurisdictions in Ireland.

3. In discussion at the Sunningdale Conference Mr Cooney (as Justice Minister) spoke for the Irish on this subject and made clear that it was their view that if the Police Authority for the North was appointed by, and responsible to the Council of Ireland, this would very significantly help the minority community in the North to identify with the police. The precise formulation of the reference to the Police Authority was one of the major sticking points in the agreement: eventually it was resolved that appointments would be made to the Authority by HMG "after consultation with the Northern Ireland Executive". The suggestion that the Council should sponsor the police complaints procedure was not proceeded with, while the issue of police co-operation (together with that of "developing community identification with and support for the police services") was remitted to the separate Police Authorities to pursue under the aegis of the Council. (The Irish did not in fact establish a Police Authority for the Republic. Although a commitment to do so figures in the Fine Gael manifesto on which the party regained office in 1982, action has not yet been taken on this.)\*

4. In February 1979 Dr FitzGerald introduced a new Fine Gael policy document entitled "Ireland - Our Future together". This scarcely touched on the policing issue, apart from mentioning that in the context of "a political association of the two parts of Ireland" it would be possible to envisage a police force which could operate freely in both parts.

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\* The courts issue was remitted to a Law Enforcement Commission which reported in May 1974

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5. Dr FitzGerald's wide-ranging Dimbleby Lecture in May 1981 included the point that progress towards a permanent and peaceful settlement in Ireland might most acceptably come through movement towards "an all-Ireland judicial and policing system". However, he alluded to the very difficult questions of principle and detail which such a system would raise only in order to dismiss them:

"Surely we could put aside our differences and come together, under whatever umbrella of authority may be most effective for this purpose, whether Anglo-Irish, or North-South, in order to face an all-Ireland terrorist movement with an all-Ireland judicial and policing system. No obstacles of constitutional theory or political prejudice in either North or South should stand in the way of such a potentially effective step towards restoring peace in the island".

6. Finally, in a speech in November 1982, during the last Irish election campaign, Dr FitzGerald referred again to the proposal for an all-Ireland police force:

"... the joint resolve of our two societies (to end terrorism) can best be harnessed through the operation of a court and a police force dealing with crimes of violence - additional to the existing police forces, North and South - a court and police force that would be common to both Northern Ireland and this state. Such a joint court and police force, under North-South control, would match the subversives' capacity to create a single entity of terrorism ..."

It is hard to see how this new joint force could operate save as a "federal" force under a new all-Ireland political dispensation, although Dr FitzGerald does not spell this out. In response to subsequent attacks from Mr Haughey (who claimed that Dr FitzGerald's proposal would mean RUC men turning up on the doorstep in Kerry), the Fine Gael leader stressed that "the RUC has no place in our proposal."

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7. If a message can be drawn from this brief review, it may be that although Dr FitzGerald now lays less stress on the need for joint policing to flow from some sort of all-Ireland arrangement, his proposals seem in practice still to carry that implication. There is no evidence that he has given any detailed thought to the practical workings of a joint policing scheme which was not accompanied by a major constitutional reorganisation.

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ANNEX C

JOINT ARRANGEMENTS FOR LAW AND ORDER

1. The scope for Irish involvement in the work of police and courts in Northern Ireland needs to be considered against the following broad principles:

a. It is a prime British interest to have effective security co-operation with the Republic. Practical arrangements which involve the Garda and Irish courts in working with the Northern Ireland authorities against terrorism would be welcome;

b. active support by the minority community and the SDLP for the security forces in Northern Ireland could destroy much of the base for terrorism. It would be a prize worth striving for but not at the cost of concessions which brought the majority community on to the streets in violent opposition;

c. law enforcement is of such fundamental importance to Northern Ireland that it would be dangerous to compromise its effectiveness by over-complex structures for command and control;

d. the functions of police and the courts are at the core of sovereignty. Help from Irish personnel under the command of the Chief Constable of the RUC, within the structure of the Northern Ireland court system and enforcing United Kingdom law, could be justified: arrangements which effectively handed law enforcement in certain areas or communities over to the Republic would be different in principle and would risk a severe Unionist back lash;

e. the principle of reciprocity would be important, even if the actual need for RUC activity in the South need not be extensive. Otherwise the arrangements would be perceived as one-sided politically.

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2. There are a range of possible arrangements providing opportunities for a Garda presence in Northern Ireland. First, Liaison Officers would be inoffensive, even useful, possibly at divisional or sub-divisional level, as well as at Headquarters. The greatest need would be in areas close to the border. It would be natural for a Garda liaison officer in the North to wear Garda uniform and remain answerable to the Garda command structure, provided he had no operational responsibility in Northern Ireland. Second, the United Kingdom has long pressed for greater co-operation between the RUC and the Garda in criminal investigation, including facilities for RUC officers to question suspects in the Republic. A joint "regional crime squad", comprising officers from both the RUC and the Garda working together as a team and able to operate on either side of the border, would be welcome. Such operational involvement would require a command structure making "foreign" policemen subject to directions from the Chief Constable of the host territory. Third, a few Garda might be involved in such activities as community relations, traffic control, and perhaps routine station duties. Finally, more difficult but possible, would be to attach a few Garda to the Divisional Mobile Support Units (DMSUs) which conduct a wide-range of police duties, chiefly in border areas and which are primarily directed against terrorism. This could pose problems about the availability of intelligence and it might be natural to start with the simpler arrangements, with involvement in DMSUs as a possible later development.

3. Limited arrangements of this kind could provide scope for the involvement of several dozen Garda in Northern Ireland in ways which would be either beneficial or neutral to British interests. It must however, be open to doubt whether they would hold many attractions for the Republic or the SDLP. It is hard to believe that the appearance of a few Garda uniforms on the streets of Belfast would be enough to impart an Irish identity to law enforcement in Catholic areas, unless it were accompanied by Irish involvement in command and policy. Indeed the problems encountered by the RUC in Catholic areas are more a consequence of IRA intimidation, coupled with the minority's perception of the RUC as symbolising the Northern Ireland state, than hostility to the individual RUC policemen. If the new arrangements were perceived as a few Garda helping the British to sustain partition, the minority community might be unimpressed and both the IRA and the UVF might single them out for attack. (The IRA already give priority to murdering Catholic police, prison officers, etc).

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4. Irish talk of a joint police authority suggests that they have in mind an arrangement which would involve control over police operations. In the United Kingdom, police authorities have no responsibility for police operations which are the concern of the Chief Constable. Any arrangement which might interfere with that responsibility would be fiercely resisted by the police, regardless of whether the new political control came from the United Kingdom or the Republic.
  
5. It would be possible to invent Anglo-Irish arrangements at the highest level of policing, such as formal meetings between the Secretary of State and the Minister of Justice, attendance from the Republic at some of the Secretary of State's regular Security Policy Meetings, announcement of a common security area or, conceivably, a police complaints system with an all-Ireland flavour. But to go further than liaison and cosmetics could lead to complications, even absurdities, in the area of command and responsibilities, as well as smacking of joint sovereignty. Moreover, if the Irish and the SDLP could only satisfy their political requirements by presenting such arrangements as joint sovereignty, or even progress towards joint sovereignty, that in itself would condemn them in Unionist eyes.
  
6. Common judicial arrangements would be even more difficult to justify on practical grounds. There is logic in arrangements to deal with the situation where the offender is in one jurisdiction and the offence and the witnesses are in another. But to import Irish judges to deal with crimes and criminals which have no such Southern connection could hardly be justified on this basis. There is an obvious difficulty in associating members of an external jurisdiction with a task as fundamental to sovereignty as enforcement of the criminal law and problems could arise over the judicial oath. Moreover, Republican criticism of Northern Ireland justice is directed at the system rather than the judges, who are widely respected. While there is no reason to suspect that an Irish judge would be weak in dealing with terrorists, he might have difficulty in administering United Kingdom law when his training has been in Irish law. In theory single judge courts could be replaced by three-judge

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courts with one judge from the South; or the judge could be assisted by two assessors, one of whom came from the South. The first measure would double the Northern Ireland requirement for judges; while the Lord Chief Justice is believed to be strongly opposed both to three-judge courts and to assessors. Even with reciprocal arrangements, it would not be easy to argue that a role for the Republic in judicial arrangements in the North did not impinge upon sovereignty.

7. An important reservation about all the possibilities discussed within this Annex is that neither the police nor the judiciary have been consulted. The Lord Chief Justice and the Chief Constable would be likely to resist moves which they saw as undermining their independence and professionalism for political reasons; and their attitude in itself could have an important influence on public opinion.

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## Maze Prison

3.30 pm

**The Secretary of State for Northern Ireland (Mr. James Prior):** I shall, with permission Mr. Speaker, take this earliest possible opportunity to make a statement to the House on the escape from the Maze prison in Northern Ireland last month and on the action taken since then. I should add that because of official business in the United States of America later today, I am making this statement before those of my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs and I am grateful to him and to the House for allowing me to do so.

On 25 September, at approximately 2.45 pm, a number of Republican prisoners produced guns in H block 7 of the Maze prison. They overpowered prison officers and shot the officer in the block's central control room in the head. They put on the officers' uniforms. About an hour later, still in control of the block, prisoners took over a meal delivery van on its arrival, and the prison officer driver was forced at gunpoint to drive 38 of the prisoners to the main gate of the prison. On the way, the van passed through two manned gates without being searched. At the main gate the prisoners disembarked and a fight with prison staff ensued during which a number of prison officers received serious injuries and a prison officer was stabbed to death. I deeply regret his death, and know the whole House will join me in extending sympathy to his family. The prisoners opened the main gate, but the exit was immediately blocked by a prison officer's car. The 38 prisoners then sought to escape on foot and were chased by prison officers. As a number of the escaping prisoners were wearing prison officers' uniform and some of the prison officers were in civilian clothes, the Army sentry in the tower at the main gate could not clearly identify which individuals were prison officers and which were prisoners. He did, however, open fire and wound one escaping prisoner whom he had seen shoot a pursuing prison officer in the leg. Ten prisoners were quickly apprehended and returned to the prison. Immediately the alarm was given the RUC and the Army instituted very extensive arrangements both in the immediate vicinity of the prison and more widely throughout the Province. Immediate contact was established with the authorities in the Republic of Ireland, who readily gave their full co-operation. Within the next few days a further nine escapers were recaptured, leaving 19 still unlawfully at large. The search for them continues unrelentingly.

On the day following the escape, with the agreement of my right hon. Friend the Home Secretary, I invited Sir James Hennessy, Her Majesty's chief inspector of prisons, to conduct an inquiry into security arrangements at Her Majesty's prison, Maze, bearing on the escape on Sunday 25 September; to make relevant recommendations for the improvement of security at the prison; and to report to me as soon as possible.

Sir James is aided in his inquiry by a full team of inspectors and by other staff of Her Majesty's inspectorate of prisons, numbering 10 in all. It is not yet possible to say when the report will be completed. The House will understand that the arrangements at the Maze are inevitably complex and there are a great many witnesses to be interviewed, some of whom are still recovering from injuries. However, I know that Sir James and his team are pursuing the task with urgency as well as with a view to

its being as thorough and searching as it can be. When the report is complete it is my intention to make public as full an account as possible of the matter consistent with the future security of the prison.

In parallel with the start of Sir James's inquiry, all governors of prisons in Northern Ireland immediately undertook urgent reviews of their security systems and procedures. Both in the Maze prison and elsewhere there has been additional searching of prisoners, cells, prison workshops and other areas. The Royal Ulster Constabulary and the Army have assisted in searching prisons in line with long-established procedures. Certain additional physical security measures are being implemented, including the provision of protective screens for the control rooms of each H block in the Maze prison; and a more secure electronic locking system has been fitted to the main gate on a trial basis, which if found satisfactory will be linked to a specially constructed bullet-proof control post. Other security measures are also being taken.

The escape of so many prisoners and the killing of a prison officer represent a setback to law enforcement in Northern Ireland, at a time when terrorist organisations have been under increasing pressure. We are dealing with determined and violent men, and there can be no let-up in the measures that we are taking. The escape also adds to the already considerable difficulties in managing the prisons in Northern Ireland. I am anxious, in reporting to the House today, to indicate what action has been taken since the escape as well as to outline the facts of the incident as far as they can be established in advance of the Hennessy report. The House can be assured that we shall do everything possible to identify why things went wrong on 25 September, and will take all appropriate steps in the light of those findings.

**Mr. J. D. Concannon (Mansfield):** Right hon. and hon. Members on the Opposition Benches join the Secretary of State in extending sympathy to the family of the prison officer who met his death and to those others who were terribly injured. We thank the Secretary of State for making his statement and for the appointment of Sir James Hennessy to conduct an inquiry into security arrangements at Her Majesty's prison, Maze. I think that we should await the report before expressing our final views.

Is the Secretary of State aware that, on the face of it, the objective in building the Maze prison seems to have been eroded? I remind the House that it was built to end special category status, the compound system and the university of terrorism. No longer were prisoners to be segregated into their compounds, with free association, to do their teaching and plotting. They were to be kept in cellular accommodation in the legs of the H blocks. However, it seems from the right hon. Gentleman's statement that each of the H blocks is now reserved for groupings of prisoners, with a lot more association than was intended originally. We are back to the compound system and segregation. In my opinion this was asking for trouble if searches and other forms of security were not stepped up. I think that there are some people who pressed for this kind of segregation and who should keep their complaints to a minimum today.

If the Secretary of State decided to put all his bad eggs in one basket, could he say when H block 7 was last searched before the escape and how it was searched—that is important? If it was searched, what was found? Has



the right hon. Gentleman any idea in which countries the 19 escaped prisoners are? If so, is he receiving the full co-operation of those countries to secure the apprehension and return of the escapees to the British authorities? Finally, will he assure the House that, when it is received, the report will be debated?

**Mr. Prior:** Whether the report is debated is a matter for the House, but I shall make a full statement to the House when the report is received. I want it to be published in full, save for any matters that might raise security problems at the prisons.

We do not know the countries to which these people have fled. It is suspected that some are now in the South, but we do not know. All that I can say is that we have had the maximum co-operation from the Irish Government, and I have no doubt that they are as keen as we are to capture these prisoners. The block had been searched wing by wing. The last search of a wing took place two weeks before the escape.

A number of the blocks are now segregated, because of the troubles that there have been, and also because there are many more Republican than Loyalist prisoners. The block in question was unsegregated until the Loyalist problems of October 1982. Since then it has been a Republican block. I believe that there are still seven wings in the Maze prison which contain both Protestants and Catholics. We shall do all that we can to keep as many mixed wings as possible.

**Mr. James Molyneux** (Lagan Valley): Does the Secretary of State admit that the chief inspector's inquiry will be limited to considering the responsibility of prison officers and will take no account of the changes in the Northern Ireland Office's prison policies—which have already been referred to by the right hon. Member for Mansfield (Mr. Concannon)—particularly those made under the regime of Lord Gowrie?

Is not the inquiry further limited by the requirement that prison officers' statements must be made in writing, and signed, with no guarantee of absolute confidentiality?

Finally, can the right hon. Gentleman confirm that the financial considerations that led to delays even in the follow-up operations—which were not as immediate as the statement suggests—will also be excluded from the inquiry?

**Mr. Prior:** The duty helicopter was over the prison within 10 minutes of the alarm being given, and the brigade commander and the Chief Constable were in their operations room within 20 minutes of the alarm being given. It is therefore unfair to say that there was any delay in commencing the operations. The Chief Constable and the GOC will report to me on these matters in the near future.

Sir James Hennessy will have an absolute right to report on all aspects of the prison regime, including developments during the past two years. I await his report with interest.

Following the end of the hunger strike, increased association between the wings was allowed in certain circumstances, but as the segregation policy pursued by both Loyalist and Republican prisoners resulted in the protest of the Loyalists in October 1982 there has been no free association in the block in question. That matter therefore does not arise. Any of these matters may, of course, be considered.

**Rev. Ian Paisley** (Antrim, North): On behalf of my colleagues, I should like to associate myself with the expression of sympathy to Prison Officer Ferris's wife and family.

Will the Secretary of State give us an assurance that all the facts uncovered by Sir James Hennessy's inquiry will be made public? Why were the breaks in the perimeter fence, which were reported to the Northern Ireland Office before the escape, not dealt with? Can the Secretary of State say whether the steps that he has now taken will prevent guns from getting into the hands of prisoners? If no guns had got into the prison, the gaol break would not have occurred. Why were all the watchtowers not manned? Was it to save money that dummy soldiers were placed in some of the watchtowers? As this was the greatest gaol break in British history, does the Secretary of State not consider that there should be ministerial resignations?

**Mr. Prior:** In the past few weeks the hon. Gentleman has made a number of accusations, very few of which bear any relation to the truth. That includes his reference to watchtowers not being manned and to dummies in the watchtowers. There have never been dummies in the watchtowers at the Maze prison.

**Rev. Paisley:** Has the right hon. Gentleman seen Sir James' report?

**Mr. Prior:** There are no breaks in the proper fence of the prison. The hon. Gentleman is referring to a car park which has some protection but which in any case forms no part of the defences of the prison. All these matters will be considered by Sir James Hennessy and included in his report.

On the question of resignations, I have made my position abundantly clear and I shall stick to it.

**Mr. Stephen Ross** (Isle of Wight): We on the Liberal Benches express our condolences to the family of the prison officer who lost his life. From my personal knowledge of prison officers in general, and in particular those in Northern Ireland, I believe that they are upright men doing a fairly lousy job with distinction.

Will the attention of Sir James Hennessy be drawn to the problems caused by the concessions on the wearing of civilian clothing in the prison? When I was last in the Maze prison I could not tell the difference between prisoners in civilian clothing and the civilian instructors. Some confusion seems to have been caused.

**Mr. Prior:** Sir James Hennessy will consider, and give his views on, the wearing of civilian clothing by prisoners. I am grateful for the hon. Gentleman's comments about prison officers. Some of the prison officers acted with extreme courage and heroism, and deserve the utmost credit for what they did. The prison service in Northern Ireland has a very difficult job, and we should recognise that before we lay any criticism at its door.

**Mr. Nicholas Soames** (Crawley): Will my right hon. Friend tell the House why so many terrorists were concentrated in one place at one time?

**Mr. Prior:** There are three prisons in Northern Ireland, and there are terrorists in all three, but until now the Maze has been considered to be the most secure. No fewer than 250 prisoners in the Maze, out of a total of 830, are serving either life sentences or are detained at Her Majesty's pleasure. The presence of so many life prisoners of a fairly

[Mr. Prior]

young age makes necessary a form of prison regime which at the moment is available only at the Maze. That is why there are so many rotten eggs in one basket.

**Mr. Ken Maginnis** (Fermanagh and South Tyrone): Does the Secretary of State accept that the foul murder this morning, less than three miles from the border with the Irish Republic, of my constituent, Mr. Cyrus Campbell, was the inevitable result of the boost given to Republican terrorism by the Maze escape? Will the right hon. Gentleman tell the House whether, as 19 terrorists are still on the run, many of whom are convicted murderers, he has ordered any significant increase in the number of troops along the frontier with the Irish Republic, where terrorists have invariably sought refuge?

**Mr. Prior:** We all share the distress caused by the murder of another member of the UDR in the hon. Gentleman's constituency this morning, but it would be wrong to say that the murder resulted from the outbreak of prisoners from the Maze. Regrettably, there are many other reasons why people in Northern Ireland have been murdered in the past few weeks, months and years.

There was an increase in security activity on the border immediately after the outbreak and both the GOC and the Chief Constable know perfectly well that if they require additional resources at any time they have only to ask for them.

**Mr. Michael Brown** (Brigg and Cleethorpes): Does my right hon. Friend agree that the most disquieting aspect of this incident is the fact that there were firearms in the prison? Can he assure us that that aspect will be considered? Can he also assure us that, as well as reporting what happened, Sir James Hennessy will prescribe what should be done for the future?

**Mr. Prior:** Where they would be of use to anyone wishing to escape, suggestions about what should be done will obviously not be published. For the most part, everything else will be published. Recommendations applying to all the Northern Ireland prisons, or elsewhere, could certainly be contained in the report. I agree with my hon. Friend that the fact that pistols were in the prison is perhaps the most disturbing aspect.

**Mr. Robert MacLennan** (Caithness and Sutherland): Given that the events described by the Secretary of State this afternoon are grave and calamitous, and are far more serious than he described them when he said that they have set back law enforcement, will he accept that if the doctrine of ministerial responsibility is to have any meaning in this country his personal position cannot turn on the mere findings—

**Mr. Dennis Skinner** (Bolsover): The hon. Gentleman would not resign his seat to fight an election.

**Mr. MacLennan:**—of the Hennessy inquiry, when 38 of the most dangerous prisoners in his custody have escaped?

**Mr. Prior:** If I had felt that ministerial responsibility was such that in this case I should have resigned, I certainly should have done so. It would be a matter for resignation if the report of the Hennessy inquiry showed that what happened was the result of some act of policy that was my responsibility, or that I failed to implement

something that I had been asked to implement, or should have implemented. In that case, I should resign. The IRA may have had something of a success to relate about the escape, but it would be as nothing compared with the success that it would have to relate if it forced the resignation of the Secretary of State under such circumstances.

**Sir William van Straubenzee** (Wokingham): I appreciate the wisdom of my right hon. Friend's advice to delay judgment until after Sir James has reported, but is there not one deceptively simple lesson that we can draw in the meantime from this and other events? That lesson is that however sophisticated the mechanisms—and in the Maze they are highly sophisticated—security ultimately rests on the constant reiteration of security procedures and drills by human beings. One of the results of the great successes that my right hon. Friend mentioned—successes for which the Government can certainly take credit—is that in some places in Northern Ireland there may have been a lessening of the will to maintain security and constantly to reiterate security drills.

**Mr. Prior:** I do not wish to prejudge anything that Sir James Hennessy may say on this subject, but constant attention needs to be paid at all times to all matters concerning security in Northern Ireland, whether they relate to prisons or to the relentless struggle against terrorism outside.

**Mr. William Ross** (Londonderry, East): Does the right hon. Gentleman recall that, after the Maze breakout, it was only following industrial action by prison officers that he increased the number of posts at Magilligan prison by 20 to improve security there? If that increase in the number of posts was needed, why was industrial action necessary to achieve it? If the increase was not needed, why did he allow it?

**Mr. Prior:** This is a very difficult matter. In the past two years the number of prison officers in Northern Ireland has increased by 10 per cent. There are 3,000 prison officers, for 2,500 prisoners, which is a far higher ratio for maximum security prisoners than in any other part of the United Kingdom. We must balance the proper requirements of an efficiently run prison system against reasonable grounds for expenditure. We do not know of any cases in Northern Ireland where sufficient resources have not been made available in the past two years. After such an outbreak there are bound to be demands from one quarter or another for additional resources to be devoted to a particular cause. They must be examined, and they are at present the subject of negotiations.

**Mr. Alexander Pollock** (Moray): How much more compulsory overtime may be required of prison staff now, compared with, for example, a year ago?

**Mr. Prior:** In the past few months overtime has increased and amounts to 15 hours a week. That is far higher than in the rest of the United Kingdom. The amount of overtime is, of course, a matter of considerable concern, because of tiredness and its effect on prison officers. All those matters will need to be looked at and a balance must be maintained.

**Mr. John David Taylor** (Strangford): I should like to associate myself with the Secretary of State in expressing sympathy to Mrs. Ferris and her two sons over the murder of Mr. Ferris, a prison officer and a constituent of mine.

Why have some of those who participated in the murder of the prison officer, who have been caught and returned to the Maze, not been prosecuted for the murder?

**Mr. Prior:** That is a matter for the Director of Public Prosecutions. The decision rests with him, not with me.

**Mr. Peter Robinson** (Belfast, East): How can the Secretary of State speak in such glowing terms about the follow-up operation when, one month after the escape, outbuildings and properties a very short distance from the prison have yet to be searched? What public scrutiny will there be of the report on the breakout from the Chief Constable and the GOC in Northern Ireland? What pressure can be taken off the Maze by the new prison planned at Maghaberry, and why is there such delay in opening it? Does the right hon. Gentleman agree that the remarks of the right hon. Member for Mansfield (Mr. Concannon) about segregation might well have been to the contrary, in that if there had not been segregation in the H block it is very likely that a number of Loyalist prisoners would have been killed?

**Mr. Prior:** There is certainly a strong view that had there not been segregation we would have known a good deal more about what was likely to happen. I personally think that segregation is wrong. Those who go to prison should be treated as prisoners, regardless of whether they are Loyalists or Republicans. It is a mistake to try to differentiate between the two. I want to place that firmly on the record.

My hon. Friend referred to the searching of premises immediately outside the prison. The forces of law and order in Northern Ireland have a very difficult job to do. They are constantly being attacked by people in Northern Ireland for being inefficient and for not searching this or doing that. We should be extremely grateful to them for what they do. At times their actions may be criticised, but we should bear in mind the overall standard and efficiency

of both the RUC and the Army. We can all produce tittle tattle about what did not happen or should have happened, but the fact is that the security forces have a difficult job to do. They are responsible to me. I inquire into these matters, but I have no intention of allowing anyone to think that I do not have full confidence in them.

**Mr. Tom Arnold** (Hazel Grove): Is my right hon. Friend aware that he will have the overwhelming support of the majority of hon. Members for the manner in which he intends to proceed? Will he confirm that the security statistics for the nine months ending 30 September show beyond any shadow of doubt that there has been a marked improvement this year compared with previous years?

**Mr. Prior:** I am chary of making any prophecies about the security situation in Northern Ireland. At the moment there is an improvement, and I am grateful to my hon. Friend for what he said, but we shall not be satisfied until all terrorists have been caught and peace has been restored to Northern Ireland. At present, we are some way off that.

**Mr. David Heathcoat-Amory** (Wells): What assurances can my right hon. Friend give the House that the security forces now have adequate contingency plans to deal with any future breakout? This issue cannot await the publication of the Hennessy report.

**Mr. Prior:** The security forces have contingency plans, which they practise from time to time, in case of a breakout. In the light of the breakout and what happened, they will immediately review those plans to see whether they can be improved in any way. One of the great problems was that the contingency plans involved both an inner and outer ring. It is thought, in the light of experience, that the inner ring was drawn in too closely. Prisoners had passed beyond it by the time it was set up. Those are matters that must be looked at urgently, and they are being considered by the GOC.

From: THE PRIVATE SECRETARY

cc A/c  
B. English  
Duty Clerk



COVERING  
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David Barclay Esq  
10 Downing Street  
LONDON  
SW1

24 October 1983

*Dear David*

MAZE ESCAPE STATEMENT

I attach the statement which Mr Prior will be making to the House today (and which Lord Mansfield will be repeating in the Lords), together with supplementary material.

I am sending a copy of this letter and enclosures to the Private Secretaries to the Home Secretary, Lord Privy Seal, and Chief Whips in both Houses.

*Yours ever*

*Derek*

D A HILL

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24 October 1983

MAZE PRISON ESCAPE -

STATEMENT BY THE SECRETARY OF STATE FOR NORTHERN IRELAND

I shall, with permission Mr Speaker, take this earliest possible opportunity to make a statement to the House on the escape from the Maze prison in Northern Ireland last month and on the action taken since then.

2. On 25 September at approximately 2.45 pm a number of Republican prisoners produced guns in H Block 7 of the Maze Prison. They overpowered prison officers and shot the officer in the block's central control room in the head. They put on the officers' uniforms. About an hour later, still in control of the block, prisoners took over a meal delivery van on its arrival, and the prison officer driver was forced at gunpoint to drive 38 of the prisoners to the main gate of the prison. On the way the van passed through 2 manned gates without being searched. At the main gate the prisoners disembarked and a fight with prison staff ensued during which a number of prison officers received serious injuries and a prison officer was stabbed to death. I deeply regret his death, and know the whole House will join me in extending sympathy to his family. The prisoners opened the main gate but the exit was immediately blocked by a prison officer's car. The 38 prisoners then sought to escape on foot and were chased by prison officers. As a number of the escaping prisoners were wearing prison officers uniform, and some of the prison officers were

wearing prison officers uniform, and some of the prison officers were in civilian clothes, the Army sentry in the tower at the main gate could not clearly identify which individuals were prison officers and which were prisoners. He did however open fire and wound one escaping prisoner whom he had seen shoot a pursuing prison officer in the leg. Ten prisoners were quickly apprehended and returned to the prison. Immediately the alarm was given the RUC and the army instituted very extensive arrangements both in the immediate vicinity of the prison and more widely throughout the Province.

Immediate contact was established with the authorities in the Republic of Ireland who readily gave their full co-operation. Within the next few days a further 9 escapers were apprehended, leaving 19 still unlawfully at large. The search for them continues unremittingly.

3. On the day following the escape, with the agreement of my Rt Hon Friend the Home Secretary, I invited Sir James Hennessy, Her Majesty's Chief Inspector of Prisons, to conduct an inquiry into security arrangements at HM Prison, Maze, bearing on the escape on Sunday 25 September; to make relevant recommendations for the improvement of security at the prison; and to report to me as soon as possible.

4. Sir James, who arrived in Northern Ireland the day after the escape, is aided in his inquiry by a full team of Inspectors and by other staff of H.M. Inspectorate of Prisons,

/numbering

numbering 10 in all. It is not yet possible to say when the report will be completed. The House will understand that the arrangements at the Maze are inevitably complex and there are a great many witnesses to be interviewed, some of whom are still recovering from injuries. However, I know that Sir James and his team are pursuing the task with urgency as well as with a view to its being as thorough and searching as it can be.

5. When the report is complete it is my intention to make public as full an account as possible of the matter consistent with the future security of the prison.

6. In parallel with the start of Sir James' inquiry, all governors of prisons in Northern Ireland immediately undertook urgent reviews of their security systems and procedures. Both in the Maze prison and elsewhere there has been additional searching of prisoners, cells, prison workshops and other areas. The Royal Ulster Constabulary and the Army have assisted in searching prisons in line with long established procedures. Certain additional physical security measures are being implemented, including the provision of protective screens for the control room of each H block in the Maze Prison; and a more secure electronic locking system has been fitted to the main gate on a trial basis, which if found satisfactory will be linked to a specially constructed bullet proof control post. Other security measures are also being taken.

7. The escape of so many prisoners and the killing of a prison officer represents a setback to law enforcement in Northern Ireland, at a time when terrorist organisations have been under increasing pressure. The security forces will in no way allow the pressure to be relaxed because of it. The escape also adds to the already considerable difficulties in managing the prisons in Northern Ireland. I am anxious, in reporting to the House today, to indicate what action has been taken since the escape as well as to outline the facts of the incident as far as they can be established in advance of the Hennessy report. The House can be assured that we shall do everything possible to identify why things went wrong on 25 September, and shall take all appropriate steps in the light of those findings.



**E. R.**

THE ESCAPE

How were guns smuggled in?  
Why were there no searches  
at 2 sets of gates? Are  
search procedures inadequate?

Could conjugal visits not  
have been used to smuggle  
in the guns?

Were gates left open?

Is it true that dummy  
soldiers had been left  
in the sentry towers?

Did the changes made at  
the end of the hunger strike  
have any bearing on the escape?

These are questions which Sir  
James Hennessy will be addressing  
and it would be inappropriate  
for me to comment at this stage.  
[save to say that some pretty  
wild allegations were made just  
after the escape which were not  
based on any evidence].

Conjugal visits are not allowed at  
any Prison in Northern Ireland so  
that speculation was ill-founded.

I understand that no gates were  
left open.

No. There have never been any  
dummy soldiers at Maze and  
there never will be.

This is one of the many issues Sir  
James will be addressing in detail.  
But I cannot see how the wearing of  
personal clothes increases the risk  
to security in the prison.

So far as inter-wing  
association was concerned, this practice  
has been suspended for the last year  
so would appear to have no bearing at

.... /

Were prisoners subject to beatings and other reprisals by prison officers in the aftermath of the escape?

all. [And it is quite outrageous to suggest that the hunger strikers were offered a relaxation in searching and other security procedures in exchange for an end to their action].

The allegations which have been made, most of them not by the prisoners themselves, are being investigated. When the investigation has been completed, any necessary action will be taken. Meanwhile all the normal avenues are open to any inmate who wishes to make a complaint, and any inmate who wishes to seek legal advice in relation to any specific grievance will be allowed reasonable facilities to do so.

[There are difficulties about carrying out effective investigations into generalised allegations that prisoners have been beaten up or assaulted by staff, with no particulars being given and without specific complaints having been made to the prison authorities. Allegations of this kind serve only to exacerbate tensions and to do further harm to normal relationships in the prisons].

**E.R.**

[HYLAND CASE: ONLY IF PRESSED]

Did the employment at the Maze  
if a probation officer with  
former PIRA connections have  
any bearing on the escape?

I know of this case. Police  
investigations are proceeding,  
though there is no reason on  
present information to believe this  
matter is connected with the  
escape. Sir James Hennessy has been  
informed. [if obliged to elaborate:  
A probation officer has been  
suspended following what he has said  
about his activities 10 or so years  
ago].

FOLLOW-UP ACTION BY SECURITY FORCES

Are you satisfied that the security forces acted promptly and effectively?

Yes. I have already explained the difficulties of the soldiers on the perimeter walls. Plans for the use of troops were implemented within minutes - the first search helicopter took to the air less than 10 minutes after the break out for example. The RUC also acted immediately, making the search operation their first priority. All police leave and training was cancelled. There was a total commitment to the operation.

Should Sir James Hennessy's report not be extended to include the follow-up to the escape?

I do not consider that there needs to be an external investigation into the security forces' operations following the escape. And it would be inappropriate to ask the Chief Inspector of Prisons to undertake it in any event.

Is it true that the UDR was not used to the full, many members being held back because of an inter-battalion competition.

The deployment of men is a matter for the security force commanders. I understand that the Chief Constable considers that he had all the manpower he needed through the provision of both Regular Army troops and UDR members - there was no need for a general call-out of the UDR by the GOC. (4 Battalions of the UDR were engaged in the search, in any event.)

FOLLOW-UP ACTION BY SECURITY FORCES (cont)

Are you satisfied that the security forces have the necessary manpower and equipment to deal with such situations?

I have been assured that the Chief Constable and GOC are satisfied that they have sufficient resources to react to such emergencies.

Should not prison officers have aided the personnel at VCPs? Should not more helicopters have been used? Why did the RUC not react more quickly to tip-offs about escapees in hiding? Why did the RUC not close more border crossings?

There are all operational matters for the Chief Constable and GOC. They are satisfied they had the necessary resources, and I know the security forces acted with energy and thoroughness. They apprehended 11 of the escapees within 3 days of the breakout, following the immediate recapture of 8, and they deserve our thanks and support for their efforts.

Will there be any change in security force tactics as a result of this experience?

Both the Chief Constable and GOC will of course be considering the relevant operational plans and refining them where necessary.

THE INQUIRY

Have you no idea when the report will be available?

I cannot give a date. As I indicated in my statement, the task is being pursued with vigor and thoroughness: the *Inspectorate of Prisons* is committed to it. But it would be wrong for me to impose a deadline which could inhibit the thoroughness of the investigation.

Can Sir James not produce an interim report?

I understand that Sir James has no plans to do so. The preparation of such a report would inevitably delay the completion of the investigation.

Will the report not just be a white-wash?

I have absolute confidence in the thoroughness of Sir James's inquiry. Every facility is being made available to assist him. As I have indicated, I shall make public as full an account of the matter as is consistent with security.

Why are the terms of reference confined to security arrangements at the Maze, apparently excluding wider factors and responsibilities?

Sir James will be able to address not only the actions of individuals at the prison but the policy and conditions under which they operated.

Why is there not to be a judicial inquiry?

I think it is much better that we should employ the special knowledge and expertise of the Prison Inspectorate. [If pressed also on a public judicial enquiry: even if it were appropriate, a judicial inquiry would have to conduct much of its business in camera in view of the matters being investigated].

Why is Sir James Hennessy's Inquiry restricted to Maze prison, particularly in the light of finds of explosives and other contraband items in Magilligan prison?

Who will be giving evidence to the inquiry team?

Hon members will appreciate that directly after the escape, immediate and thorough searches were conducted in all Northern Ireland prisons which resulted in the finds which have been mentioned. However it would be an unreasonable and inappropriate for me to ask the Chief Inspector to conduct a detailed examination of all our institutions. When Sir James's report is received the application of the findings to other prisons will be a matter for urgent consideration by my Department and the prison governors.

This is entirely a matter for Sir James who will be given every facility to interview anyone whom he considers may be able to supply information relevant to his inquiry. Members of the public who wish to offer evidence may write to Sir James at Maze Prison.

GENERAL PRISON ISSUES

Is it not true that financial cut-backs have had a dramatic effect on the Northern Ireland Prison Service?

Guns were smuggled into Belfast Prison in 1981. Why were steps not taken then to prevent a repetition?

What action is being taken to curtail periods of compassionate home leave given to terrorists in Northern Ireland in the light of the recent failure of 2 life sentence prisoners to return to prison after such leave?

No. The financial and manpower resources available for prisons in Northern Ireland have not been subject to financial reductions. In the last two years prison service manpower has increased by over 10% [from 2745 in 1981 to some 3100 now]. Estimated expenditure this year is some 15% higher than in 1981/2. [£70.9m as against £66.7m.]

A full inquiry was conducted into the Crumlin Road escape by the then Chief Inspector of Prisons and all appropriate action was taken. Leaving aside the substantial differences between Crumlin Road, and the Maze Prisons, a comparison of the two incidents is impossible until the present investigations are complete and we can assess all the implications.

I share the hon Member's concern about these 2 cases which occurred within a short time of each other. They were the first such failures for many years. I am reviewing the present arrangements and shall certainly take the case fully into account when considering future applications for compassionate home leave.



**E.R.**

Will you abandon the 50% remission-scheme which generously returns terrorists to the community to continue their campaign of violence?

The Home Office intend to review the Board of visitors system for punishing prisoners: are you conducting a seimilar review?

I have no proposals to abandon the conditional release scheme which includes provision for 50% remission. It is sometimes overlooked that a prisoner released under the scheme can be ordered to serve the whole of the balance of the original term, in addition to any fresh sentence, if he is convicted of a further imprisonable offence. However I recognise that there is some anxiety about the present arrangements and shall continue to keep them under review.

We shall keep closely in touch with the progress of the review which has just been announced, and shall consider the relevance of the findings to the procedures in Northern Ireland.

E.R.

THE REPUBLIC OF IRELAND

What assistance has been received from the Irish Government?

What action will be taken if any escaper appears in the Republic, eg Brendan McFarlane who is rumoured to be appearing at the Sinn Fein Annual Conference in Dublin in November?

Will the Irish authorities extradite any escaper who is caught? (Or will they prosecute?)

The Irish Government has assured us that they will do all they can to detain any escaper who may be in the Republic and to bring them to justice. I know the Garda are cooperating fully in the search.

I am sure the Irish authorities will take appropriate action if any escaper appears in circumstances where he can be apprehended.

I cannot commit the authorities in another country to a particular judicial process, let alone to a judicial decision. Extradition is one possibility. There is also the extra territorial legislation which could be implemented (as it was in the case of 6 escapers from Crumlin Road prison who were convicted in Dublin in 1981 and 1982).

THE UNITED STATES

What will happen if some escapees are discovered to be in the USA?

We have an extradition treaty with the United States and we would take immediate steps to seek the extradition of any of these men found there by the US authorities.

[Escaping from lawful custody is not extraditable but the offences of which they have been convicted are.]

Would these prisoners not escape extradition in the US through a claim of political motivations?

That would be for the Court to determine. (In the recent Quinn case, the original decision was that his offences were not political; this was then overturned, but the US Attorney's appeal against that decision has yet to be heard and Quinn remains in custody).

GENERAL

Will the escape both increase the risk of acts of terrorism and serve as a morale booster for PIRA?

It is possible, but unlikely, that the escapers themselves will be reinolved in terrorism in the near future. They are hunted men both sides of the border. Regrettably the escape has been a propaganda boost but I think it will be short-lived and overshadowed by the increasing successes of the security forces

Will you and Mr Scott be resigning if Sir James's report indicates that Ministerial decisions or policies were responsible?

I have already made my position clear. If the inquiry concludes that there was Ministerial responsibility for the escape, I shall not seek to evade that responsibility.

Why has the Governor not resigned?

It would be quite wrong to consider the position of any member of the staff in advance of the conclusions of Sir James's enquiry.

Do you intend to follow the Home Secretary's line that terrorist murderers will not be released until they had served a minimum term of 20 years in prison?

I have of course taken note of what the Home Secretary has said. Like the Home Secretary, I shall deal with the life sentence cases for which I am responsible in a way which fully reflects the gravity of the cases as well as the special circumstances of Northern Ireland.

Will you introduce the Home Secretary's other proposals eg for sentences for firearms offences?

I will naturally consider whether there are legislative or any other implications for Northern Ireland, bearing in mind the special circumstances of the Province and the different structure of the criminal law.

E.R.

Does this break-out not signal a breakdown in security policy? Does it not indicate the lack of Government commitment to defeating terrorism?

(If raised by Official Unionists. It was only last month (12 September) that the Rt Hon Member for Lagan Valley, the leader of the Official Unionist Party, declared that there was a real chance of terrorism coming to an end next year]. This breakout, whilst extremely serious, is one incident and it does not represent a complete breakdown in the Government's security policy. The Government and the Security Forces are as determined as ever to defeat terrorism.

SECRET

9



NORTHERN IRELAND OFFICE  
GREAT GEORGE STREET,  
LONDON SW1P 3AJ

SECRETARY OF STATE  
FOR  
NORTHERN IRELAND

The Rt Hon Michael Heseltine MP  
Secretary of State for Defence  
Ministry of Defence  
Main Building  
Whitehall  
LONDON  
SW1 A 2HB

1) ✓  
2) ~~ATC~~  
24/10  
h.u.

21 October 1983

see Pt 13

~~There were earlier  
papers re. attack.~~

24/10

*See Richard*

FURTHER ORGANISATION OF THE ULSTER DEFENCE REGIMENT

Thank you for your letter of 18 October seeking my formal agreement to the amalgamation of 1 and 9 UDR and 7 and 10 UDR.

As you say, I discussed this subject (the HORTICULTURE Study) at my Security Policy Meeting on 17 September when I indicated my agreement in principle. I am now content to give my formal agreement to these two amalgamations. I am also content with the way you propose to make and present these decisions. The draft answer, draft letters to MPs and briefing material have been agreed between our officials. I understand that, on present plans, you propose to make the announcement on Thursday 27 October.

I am sending a copy of this letter to the Prime Minister, the Foreign and Commonwealth Secretary and to Sir Robert Armstrong.

*[Handwritten signature]*

SECRET

Inelands  
Submissions  
P764

LABOR  
UNION

24 OCT 1968



MINISTRY OF DEFENCE WHITEHALL LONDON SW1A 2HB

TELEPHONE 01-218 9000  
DIRECT DIALING 01-218 2111/3

MO 19/3A

18th October 1983

Prime Minister

To be aware.

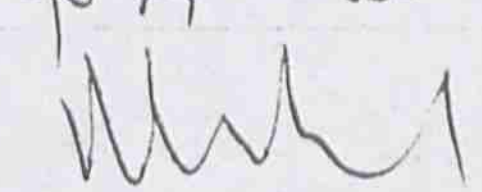
A.J.C. 12/10

I understand that at your security policy meeting on 12th September the GOC raised the possibility of adjusting the organisation of the Ulster Defence Regiment by amalgamating 1 and 9 UDR and 7 and 10 UDR. I am now writing to let you know that this proposal has my full support and to seek your formal concurrence that we should go ahead with it.

If you agree, I intend to present this decision in as low a key as possible and emphasise that it is primarily an in-Province affair. I would base our presentation on the operational benefits which will flow from the changes. I envisage that the formal announcement would be confined to a written Parliamentary Answer as early as possible in the new Session but I would arrange for letters to be sent in parallel to the Northern Ireland MPs concerned.

I would very much appreciate your early confirmation that you are content with these proposals.

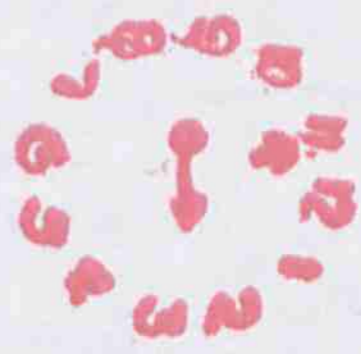
I am sending copies of this letter to the Prime Minister, the Foreign and Commonwealth Secretary and Sir Robert Armstrong.

*Yours sincerely*  
  
 Michael Heseltine

The Rt Hon James Prior MP



<sup>1961</sup>  
Ireland. Force levels.



19 OCT 1961

SECRET



cc FCO  
CO

7

HU

10 DOWNING STREET

*From the Private Secretary*

17 October 1983

Anglo/Irish Relations

The Prime Minister has seen your Secretary of State's minute of 11 October reporting on his recent discussion with Mr. John Hume.

We will make arrangements for a meeting between the Prime Minister, your Secretary of State and the Foreign and Commonwealth Secretary when the Cabinet Secretary has reported that the current assessment of Mr. Lillis's ideas is complete.

I am copying this letter to Roger Bone (Foreign and Commonwealth Office) and Richard Hatfield (Cabinet Office).

A. J. COLES

John Lyon, Esq.,  
Northern Ireland Office.

SECRET

*Ireland Secret*



*FILE*

*CU*

10 DOWNING STREET

*From the Private Secretary*

17 October, 1983

Thank you for your letter of 11 October about your Secretary of State's proposed statement to the House on Monday, 24 October on the escape from the Maze. The Prime Minister agrees that such a statement would be wise.

(Timothy Flesher)

D. Hill, Esq.,  
Northern Ireland Office

*DHG*

SECRET

Prime Minister

6

John Hume is not party to the  
Irish ideas earlier described to us.

Prime Minister

A. J. C. <sup>11.</sup>/<sub>10</sub>

MS

ANGLO-IRISH RELATIONS

Sir Robert Armstrong's minute to you of 3 October reported on the ideas which Mr Lillis of the Republic's DFA has been floating with us, allegedly with the backing of John Hume, and recorded that I expected to see John Hume shortly. I have also seen Mr Cole's minute of 7 October to Sir Robert recording your reaction.

I have now had a private discussion with John Hume. Adam Butler and Nick Scott were with me.

John Hume's proposals are certainly not the package described by Mr Lillis. His starting point is that no progress can be made unless terrorism can be beaten. That is not possible without the consent of the minority. They cannot consent unless they have confidence in the security forces. They will only have that confidence if responsibility for security is in some way shared with the South and if there is some way for Catholics to police their own areas.

Beyond this Hume's ideas are less clearly defined. Although he does not entirely rule out something less, he talks of joint sovereignty, at least as regards policing, with a separate police force operating under the tricolour in minority strongholds. He refers also to a joint police authority. He has not thought of reciprocity as regards the RUC operating in the South but would not rule it out. He professes no interest in joint judicial arrangements. He did say that the SDLP would accept majority rule without power-sharing if it got full participation by the Republic

/...

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SECRET

in law enforcement on the streets; but I am sure that he has not faced up to all the implications of either step.

Hume virtually brushed aside any possibility of the Republic amending its constitution. At the most there might be some declaratory statement putting a gloss on the offensive articles. He attached little significance to the text of the Irish constitution.

When I told Hume what Lillis had put before us as SDLP ideas he said they would be suicide for both the SDLP and parties in the Republic. I made it plain to him that it was not helpful to either Government to have his ideas misrepresented to us from the South. We were prepared to adopt an imaginative and flexible approach to security co-operation with the Republic but I would not contemplate joint sovereignty.

Hume will inform his friends in the Republic of my reaction. My meeting later this month with Peter Barry and Sir Robert Armstrong's with Mr Nally, will provide opportunities before your Summit to obtain an authoritative Irish Government view of whether there is anything left of the Lillis proposals. But Hume has shown that our initial scepticism was fully justified and that it would be wise to stand off from Mr Lillis.

I shall welcome the discussion with yourself and the Foreign and Commonwealth Secretary suggested in your Private Secretary's minute of 7 October to Sir Robert Armstrong, and I suggest that this might with best advantage take place after I have seen Peter Barry on 19 October. My present assessment is that the South and the SDLP are beginning to look beyond the Dublin Forum; that both are intensely worried about Sinn Fein; that they may be looking to the area of policing, rather than a Parliamentary body or power-sharing, to gain some kind of Irish dimension in Northern Ireland; and that the Forum may well come up with pressure for some form of joint sovereignty rather than simple Irish unity. Our own priority

SECRET

/...

SECRET

following the Forum may have to be to counter and campaign, here or in the United States, which suggests that some grand bargain, "solving" the Northern Ireland problem at a stroke, is available. But while John Hume's tentative prescriptions may be unacceptable, there are some sound points in his analysis and we may later be able to build on those.

I am copying this minute to Geoffrey Howe and Sir Robert Armstrong.

*Derek Hill*

JP  
Approved by the  
Secretary of State and  
signed in his absence

11 October 1983

JLD

SECRET

REWARDS  
SIX  
P. 14



117 OCT 1985

117 OCT 1985



NORTHERN IRELAND OFFICE  
GREAT GEORGE STREET,  
LONDON SW1P 3AJ

David Barclay Esq  
10 Downing Street  
London SW1

*I think this  
is fine*

11 October 1983

*Prime Minister:*

*Dear David*

*Mr Prior proposes to  
make a statement on October  
24; Sir James Hennessey's report  
is unlikely to be available before  
late November.*

THE MAZE ESCAPE

Although 4 weeks will have elapsed since the escape from the Maze prison when Parliament resumes on 24 October, Mr Prior considers that it would be right for him to make an early statement on it to the House. The report by Sir James Hennessey is unlikely to be available before late November. While it is likely that a Parliamentary statement will have to be made in due course about Sir James's conclusions and the proposed response, Mr Prior does not think he should wait till then. He therefore wishes to make an interim statement as soon as the House returns and before he leaves for an official visit to the USA late on 24 October.

*A 12/10*

Mr Prior proposes, without prejudging the Hennessey report in any way, to give a short factual account of the escape; tell the House that he will be making public as full an account of the Hennessey report as is consistent with the future security of the prison; and draw attention to the energy and thoroughness of the enquiry as well as to the Government's commitment to ensuring everything possible is done to improve security.

Mr Prior hopes that the Prime Minister, Lord Privy Seal and Chief Whip will agree with this course of action.

*Yours ever*

*Derek*

D A HILL

3



GRS340  
UNCLASSIFIED  
FM DUBLIN 101720Z OCT 83  
TO PRIORITY FCO  
TELEGRAM NUMBER 290 OF 10 OCTOBER 1983  
INFO SAVING PRIORITY MADRID: NIO (LONDON) NIO (BELFAST)

Mr. Butler

To see X.

IRISH REPUBLICAN SOCIALIST PARTY: BRITISH INTELLIGENCE

A.J.C. 10.

1. THE LEADING ITEM IN TODAY'S IRISH TIMES (ALSO REPORTED IN THE IRISH PRESS) CONCERNS AN ALLEGATION BY TWO SENIOR MEMBERS OF THE IRISH REPUBLICAN SOCIALIST PARTY (IRSP) THAT BRITISH INTELLIGENCE OFFICERS TRIED TO RECRUIT THEM LAST WEEK AS INFORMERS DURING A HOLIDAY IN TORREMOLINOS.

Pl. put a copy on the Bloch file.

2. THE COUPLE, TONY AND MARGARET HAYDE FROM DUBLIN CLAIM THAT THEY WON THE HOLIDAY AS FIRST PRIZE IN A COMPETITION ORGANISED BY A BRITISH COMPANY, CASURO HOLIDAYS. ON ARRIVING IN SPAIN, THEIR COURIER INTRODUCED THEM TO A BRITISH COUPLE WHO HAD ALSO WON A PRIZE. THEY INTRODUCED THEMSELVES AS JIM AND JANET TOVEY AND CLAIMED TO BE WORKING FOR 'BRITISH INTELLIGENCE'. THEY OFFERED THE HAYDES £10,000 FOR INFORMATION ABOUT DOMINIC MCGLINCHY AND ANTHONY DORAN. THE HAYDES REFUSED TO COOPERATE, WENT INTO HIDING AND RETURNED TO DUBLIN ON 9 OCTOBER.

FRS

12:10

3. MEANWHILE DORAN CONTACTED THE DFA WHO INFORMED THE IRISH EMBASSY IN MADRID. (THE DFA HAVE REPORTEDLY CONFIRMED THIS). MR HYDE WAS INTERVIEWED ON THE 1.30 PM RTE RADIO NEWS TODAY. HE SUGGESTED THAT INFORMATION ABOUT HIM AND HIS WIFE MIGHT HAVE BEEN SUPPLIED TO THE BRITISH BY THE GARDAI.

4. WE UNDERSTAND FROM RTE THAT THE 'DAY BY DAY' PROGRAMME TO BE BROADCAST TOMORROW MORNING WILL INCLUDE AN INTERVIEW ABOUT THIS AFFAIR BY JONATHAN BLOCH, THE AUTHOR OF 'BRITISH INTELLIGENCE AND COVERT ACTION'.

X |

5. IN RESPONSE TO QUESTIONS, WE ARE REFUSING TO COMMENT.

GOODISON

NORTHERN IRELAND

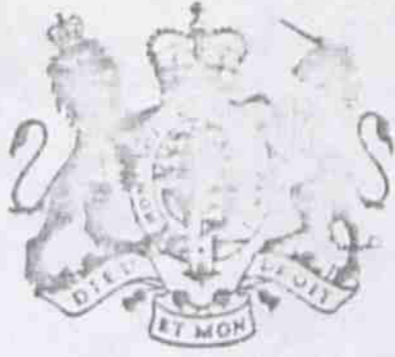
LIMITED

RID PS/MR WHITNEY  
NAD PS/PUS  
INFO D SIR J BULLARD  
WED MR WRIGHT  
MAED LORD N GORDON LENNOX  
NEWS D MR GIFFARD  
PUSD MR ADAMS  
PS MR JAMES  
PS/LADY YOUNG MR URE

ADDITIONAL DISTRIBUTION

NORTHERN IRELAND

THIS TELEGRAM



10 DOWNING STREET

4

*From the Private Secretary*

SIR ROBERT ARMSTRONG

ANGLO/IRISH RELATIONS: NORTHERN IRELAND

The Prime Minister has seen your minute of 3 October to which you attached Mr. Goodall's report on his latest talk with his Irish opposite number, Mr. Lillis.

The Prime Minister agrees that the implications of the Irish initiative should be considered in the way you propose in your paragraph 7.

But Mrs. Thatcher has commented that now that she has had an opportunity to reflect on the Irish initiative she believes that the chances of it leading to an increase in rather than a reduction of violence are high. If the Irish Government committed themselves to acceptance of Northern Ireland being part of the United Kingdom, this could well result in an increase in IRA activity.

As to the suggestion that Irish security forces might be given some role in Northern Ireland, the Prime Minister has raised the question of what would happen if a member of those forces was shot by a Unionist para-military group.

BF | It would be helpful to have your considered assessment of the Irish initiative so that the Prime Minister can discuss it with the Foreign and Commonwealth Secretary and Secretary of State for Northern Ireland in good time before the Anglo-Irish Summit.

I am copying this minute to Brian Fall (FCO) and John Lyon (Northern Ireland Office).

A. J. COLES

SPK

7 October, 1983



The National Archives

LETTERCODE/SERIES ..... <i>PREM 19</i> .....	Date and sign
PIECE/ITEM ..... <i>1069</i> ..... (one piece/item number)	
Extract/Item details: <i>Folio 5</i> <i>Minute from Armstrong to Coles</i> <i>dated 7 October 1983, with</i> <i>attachment.</i>	
CLOSED FOR ..... YEARS UNDER FOI EXEMPTION	
RETAINED UNDER SECTION 3(4) OF THE PUBLIC RECORDS ACT 1958	<i>28 February 2013</i> <i>Wayland</i>
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MISSING	
NUMBER NOT USED	



10 DOWNING STREET

Prime Minister

Apologies. The missing page  
is now attached.

Content to proceed as in

page 7?

A. J. C.  $\frac{4}{10}$ .

Prime Minister

Could I please have your  
decision on page 7?

AJ  $\frac{4}{10}$



PARLIAMENT BUILDINGS,  
STORMONT,  
BELFAST BT4 3BY

Prime Minister  
To be aware of this letter to  
Mr. Prior      A.S.C. 5/10

The Rt Hon. Margaret Thatcher MP  
Prime Minister  
10 Downing Street  
LONDON SW1E

3. October 1983

*ms*

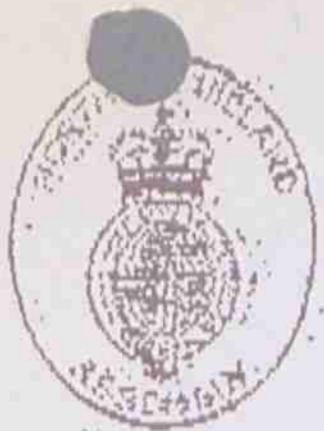
Dear Prime Minister:

On the authority of the Security and Home Affairs Committee of the Northern Ireland Assembly I have been directed to forward to you a copy of the attached letter which I have today sent to the Secretary of State for Northern Ireland. The Rt Hon. James Prior MP DG.

Yours sincerely

K. W. MAGINNIS  
Chairman  
Security and Home Affairs Committee

ENC



PARLIAMENT BUILDINGS,  
STORMONT,  
BELFAST BT4 3SY.

The Rt Hon James Prior MP DL  
Secretary of State for Northern Ireland  
Stormont Castle  
BELFAST  
BT4 3ST

3 October 1983

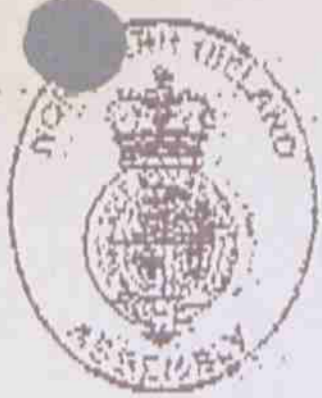
Dear Secretary of State

The Security and Home Affairs Committee met on 3 October to consider your response to its request for an urgent meeting with you to discuss the recent breakout of convicted terrorists from HM Prison Maze. The Committee expressed grave concern and disappointment that you should have refused its request. Given your ultimate constitutional responsibility for all security matters in Northern Ireland the Committee considered that it should make its representations on these extremely serious issues directly to you and not to any other of those Ministers who assist you, administratively, in the exercise of that responsibility. As locally elected representatives the Committee noted with particular regret that briefings on the implications of the breakout from HM Prison Maze - the worst in UK prison history and a security breach that is of most intimate and immediate concern to the people of Northern Ireland - should have been provided to back benches and media representatives at Westminster while the request for a meeting by the Committee, on the terms requested, was being turned down.

At its meeting on 3 October the Committee agreed that it should ask you to provide (i) the precise and full terms of reference of the enquiry being undertaken by Sir James Hennessy and (ii) seek an assurance from you that all the findings of that enquiry (but not its recommendations, because of security considerations) should be made public.

In addition the Committee resolved that it should address the attached list of questions to Sir James Hennessy and that this letter should be copied to the Prime Minister, the Rt Hon Margaret Thatcher MP.

The Committee will be writing separately to Sir James Hennessy drawing the attached list of questions to his attention. I would



PARLIAMENT BUILDINGS,  
STORMONT,  
BELFAST BT4 3SY

be grateful if you could provide the information requested in this letter to the Security and Home Affairs Committee as soon as possible.

Yours sincerely

A handwritten signature in dark ink, appearing to read "E. W. Maginnis", written over two horizontal lines.

E. W. MAGINNIS:  
Chairman.  
Security and Home Affairs Committee

ENC.

Breakout at HM Prison Maze.

Questions to Sir James Hennessy Her Majesty's Chief Inspector of Prisons

Outside Collusion

- I. (a) What are the search procedures for all visitors and visits to the prison and are the procedures that are laid down adhered to?
- (b) Are different procedures used for various categories of visitors and are the procedures laid down adhered to?
- (c) Are search procedures uniform at all visiting times and are these procedures adhered to?
- (d) What are the procedures for supervising all visitors and visits to the prison, and are the procedures laid down adhered to?
- (e) Are movements in the vicinity of the prison carefully monitored and what is the format and frequency of the monitoring?
- (f) What are the arrangements for the searching of non-prison vehicles and their contents?

Inside Collusion

- II. (a) What is the security vetting procedure for all employees and non-prison personnel working in the Prison?
- (b) Are security vetting procedures uniform within the Prison Service or are there variations depending on the categories of staff?
- (c) What is the security vetting procedure for regular visitors engaged in the servicing of the Prison (eg) delivery men, contractors?
- (d) What are the search procedures for all prison officers and all other prison staff and employees going on and off duty and entering the Prison (and are there different procedures for different categories of staff)?
- (e) Was searching equipment tampered with or inadequately serviced (and are sufficient staff trained in its use)?
- (f) How and when is it serviced and what staff are trained in its use (what reports were forwarded from the workshops on the condition of this equipment and what action was taken in the light of these reports)?
- (g) What evidence exists of intimidation or inducement of Prison Officers and their families by extremist organisations?
- (h) What is done to prevent prisoners obtaining detailed knowledge about the day to day operation of the prison?



### Personnel

3. (a) What is the pattern of manning levels: what changes have been made - and over what time period - in those levels in (i) the prison (ii) the wings (iii) the "circle"?
- (b) How has financial stringency affected manning levels and standards of equipment?
- (c) How adversely has financial stringency affected the remuneration/conditions of service of Prison staff?
- (d) How adversely has financial stringency affected industrial relations and staff morale?
- (e) How severely did financial stringency frustrate the scale and intensity of the immediate search operations?
- (f) Have recommendations for the installation of CCTV been made; and have requests for improvements in equipment been made and turned down?
- (g) What special training is provided for the Quick Reaction Force?
- (h) Is there a "silent alarm" facility within the prison wing?
- (i) Has the recent Prison Officers' strike undermined the level of security; during the strike did procedures lapse?
- (j) During the strike were standards relaxed; did procedures differ and in what way?
- (k) How many staff were on duty in (i) the prison (ii) each wing (iii) the "circle" (iv) the block concerned on the Sunday afternoon of the jail break?
- (l) Were any personnel late for the duty roster on that day and were standard manning levels operative?

### Firearms/Ammunition

4. (a) Could the prisoners have obtained access to legally held firearms within the prison?
- (b) What are the procedures for ensuring the security of legally held firearms in the prison?
- (c) How frequently are searches of prisoners and their accommodation made; and what form do the searches take?
- (d) Are authorities satisfied that no more firearms are available to prisoners in HM Prison Maze and in all other prisons such as Magilligan (where bullets and explosives were discovered)?

- (e) What action was taken on a recent allegation that there were firearms in the prison?
- (f) How did the prisoners get chisels into their hands (subsequently used to stab a Prison Officer to death)?
- (g) Why was there no bullet proofing on the Control Room window?
- (h) What were the exact amounts of ammunition found?
- (i) How many guns were actually used in the escape; and how many have been recovered subsequently?
- (j) What precautions are now being taken to ensure that no more firearms, weapons and explosives are available?

#### Actual Incident

- 5.
- (a) Was either part of the main gate to the perimeter wall open?
  - (b) Was the escape effected through that gate?
  - (c) What other gates - including segment gates within the prison - were open?
  - (d) Why were prisoners able to get to those gates?
  - (e) Why were their movements within the prison not detected?
  - (f) How many segment gates did the prisoners actually go through and what checks should have been made at these gates?
  - (g) How did prisoners gain access to the administrative "circle" of the H blocks?
  - (h) How did prisoners gain access to the yard and why was a prisoner allowed to "clean" the yard without supervision? what work is done in the prison yard and the compound surrounding the block and what is the supervision?
  - (i) Are certain prisoners regarded and treated as "trusties" and given greater freedom of movement and association than others?
  - (j) What procedures exist for visits to duty General Practitioners; how many prisoners are allowed to wait to see GPs at any one time; where are some prisoners held while they are waiting? why are they brought out of the wings in advance of the doctor's arrival; what arrangements are made for their supervision while they are waiting to see the doctor? How many prisoners are admitted into the "circle" at the one time?
  - (k) Why was the block held for 1 hour without the alarm being activated?
  - (l) Are CCTV facilities in operation?

- (m) What are the standard internal communication and reporting systems?
- (n) Are there regular exchanges of information between the Prison HQ and the various wings?
- (o) Why was the sound of at least those two shots (which wounded an officer) not detected and preventative measures taken?
- (p) Why were panic buttons not pressed?
- (q) Were the watch towers on the perimeter manned? how many watch towers are there? How many are manned as a matter of routine? how many were manned at the time of the breakout? what communications are there between the watch towers and the prison HQ? have "dummies" been used to convey the impression that the watch towers were manned?
- (r) What representations had been received concerning gaping holes in the perimeter fencing? how did these holes get there in the first place? what maintenance was carried out on perimeter fencing? what routine inspection took place and how frequently? has the perimeter fence now been secured?
- (s) Was there prior notification about the arrival of the meal lorry at the block?
- (t) What is the routine procedure to check any vehicle driving through the Prison and was it used to monitor the meal truck?
- (u) What are the arrangements for association in Prison? how do these differ from those in Prison in GB?
- (v) What are the arrangements for the supervision of prisoners during family visits, particularly visits in closed rooms?
- (w) To what extent did the wearing of civilian clothes contribute to ease of escape?
- (x) What attempts were made to test security at the prison by the use of "special units" and what were the results?
- (y) Were the recommendations of the previous enquiry into the escape from the Crumlin Road Jail put into practice in the security arrangements at the Maze?
- (z) What liaison exists between the prison authorities and other security forces?
- (AI) What recommendations were made by Prison Officers to the Governor to improve security; were these accepted or rejected? Were the NIO aware of these recommendations and what steps did the NIO take to ensure that they were implemented?

Prime Minute

3

Ref. A083/2749

Page 2 missing

Content to proceed as in page 7?

PRIME MINISTER

We will explore further - but A.S.C. 3/10.  
no good will come of it - without having now read it - several times -

Anglo-Irish Relations: Northern Ireland

I believe the risk of work violence is very high

Following our discussion on 21 September of the new ideas being floated by the Irish on Northern Ireland, you asked for a report on Mr Goodall's next talk on the subject with the Irish and, in the light of that report, for a further assessment of the implications of the Irish ideas (Mr Coles's minute to me of 22 September).

2. Mr Goodall saw his Irish opposite number, Mr Lillis, in Dublin on 28 September and his report is attached.

3. The line taken by Mr Lillis in this latest conversation leaves little room for doubt that he is in fact speaking with the personal backing of the Taoiseach; and that we are faced with a serious, if still highly tentative, approach from Dr FitzGerald aimed at bringing about a major change in the terms in which both the Republic and the British Government have up to now approached the problem of Northern Ireland. It is confirmed that the central element in this approach would be a bargain whereby the Irish Government and the SDLP would commit themselves to acceptance of Northern Ireland being part of the United Kingdom (if necessary with an amendment to the Irish constitution to this effect) in return for participation by Irish security forces in operations north of the border and the association of Irish judges with the judicial processes in Northern Ireland.

What happens if one of them is shot by a Unionist (see military journal)

4. The SDLP's attitude to this approach (which is crucial to its credibility) remains to be tested: but Mr Lillis continues to maintain that Mr John Hume is behind it and will shortly be making this clear to Mr Prior. What is also still unclear is how far Dr FitzGerald has taken his own Cabinet colleagues into his confidence; and to what extent if any he has wider political backing for his offer to move beyond the concept of joint sovereignty to an entrenched recognition of the Union. It must be very much an open question whether he could carry Mr Haughey



and Fianna Fail with him or whether the package would enable the SDLP to survive electorally against Sinn Fein. But the possibility of amending the present Irish constitution to change the territorial claim into a long-term aspiration is not a new idea in Irish politics (indeed it has a long history); and if skilfully presented to the Irish electorate it could command wide support (as well as arousing fierce opposition from extreme nationalists). The fact that Dr FitzGerald is apparently thinking of proceeding in stages, using the Forum to prepare the ground, lends additional credibility to his approach. So whatever scepticism we may feel about his chances of success, we cannot afford to discount them altogether.

5. The price which the Irish would be demanding from the United Kingdom in return is high, and it remains to be determined whether we might be willing - or able - to meet it. But the advantages for Britain of securing from the Republic and the SDLP a formal and durable recognition of the Union would be substantial. If the border ceased for the foreseeable future to be a political issue in relations between the two countries and between the two main political forces in the North, one of the main justifications for Unionist fears and resentment would have been removed. This could lead to a fundamental change of attitudes for the better. Moreover even if the full package outlined by Mr Lillis could not in the end be delivered, discussion of the package could provide opportunities for us to negotiate changes which would be to our positive advantage: for instance, in relations between the Royal Ulster Constabulary and the Gardan Siochana.

*Doubtful -  
the IR would  
be over more  
a time.*

6. For the moment the ball is in the Irish court. They have asked for and been given a preliminary British reaction to their ideas and it is now up to them to pursue them. The Secretary of State for Northern Ireland will (I understand) be seeing both Mr Hume and the Irish Foreign Minister, Mr Barry, within the next month; and the Taoiseach may raise the subject with you at the Summit on 7 November. The Irish thus have ample opportunity over the next few weeks to confirm the seriousness of their



intentions and make their thinking known at the highest level. Meanwhile we need to consider urgently how we should respond if the Irish put forward firm proposals on the lines indicated by Mr Lillis, and what our public line should be, once these ideas start to attract Parliamentary and press interest.

7. The first step must clearly be to reach a considered assessment of the Irish initiative and its likely implications, which you could use as a basis for discussion with the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland. I would proposed to put this in hand as a matter of urgency, involving only a very small group of senior officials from the Foreign and Commonwealth Office, the Northern Ireland Office and the Cabinet Office. The ground to be covered would include the political background to the Irish initiative, the motivation underlying it and the reaction it might be expected to evoke from the political parties and public opinion generally inside the Republic. At the same time it will be necessary for the Northern Ireland Office to consider the likely impact in Northern Ireland of the approach proposed; to identify the constitutional, legal and practical difficulties which would be involved in associating Irish security forces and judges with the maintenance of law and order in Northern Ireland; and to examine the extent to which it might be possible to accommodate Irish ideas on these points, assuming that the Irish Government (and the SDLP) were able and willing to deliver their side of the bargain. I should be glad to know if you are content for us to proceed on this basis.

8. I am sending copies of this minute for their personal information to the Secretaries of State for Foreign and Commonwealth Affairs and for Northern Ireland.

ROBERT ARMSTRONG

3 October 1983

MELANAS  
Situation  
Pt 14



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Ref: B06861

Z<sup>A</sup>SIR ROBERT ARMSTRONGAnglo-Irish Relations: Northern Ireland

As agreed, I had a further private meeting with Mr Lillis, the Head of the Anglo-Irish Division in the Irish DFA, in the margins of the meeting of the Co-ordinating Committee of the AIIC in Dublin on 28th September. Our conversation began by my making all the points set out in the third paragraph of Mr Coles' minute to you of 22nd September. I stressed our scepticism about the viability of the Lillis ideas in terms of Irish domestic politics, while at the same time making it clear that we could make no considered evaluation of them until we knew more precisely what the proposition - if it was a proposition - comprised. In particular, we needed to know how the Irish Government's commitment to recognise that Northern Ireland was and would remain part of the United Kingdom would be expressed so as to ensure that it could not be reversed when the Irish Government changed. I drew attention to the fact that the various versions of the Lillis ideas which had been floated in the British press appeared (with the exception of the Guardian piece) to point in the direction of joint sovereignty: and I emphasised that a proposition involving joint sovereignty would have no interest for the British Government.

2. Mr Lillis said that the need to find some way of entrenching the commitment was recognised by the Taoiseach and by those working with him on these ideas (who he emphasised were a very small group). Present thinking was that it probably would be necessary to amend the constitution, perhaps by combining the present Articles 2 and 3 (copy attached) into a new article. This might be to the general effect that while unification of the whole island of Ireland remained the national aspiration, the national territory and jurisdiction was that of the present Republic unless and until a majority of the people of Northern Ireland freely decided otherwise. (I must emphasise that Mr Lillis did not offer any precise formula and indeed did not seem to have any particular form of words in mind: he was simply illustrating his point that an amendment would have to be devised which expressly recognised partition while at the same time maintaining unification as an aspiration; and that this would probably need to incorporate some of the language of the existing Articles 2 and 3.)



3. On joint sovereignty, Mr Lillis said the main reason why this was being given a run in the Forum and in certain quarters within the Irish Government was because those concerned claimed to have received intimations from London that joint sovereignty might offer a possible long term solution. The presence of police and judges from one country on the territory of another was bound in any case to have some bearing on the nature of sovereignty. But the ideas he was authorised to float were not concerned with joint sovereignty, nor were they conceived as an oblique move towards it. I said that I knew of no hints from London about joint sovereignty. But I could make it authoritatively clear that, whatever hints of this kind the Irish might think they had been given, the fact was that joint sovereignty was not an idea which the British Government was prepared to entertain. I recognised the magnitude in Irish terms of the step which an Irish Government would be taking in seeking to amend the constitution and accept the Union on the lines Mr Lillis had indicated. But there should be no underestimation on the Irish side of the magnitude of what they would be inviting the British Government to do in return. Leaving aside the formidable legal and practical difficulties of accepting a "palpable presence from the Republic" on the streets in the North (the words used by the Irish Minister of State at the recent British Irish Association conference at Oxford), the political difficulties on the British side would be enormous. Unionist opinion would find the idea repugnant; and it was inconceivable that the majority community in the North might be brought to accept such a development in return for anything short of an express and entrenched acceptance by the Republic that Northern Ireland was part of the United Kingdom. Mr Lillis said that he understood this and would make it clear to his principals that this was the British view. Meanwhile, he confirmed his assurance that joint sovereignty was not what was envisaged in the proposition he was putting forward.

4. I said that I did not want to mislead him by giving an impression of greater British interest in his ideas than in fact existed. I did not therefore want to probe further into the details of what was apparently no more than a tentative and inchoate outline rather than a clearly defined proposition (Mr Lillis indicated agreement). But I wondered how much thought the Irish had given to the very real problems posed by the

From  
Liam in  
London?

hypothetical involvement of police and judges from the Republic in the North which remained part of the United Kingdom. What law would they be applying and operating under? To whom would they be responsible? Would the arrangements be reciprocal? Mr Lillis confessed that these were extremely difficult and sensitive questions which the Irish had not yet seriously addressed. On reciprocity, he said that he personally would be against it. But he believed that the Taoiseach would not rule it out "at least in areas close to the border". I said that speaking personally I could not imagine anyone in practice wanting to deploy members of the RUC in Tralee or Clonmel: but the principle of reciprocity was likely to be of great importance.

5. More generally, Mr Lillis said that the Irish had taken on board the point I had made to him in one of our earlier conversations: namely the view in London that an initiative to "solve" the Irish problem ran a serious risk not just of failure, but of making the situation worse and producing more bloodshed. (I commented that this risk would be all the greater if an initiative were to be launched which the Irish Government then found itself unable to deliver.) The Irish recognised the need to proceed cautiously and slowly. Contrary to what I had understood him to say earlier, it was not the intention that the Forum should come up with the specific proposition he had been discussing. The Forum would in all probability produce a range of alternative proposals. But its most important function would be to lower the level of public expectation in the Republic about unification, and thereby to help to create a climate of opinion in which the proposition under discussion could be launched with a reasonable prospect of success. I said that this seemed sensible and realistic; and asked whether against that background the Taoiseach was likely to want to say anything however tentative to the Prime Minister about these ideas at the 7th November Summit. After reflection Mr Lillis said he thought Dr FitzGerald probably would want to do this. In answer to a further question he also confirmed that Mr John Hume would soon be unveiling these ideas to Northern Ireland Ministers.

6. In conclusion I said that I would report our conversation on the basis that what was being suggested from the Irish side was in no sense a fully worked out proposition: their thinking was still at a formative stage. As I understood it, however, they were clear that the proposition

SECRET AND PERSONAL

towards which they were working would contain on the one hand an express and entrenched acceptance by the Irish Government of the Union (ie not joint sovereignty) which would include a readiness to amend the Irish constitution; and on the other hand a willingness by the British Government to allow Irish security forces to participate in operations north of the border and Irish judges to be associated with the judicial process in Northern Ireland. We would now await further indications from the Irish side on how their thinking was evolving. Mr Lillis expressed his agreement with this summary of the position.

*David Goodall*

30th September 1983

A D S GOODALL

W Coles

**CONFIDENTIAL**  
From: THE PRIVATE SECRETARY

Prime Minister (2)

AT 30/9



NORTHERN IRELAND OFFICE  
GREAT GEORGE STREET,  
LONDON SW1P 3AJ

Willie Rickett Esq  
10 Downing Street  
London SW1

30 September 1985

*Even worse than the 10/9*  
*MT,*

Dear Willie

MAZE PRISON ESCAPE

You will wish to have a full report for the Prime Minister of the escape from H M Prison Maze on 25 September. I attach a note setting out the facts as we now know them.

Sir James Hennessey is urgently engaged on his review, and we must await his report before it will be possible properly to assess what went wrong. As you know the Secretary of State spoke publicly shortly after the incident, and has made clear his determination to ensure all possible steps are taken to prevent security being breached again. He will wish to consider the terms of further public comment in the light of Sir James' report.

Yours ever

Derek

D A HILL

Enc

**CONFIDENTIAL**

KL

CONFIDENTIAL

REPORT ON MAZE ESCAPE INCIDENT AT HMP MAZE ON  
SUNDAY 25 SEPTEMBER 1983

#### BACKGROUND

On Sunday, H7 was exclusively occupied by Republican prisoners. Prior to the Loyalist protest action in October 1982 it had been a mixed block housing both Loyalist and Republican prisoners. At 2 pm there were 126 prisoners in H7 in 4 wings of 31; 31; 31; 33. There were 24 Prison Officers in total on duty in the Block under the command of an Acting Principal Officer. There is no reduction in the manning of security posts in Maze on Sundays: though there are fewer Prison Officers in the prison because there are no visits and no prison work on Sunday.

#### INCIDENT - SEQUENCE OF EVENTS

At approx 2.45 pm a prison orderly in the Circle area at the centre of H7 asked to see the Principle Officer in charge. On entering the office the prisoners produced a hand-gun but was immediately tackled by one of the two Prison Officers present. Only when a second prisoner entered also carrying a gun was the office taken over.

At the same time Prison Officers in all 4 wings were attacked by prisoners and over-powered and the officers guarding the 2 grille gates between the wings and the central circle were also attacked - in one case by a prisoner with a gun and in the other by a prisoner with a screw-driver. Each H Block has a central control room which acts as a control and communication link with the Governor through the Emergency Control Room of the prison. Prison Officer Adams was on duty in the control room of H7. He was shot twice in the head by a prisoner in the circle firing through the grille gate into the control room.

At this point the prisoners had internal control of the whole H Block with keys to all wings and with no alarm having been

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raised by the seriously-wounded Prison Officer Adams.

A prison orderly in the Block (McFarlane) emerged from the Block and began sweeping the yard. He approached the Prison Officer at the double-lock gate at the perimeter at H7 and told him that he had been sent to clean the area inside the inner gate. The Prison Officer opened the inner gate to admit McFarlane and was then forced at gun-point by McFarlane to walk back to the Block.

At this point the prisoners then had control of the perimeter of H7.

At approximately 3.25 pm the kitchen van bringing the meals for the prisoners in H7 from the central prison kitchen arrived at H7. When the Prison Officer got out of his van to unload the meals a prisoner with a gun forced him into H7. Inside H7 it was explained to the van driver that he would be required to drive the van from H7 to the main gate on the prison perimeter.

The Prison Officer driver drove the van out of H7 with 37 prisoners concealed in the bak and one prisoner kneeling on the floor of the cab with a gun pointed at the Prison Officer's stomach.

The van passed through two manned control gates without being searched despite the standard security rule at Maze that all vehicles are checked when passing through a control gate.

The Prison Officer driver was instructed to park the van in the transport parking area adjacent to the main gate and tally lodge. At this point the prisoners disembarked and attacked staff in the main gate and tally lodge area. Despite being heavily outnumbered the staff resisted strongly and one Prison Officer (Ferris) was stabbed and later died. A number of others were also injured. The outer main gate in the perimeter wall of the prison was opened by a prisoner operating the hydraulic mechanism.

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The alarm went off at this point and two Prison Officers in their cars outside the main gate who were about to enter the prison drove their cars into the main gate area to block the exit.

As vehicular escape in the kitchen van was impossible the prisoners ran out the main gate and across the fields chased by Prison Officers. As a number of the escaping prisoners were wearing Prison Officer clothing the Army guard in the tower at the main gate was unsure as to whether any particular person was a Prison Officer or an escaping prisoner and in the event shot one person who was an escaping prisoner (Murray) who had just shot a pursuing prison officer in the leg. 10 prisoners, including Murray, were quickly apprehended and returned to the prison. A further 9 have since been apprehended leaving 19 prisoners still unlawfully at large.

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GRS 506  
RESTRICTED

DESKBY 281600Z  
FM FCO 281430Z SEP 83  
TO IMMEDIATE CERTAIN MISSIONS AND DEPENDENT TERRITORIES  
GUIDANCE TELEGRAM NUMBER 117 OF 28 SEPTEMBER 1983

NORTHERN IRELAND: BREAKOUT FROM THE MAZE PRISON.

1. ON 25 SEPTEMBER 38 REPUBLICAN PRISONERS ESCAPED FROM THE MAZE PRISON NEAR BELFAST. 19 HAVE SO FAR BEEN RECAPTURED (BY MIDDAY 28 SEPTEMBER). INTENSE EFFORTS TO RECAPTURE THE REMAINING 19 CONTINUE.

LINE TO TAKE

2. YOU SHOULD TAKE EVERY OPPORTUNITY TO LIMIT THE PROPAGANDA BENEFIT THE IRA WILL TRY TO REAP FROM THE OUTBREAK. AS THE ESCAPEES ARE EASILY IDENTIFIABLE THEY ARE LIKELY IN TIME TO BE RECAPTURED (THE IRISH HAVE OFFERED THEIR FULL COOPERATION). IN THE MEANTIME THEY ARE UNLIKELY TO BE OF MUCH OPERATIONAL VALUE TO THE PROVISIONAL IRA AND THE TASK OF HIDING THEM MAY WELL DIVERT CONSIDERABLE ENERGY.

3. HOWEVER, THE GOVERNMENT REGARD THE OUTBREAK MOST SERIOUSLY. MR PRIOR HAS ASKED SIR JAMES HENNESSY, CHIEF INSPECTOR OF PRISONS, TO CONDUCT AN ENQUIRY. IT WILL BE PROMPT, RIGOROUS AND SEARCHING. MEANWHILE YOU SHOULD RESTRICT COMMENT TO THE ABOVE WHILE NOT COMMENTING ON THE DETAILS OF THE OUTBREAK OR ON SPECULATION ABOUT LAX SECURITY. THE MATTER IS IN EFFECT SUB JUDICE.

BACKGROUND

4. THE ESCAPEES WERE FROM BLOCK H7 WHICH HOUSES 127 PRISONERS. OTHERS HAD THE CHANCE TO ESCAPE BUT IT IS KNOWN THAT A NUMBER



REFUSED. ALTHOUGH THE GOVERNMENT IS OPPOSED TO THE INTERNAL SEGREGATION OF PRISONERS FOR WHICH BOTH REPUBLICAN AND MORE RECENTLY 'LOYALIST' PRISONERS HAVE CAMPAIGNED, IT SO HAPPENS THAT THIS PARTICULAR BLOCK WAS AT THE TIME ONLY OCCUPIED BY REPUBLICANS. THIS MADE THE OUTBREAK EASIER TO ORGANISE. AMONG THOSE WHO ESCAPED 21 WERE SERVING LIFE IMPRISONMENT: OF THOSE AT LARGE 8 ARE LIFERS. ONE PRISON OFFICER WAS MURDERED IN THE OUTBREAK AND 7 WERE INJURED.

5. THE PRIME MINISTER HAS DESCRIBED THE OUTBREAK AS 'THE GRAVEST INCIDENT IN OUR PRISON HISTORY'. MR PRIOR HAS SAID THAT THE ESCAPEES 'WILL BE HUNTED DOWN WHETHER THEY ARE IN THE NORTH OR THE SOUTH OF IRELAND'. DR FITZGERALD, THE IRISH PRIME MINISTER, HAS SAID THAT THE REPUBLIC WILL NOT BE A HAVEN FOR THESE MEN AND THE IRISH AUTHORITIES HAVE INDICATED THAT IF CAUGHT IN THE REPUBLIC THEY COULD BE TRIED UNDER THE EXTRA-TERRITORIAL LEGISLATION. THE IRISH HAVE DEPLOYED LARGE NUMBERS OF POLICE AND SOLDIERS IN THE SEARCH OPERATION. SIX OF THE EIGHT ESCAPEES FROM THE CRUMLIN ROAD PRISON, BELFAST, IN 1981 WERE CAUGHT AND TRIED IN THE REPUBLIC, WHERE THEY ARE NOW SERVING SENTENCES FOR ESCAPING FROM LAWFUL CUSTODY.

6. THE PROVISIONALS CLEARLY REGARD THE LATEST ESCAPE AS A PROPAGANDA TONIC FOR THEIR FLAGGING MORALE (SEE GUIDANCE TELNO 115). IT HAS ENABLED THEM TO RELEASE, WITHOUT LOSS OF FACE, RAYMOND GILMOUR, FATHER OF THE CONVERTED TERRORIST HARRY KIRKPATRICK, ON 27 SEPTEMBER AFTER 9 MONTHS' CAPTIVITY. PIRA AND THEIR SYMPATHISERS OVERSEAS WILL BE DOING ALL IN THEIR POWER TO REAP AS MUCH PROPAGANDA BENEFIT FROM THE ESCAPE AS POSSIBLE.

7. FOR WELLINGTON. PLEASE SHOW THIS GUIDANCE TO MR WHITNEY.

8. FOR WASHINGTON. YOU MAY CARE TO PASS A COPY TO THE PRIME MINISTER'S PARTY.

HOWE

'SENT BY TELEGRAPH TO:

BONN	PARIS	NEW YORK(BIS)	CANBERRA
BRUSSELS	STRASBOURG(UKDEL)	WASHINGTON	WELLINGTON
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			TOKYO

[ALL ROUTINE]

AND SAVING TO CERTAIN OTHER POSTS

FCO/WHITEHALL  
INFORMATION DEPT

ADDITIONAL DISTRIBUTION  
GUIDANCE

From: THE PRIVATE SECRETARY



NORTHERN IRELAND OFFICE  
GREAT GEORGE STREET,  
LONDON SW1P 3AJ

Willie Rickett Esq  
10 Downing Street  
London SW1

26 September 1983

*There is nothing new in this*  
*pm*  
Dear Willie

*LM ref 9*

NORTHERN IRELAND PRISON ESCAPE

You will wish to know the current position following the escape from the Maze Prison yesterday.

The escape took place from the Maze Cellular prison, starting at about 3pm and the alarm being raised at the gate just after 4 o'clock. The 38 prisoners concerned had obtained possession of guns and were also armed with knives. They overpowered their guards in the H Block, seriously wounding one of them by gunshot. They commandeered a food lorry to drive to the main gate. The lorry was prevented from leaving the prison but the escapers were able to make off after fatally stabbing one prison officer. During the course of the escape five other prison officers were also injured. An immediate and full scale operation was mounted to recapture the prisoners, involving the full resources of the RUC and of the Army. Last night 15 had been recaptured; a further 2 were caught during the course of today.

The Secretary of State issued a statement last night emphasising that no effort would be spared to recapture the fugitives and that he had called for an immediate full, rigorous and searching inquiry into all aspects of the escape. It has since been announced that the inquiry is beginning at once and that it will be conducted by the Chief Inspector of Prisons for England and Wales, Sir James Hennessey.

Yours ever

Dave

D A HILL



10 DOWNING STREET

*From the Private Secretary*

SIR ROBERT ARMSTRONG

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

Thank you for your minute of 21 September.

The Prime Minister has considered the matters raised in it. She believes that all the implications of the new Irish ideas will need to be very thoroughly examined before we decide the line which we should take in discussion with the Irish Government. She does not consider it possible to react to the ideas until they have been clarified and defined in considerably greater detail.

Meanwhile she would be content for Mr. Goodall, in the meeting which I understand that he will be having with the Irish next week, to take the following line: we have not yet been able to examine the Irish ideas in any detail. We would not reject them out of hand, but we are very sceptical as to their viability. Before we can evaluate their ideas we need to know a great deal more about them and especially about the nature of the commitment to recognising that Northern Ireland was and would remain part of the United Kingdom. What precisely is this proposal, how would it be entrenched and what would its practical implications be? If the various Irish ideas were just an oblique approach to a system of joint sovereignty, they would hold no interest for us.

The Prime Minister would be grateful for a report on Mr. Goodall's next discussion and a further assessment of the implications of the Irish ideas.

/ I am

I am copying this minute, on a secret and personal basis, to the Private Secretaries to the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland. They should of course show it to Sir Geoffrey Howe and to Mr. Prior, but the Prime Minister has asked that there should be no further circulation of this minute.

A. J. COLES

22 September 1983

Ref. A083/2675

PRIME MINISTER

Anglo-Irish Relations: Northern Ireland

You will recall (Mr Coles's minute to me of 18 July) that British and Irish officials were to meet as necessary during the autumn to review the Joint Studies Action Check List and to prepare for the Anglo-Irish Summit on 7 November. The first such meeting took place on 6 September when Mr David Goodall visited Dublin at Irish invitation to discuss the programme of work. His Irish opposite number was Mr Michael Lillis, the Head of the Anglo-Irish Division in the Irish Department of Foreign Affairs, who is a close personal associate of Dr FitzGerald's and was his Diplomatic Adviser when Dr FitzGerald was Taoiseach before. Mr Lillis had made a point of asking for a tete-a-tete conversation following the meeting; and this took place after a lunch attended by our Ambassador, Mr Alan Goodison, at which Mr Lillis had already begun to open up the possibility of a change in the Irish Government's attitude to the constitutional issue. Mr Lillis reverted to his ideas some days later in a further private conversation with Mr Goodall in the margins of the British Irish Association's conference at Oxford.

2. Mr Goodall had the strong impression that Mr Lillis was speaking with the knowledge and authority of the Taoiseach, and in the hope and expectation that what he said would be reported to British Ministers. Indeed, in the second conversation, he specifically asked Mr Goodall what reactions there had been to what he had said in the first conversation.

3. What follows summarises the content of both the conversations. Mr Lillis began by explaining that the tentative ideas he was about to float were those of the SDLP, including its "green wing". They were not yet the views of the Irish Government. But he was emphatic that the Taoiseach, with whom he said he had spent the previous evening discussing them, would be prepared to back them. He said that the outcome of the abortion referendum in the Republic would put paid, at least for the time being, to any prospect of



early success for the Irish Government's policy of seeking to remove Protestant and liberal concerns about the Republic's Catholic ethos. This was regrettable and would no doubt damage relations with the North. At the same time it would have the merit of clarifying the situation and forcing nationalist opinion to face up to the reality of partition and the fact that unification was at best a long term aspiration, not a political objective. Politically, the overriding objective from the Republic's point of view (and that of the SDLP) was not unification, but the restoration of stability in Northern Ireland before the SDLP were eclipsed by Sinn Fein and the consequent unrest in the North infected the whole of Ireland. The crucial precondition for a return to stability in the North was that the minority there should recover confidence in the processes of law and order, from which they at present felt profoundly alienated.

4. What the SDLP were groping towards, therefore, was some sort of package whereby they and the Government of the Republic would formally recognise that Northern Ireland was and would remain part of the United Kingdom; would accept a Stormont Government elected by majority vote (ie not power sharing, which it seemed clear had no future) and would participate in the political structures created for this purpose; and whereby the British Government in return would agree to participation by the Garda (and possibly the Irish Army) in security operations in the North (especially in the Catholic areas), and would be willing in some way to associate members of the Irish judiciary with the judicial process in the North. Mr Lillis thought or hoped (it was not clear which) that the Forum for a New Ireland would come up inter alia with something along these lines.

5. Mr Goodall made it clear that he could offer no considered or informed comment on these ideas but would ensure that those responsible in London were aware that the Irish Government's mind was moving in this direction. Speaking personally, he recognised that from an Irish perspective acceptance of majority rule in the North and formal acknowledgement that the North was and would remain part of the United Kingdom would constitute an important shift in the position of the Irish Government and the SDLP. But

from a British perspective many people would feel that Mr Lillis's approach amounted to an invitation to the United Kingdom to make a major political concession in return for something which we already had. The use of the Garda on northern territory and anything approximating to an all-Irish judiciary were issues of the highest political sensitivity for the United Kingdom. It would therefore be quite wrong to encourage any optimism that the approach would appear attractive in London. Mr Goodall also questioned whether the Taoiseach, if indeed he decided to endorse the new approach, would be able to carry his own Party with him, let alone the Opposition. Mr Lillis said that the fact that it was the SDLP which would be pushing these ideas would to some extent spike the Opposition's guns, since even Mr Haughey could not afford to be seen to be responsible for torpedoing the SDLP and thereby letting in Sinn Fein.

6. Asked whether acceptance of the Union might not in fact discredit the SDLP in the eyes of its own constituents and open the way to a complete Sinn Fein take over of the minority, Mr Lillis said that the SDLP had weighed the risks and believed that an approach on the lines described would be warmly welcomed by the overwhelming majority of Northern Ireland Catholics. Mr John Hume personally was behind the approach and would no doubt be exploring it shortly with Northern Ireland Ministers. The SDLP judged that the paramount desire of the Roman Catholics in the North was for stability and order, and to be released from the grip of the PIRA who at present dominated and terrorised the Catholic ghettos. The PIRA could not be dislodged unless the minority were allowed to recover confidence in the official forces of law and order; and this could be achieved only by associating police and judges from the Republic with the security process. The restoration of stability in the North was so important to the Republic that he believed the Taoiseach would be prepared to pay the high political price for it which he had described.

7. Mr Lillis was also asked how an Irish Government would be able to reconcile its formal endorsement of Northern Ireland's position as part of the United Kingdom with the provision in the



Irish Constitution which described Irish territory as being the whole of the island of Ireland. He said that it might be necessary to amend the Irish Constitution in this respect, and that this possibility was not ruled out. But he explained that Article 2 of the Constitution was qualified by Article 3, which contained an explicit, albeit provisional, recognition of partition (a fact which he said was often overlooked in Ireland). It might be possible to build on this without needing to have recourse to a constitutional amendment.

8. In conclusion, Mr Lillis emphasised that the Irish were not in a hurry; they did not want to prejudice any chance of success there might be for their ideas by pushing them too hard or too fast, and they were not looking for substantive discussion of them at the November Summit. But they did want the British Government to consider them very seriously.

9. Meanwhile the broad lines of the new Irish approach have begun to appear in the British press, notably in leading articles in The Guardian of 12 September (which Mr Lillis has said was based on a conversation between the Assistant Editor and the Taoiseach), in The Times of 19 September and in the Financial Times of 20 September; and also in an article by Mary Holland in the New Statesman of 16 September. Copies of these are attached. A clear pointer in the same direction was given in the speech of the Irish Minister for Justice, Mr Michael Noonan, at the British-Irish Association conference in Oxford on 17 September, of which I attach the concluding passage. Some of these articles (but significantly not that in The Guardian) suggest that the Irish are thinking in terms of joint sovereignty: but Mr Lillis made it clear that the Taoiseach was in fact prepared to contemplate formal acceptance of the Union, and this point is made in the last sentence of The Guardian piece.

10. On the face of things it is difficult to be other than profoundly sceptical about the proposition that appears to be being advanced; and, if one is profoundly sceptical, one questions both the validity (or at any rate the completeness) of the proposition and the motives for which it was being advanced. If the Taoiseach





and the SDLP were really prepared to contemplate formal acceptance of the Union, and the SDLP were really prepared to accept a majority-elected Stormont Government without "power-sharing", it would be (from the British point of view) a tremendous political advance. But can they be so? Could any Taoiseach, let alone the Taoiseach of a coalition Government with a small majority in the Dail, so abandon or water down the commitment to Irish unity without destroying himself (and his party) politically? Would such a commitment last any longer than the Taoiseach who made it? Or is this Taoiseach in reality thinking merely of reviving something like the formula which Mr Cosgrave and he accepted at Sunningdale and which acknowledged that union would not come about without the consent of a majority of the people of Northern Ireland? Can the SDLP abandon the commitment to power-sharing, which has hitherto been an apparently indispensable plank in their platform, without destroying the credibility of their claim to represent the nationalist minority in the North and giving the game to the Provisional Sinn Fein? Can it really be right that the desire of the nationalist minority for peace and stability is so great as to override their will to pursue the political aims with which they have been imbued for so long? Is the main motive to draw the British Government into discussion of, and even negotiation about, some "all-Irish" element in the law and order system in Northern Ireland? We cannot be sure that what Mr Goodall is getting from Mr Lillis is a true and complete picture of what is in the minds and intentions of the Irish Government.

11. The approach as presented would appear to call for a high degree of political adroitness in Dr FitzGerald and the SDLP, if they are to sell it to their publics. But it could be politically maladroit for the British Government to turn it down out of hand, and refuse even to look at it. British political and public opinion could see some attraction in a package which appeared to include formal Irish acceptance of the union, and some sharing of the burden of sustaining the security effort with the Irish Government. The package could be designed, and would no doubt be presented, in such a way as not merely to appeal to reasonable



opinion in the North and in the United Kingdom but also to strengthen the Irish Government's position with the United States and other friendly Governments. It could be damaging if the United Kingdom were presented as having refused even to explore an approach which, on the face of it, goes further than any Irish Government has ever done to meet Unionist concerns. And indeed, even if the proposition as presented seems unrealistic and unacceptable, it is entirely possible that a process of skilful negotiation could enable it to be developed into a package which produced significant advantage. Such a process would be delicate and long drawn-out; but that is not necessarily an overriding obstacle at the beginning of a new Parliament here, when the Governments in London and Dublin can both look forward to a period of some years in office without national elections.

12. If this is right, we could respond at this stage without commitment, by continuing to express scepticism about the viability of the Irish ideas while at the same time probing them on some of the unanswered questions. How, for example, would the Irish Government's acceptance of the Union be expressed? What guarantee could there be that a future Irish Government would not reverse it? How far reaching are the proposals on security? Is Dr FitzGerald simply reverting to his earlier ideas for an all-Ireland Police Force and an all-Ireland judiciary? Would the arrangements be reciprocal - eg would members of the RUC have the right to patrol in the Republic and Northern judges to sit in Dublin? What sort of Stormont Government do the Irish have in mind? What political institutions and structures would include and provide a role for the SDLP? There will be a number of opportunities over the next few weeks for exploring such questions without commitment, notably when the SDLP make their predicted approach to Northern Ireland Ministers, and in the course of the further official contacts between British and Irish officials which are due to take place in the run up to the Summit (the next of which is scheduled for 28 September).



13. You will want to consider the implications of all this before deciding what line we should take with the Irish. Meanwhile I am sending copies of this minute to the Foreign and Commonwealth Secretary and the Secretary of State for Northern Ireland.

A handwritten signature in dark ink, consisting of the letters 'R' and 'A' in a stylized, cursive script.

ROBERT ARMSTRONG

21 September 1983

week. And the relationship of Liberals and Social Democrats at grassroots will sometimes be more disconsolate for it. But these are the hard choices that have to be made. The SDP no longer enjoys the luxury of its earliest conferences when all was hope and optimism and nothing very much was precise. Yesterday's debate showed how much the Social Democrats have now evolved into a real political party. And as a real political party, they will find it exceedingly hard, indeed probably impossible, to tear themselves away for long from the sort of fundamental issues about the party's role and future which concerned them yesterday.

## New dimensions in Dublin

The changes to be observed in Ireland turn to some extent on last week's referendum and the long campaign which preceded it. But irrespective of the referendum there is a distinct wish to look afresh at the North and at the previously received wisdom about a united Ireland. On both sides in the abortion debate it was recognised that to amend the constitution would be to make a profound statement about the nature of the State and about its relations with other communities; and that statement was duly made when the voters decided by a margin of 2:1 (though on a low and unenthusiastic turn-out) to make abortion unconstitutional. Yet that has not been the only far-reaching event of the summer.

Earlier in the year the New Ireland Forum got down to business in what seemed at the time a fairly desperate attempt to redeem the declining fortunes in the North of the Social Democratic and Labour Party, the party of peace and constitutional adjustment, against the large inroads of Sinn Fein, the party of violence and constitutional upheaval. The hunger strikes at the Maze Prison are seen as the turning point for Sinn Fein because irrespective of whether the British Government handled them correctly or not they gave Sinn Fein the momentum it needed to split the Nationalist vote and deprive the SDLP of all but one of the seats which it should have won at Westminster in June. The Forum consists of representatives of four parties, the governing Fine Gael-Labour coalition and the opposition Flanna Fail in

the Republic, and the SDLP. At first it seemed almost inevitable that it would rehearse the doctrines of unity which, though never precisely stated, have been well understood at least since the present Troubles began 14 years ago and were imbibed with many a mother's milk for decades before that. In fact, however, the Forum has tackled the idea of a New Ireland from first principles. The very first is that unity cannot be achieved without Unionist consent and the second is that that consent is not, and as things stand never will be, forthcoming. Unity therefore cannot mean what it has always been taken to mean. It has to be redefined. In the words of the discussion document agreed by the parties for this autumn's sessions: "How could we demonstrate that by unity we simply mean comprehensive agreement — freely arrived at on the structure of a New Ireland — no more, no less? In other words how do we demonstrate that we have no particular preconceptions on our side in relation to any of the fundamental issues to be agreed, other than that the agreed structures should meet the criteria of justice, realism, and durability?"

By the end of this year, or just after, we should have some answers. The Rev. Ian Paisley has already armed himself with secret papers which purport, in his view, to presage a British sell-out when Mrs Thatcher meets Dr Garret FitzGerald in November. Such notions have an old-fashioned ring to them because the thinking in Dublin has moved on from the straightforward confrontation between nationalism and unionism towards giving Unionists and Nationalists both what they want. The Unionists want institutions of government in the province. The Nationalists want their Irish identity to be acknowledged. They also want some tangible evidence that they can look on Ireland as a whole as their home and to Ireland as a whole for their protection. When Dr FitzGerald aired the idea of an all-Ireland police force he was stamped on by Mr Charles Haughey for inviting the jack-boots of the Royal Ulster Constabulary into O'Connell Street. Mr Haughey should know that the two Irish police forces do not look on one another in such stereotypes, but in any case a joint security force can have another meaning. It is one way to assure both Unionists and Nationalists of an even-handed and disciplined anti-terrorist strategy. The RUC still cannot attract Catholic recruits because they would not last long at IRA hands if they joined. But the IRA would have less standing in a com-

Monday September 12, 1983

community where the Irish police or defence forces, as well as the RUC and the Ulster Defence Regiment, were visible at the street corner of the Falls.

The effect, though doubtless not the intention, of British policies in the North has been to deny the nationalists their Irishness and to take the ground from under the feet of those in the SDLP who condemn the violence of Sinn Fein. It simply is not appreciated in London that Catholic-Protestant is only one of Ulster's divisions, and that the division between the peaceful and violent wings of nationalism is a very bitter one with even more menace to the province. Years ago, if power-sharing could have been made to work, the division would have been less threatening. But it didn't work, or was not given a fair trial, and even if a miraculous conversion of Unionists now brought it about, it would probably be too late to arrest the shift towards Sinn Fein. For Sinn Fein has felt a popular surge behind it and is responding with community politics which make it the alternative government in parts of Northern Ireland. Sinn Fein youths even wipe away their own graffiti to show how they are cleaning up the town.

It remains to be seen whether Mr Haughey, who is Fianna Fail, can moderate his party's millenarian view of Irish unity in favour of a unified approach to those subjects where the two parts of Ireland have more in common with each other than either has with Britain. Mr John Hume and his colleagues of the SDLP must have a commanding voice in any such debate because they fill the Forum with information about Northern Ireland as it is and not as some southern politicians would prefer it to be. But the decline of millenarianism is just as much a challenge to the Unionist leadership as it is to recidivist republicans. Until recently it seemed that all the constitutional give was required on the Unionist side, but that, if the Forum's work so far is any guide, is no longer true. Yet if Ireland is to alter its stance towards the North and to recognise that the British loyalties of unionists are fully legitimate the quid pro quo must be that Unionists acknowledge that they share the island, and the province, with people of another persuasion. To allow Irish influences, and Irish law and order institutions, to bear on the peaceful administration of the province is not to forfeit any of the traditions, including the Union, which Unionists are entitled to preserve. It is to make them more tenable in the eyes of Irishmen North and South.

## IRISH NATIONALISM'S NEW FACE

Mr Michael Noonan, minister for justice and rising star in Dr FitzGerald's government, spoke with refreshing directness at the meeting of the British Irish Association in Oxford at the weekend. If his speech conveys the flavour of the deliberations of the "forum for a new Ireland" which resumes in Dublin this week, there is hope for the forum yet.

It appears from other indications that as well as assessing in detail the economic, social and political impact on the present Republic of the arrival of a unified Irish state, the forum is taking an open-minded approach to the main question. The delegates, who are from the constitutional national parties north and south, are putting on one side the impedimenta of manifest destiny, historic aspiration and so on, and setting off with lighter step in search of a solution subject to no further definition than is contained in whatever will bring peace and stability to the island. Preconception may creep back at the stage of analysis, but at least they are off to a clean start.

Mr Noonan's approach was even less bound by the conventions of Irish nationalism. He starts from the needs of Northern Ireland. The challenge to both the Irish and the United Kingdom government, he said, is to ask ourselves together not what we want, but what workable arrangement can we devise together that will give to the people of Northern Ireland

what *they* want and what *they* need. It seems to me that *their* fundamental requirement is for stability, for order.

That could not be achieved, he went on, "unless the fundamental requirements of both traditions in Northern Ireland are acknowledged and accommodated by both governments". The test of any arrangement must be that "the principle of public authority, down to and including the policemen on the streets, be acceptable and accepted throughout the community". For that, Irish nationalism must accommodate the unionist identity and vice versa.

This way of looking at the matter is finding increasing favour in political circles in Dublin. It is easier to follow the argument than be sure of its implications. It looks as if they may be large or small depending on the view taken of how much of the medicine the patient can be expected to swallow. Writ large, it signposts joint sovereignty or condominium, an impossible relationship, surely, for two states which see their respective positions in the world so very differently. Writ small, it might mean broader tolerance of the symbols of divergent allegiances and some closely defined exercise of joint responsibility by Dublin and London/Belfast.

The trouble is, one trouble is, that any step in that direction is perceived by the keepers of the Protestant and unionist tradition

in Ulster as preparatory to the absorption of the province, quickly or slowly, in an all-Ireland republic. And who is to blame them for thinking so? For as long as anyone can remember that has been the objective of the nationalist stable out of which this new horse has come; and it was a Protestant Irishman who reminded his countrymen that in the making of a nation no one has a right to say: thus far shalt thou go and no further.

If unionist agreement is to be had for that way of proceeding - and all except the Provisionals and sympathizers now say that agreement is of the essence - they will have to be convinced that accommodating Irish nationalism does not mean, and would not sharpen the nationalist appetite for, revision of the constitutional status of Northern Ireland. They will need a lot of convincing.

It is not enough for politicians in the south to stop talking in terms of one Irish state, talking instead of a process the end of which they do not define. It would have to have seen that they had lost active interest in the idea, as most of their constituents have. That would have to apply to Fianna Fail as well as Fine Gael, and that is a long way off. A start could be made - if one dare make further reference to the Irish constitution - by deleting from that document those articles which confer on the Republic a pretended jurisdiction over the whole island.

Tuesday September 20 1983

# New wind from Ireland

OVER THE next few weeks the subject of Ireland is likely to return to the political agenda. There are several reasons why it dropped off—the Irish elections, the British elections and perhaps the general reluctance of any British government ever to take a sustained initiative. Other subjects, other events always get in the way.

Yet there are also reasons why the present combination of circumstances might be favourable, at least for a modest advance. Mrs Thatcher is due to meet Dr Garret FitzGerald, the Irish Prime Minister, in London in November. This will be a resumption of the Anglo-Irish summits which were established with mutual enthusiasm several years ago, but which then became irregular as relations between Mrs Thatcher and Dr FitzGerald's predecessor, Dr Charles Haughey, turned sour.

There are signs, too, of some new thinking coming out of Dublin. The Forum for a New Ireland, which includes the main Irish political parties as well as Mr John Hume, the leader of the Catholic SDLP in the north, has begun to turn away from visionary ideas of a unitary state and to become more practical.

## Initiative

At the same time, the activities of the "supergrasses"—those who, in effect, turn Queen's evidence on their former colleagues—seem to have led to an appreciable diminution of violence in Ulster.

Not least, the British General Election led to the return of a Conservative Government with a handsome majority and Mr James Prior, the Northern Ireland Secretary, still in place. Mr Prior had already taken his original initiative of establishing the Ulster Assembly. There is no question this time of a new government and new Secretary of State starting from scratch.

Probably none of those circumstances would amount to much in isolation. It is the combination that counts. To take security first: the days when the British would snipe at the Irish authorities for their lack of commitment to dealing with terrorism are gone. Anglo-Irish co-operation in these matters now works quite well. As for

the effects of the "supergrasses" there has been false optimism about a reduction of violence before and we hope that when the Commons returns next month some questions will be asked (and answered) about precisely what is happening. Nevertheless, the terrorist movements do seem to have been shaken and the process is far from over. Combined with other developments, that could lead to a basis on which to build.

## Attractions

Quite the most encouraging among these is the realism that is beginning to emerge from the Forum. If leading Irish politicians were prepared to drop their demand for Irish unity, all sorts of practical possibilities would become conceivable.

One of the ideas the Forum is discussing is joint sovereignty between Britain and the Republic over the north. At present it is only a phrase and it would be the details that would matter. But the thought does have its attractions. It would be a recognition of the reality that a united Ireland is out of the question for the foreseeable future because the majority of the population in the north would not willingly consent. It would also be a recognition that merely to stick with the *status quo* is unsatisfactory.

If sufficient progress were made, the SDLP might even be persuaded to take up its places in the Ulster Assembly.

The Forum will not report until early next year after Mrs Thatcher's meeting with Dr FitzGerald. Yet there is enough in the wind to enable those talks to go amicably and constructively while the Forum continues its discussions.

If the Irish really are prepared to drop the pursuit of an ideal for the pursuit of a solution, the British ought to be responsive, and not only in seeking closer co-operation on security and the economy. Above all, Mrs Thatcher and Mr Prior between them need to show their determination to stick with the Irish question until they have done something to resolve it. It is the lack of continuous attention that has bedevilled the British approach in the past.

## IRELAND

# Aborting Irish unity

Mary Holland looks  
at options now

'WE ARE NOT talking any more about Irish unity. We are talking about an arrangement which will offer stability to both communities in Northern Ireland, and thus ensure peace for the island as a whole.'

The Irish politician who said this to me last week has impeccable nationalist credentials. He would like to see a united Ireland, but now seriously doubts whether it will ever be possible to achieve it - at least in the form for which Irish nationalists have traditionally yearned. We were discussing the all party 'Forum for a New Ireland,' set up last May to consider the obstacles in the way of Irish unity. We asked whether there was any point in continuing its deliberations after the results of last week's referendum on abortion.

Taken in the context of the Republic alone, the vote is not nearly as depressing as it sounds. In a low poll, over 400,000 people voted against the amendment, defying pressure from the Catholic Church which at times came very close to personal intimidation from the pulpits. In Dublin, where the Archbishop was particularly active in promoting a 'Yes' vote, five constituencies - including working-class areas - returned a majority 'No' vote. The poll demonstrated for the first time in Ireland the existence of a secular constituency committed to social reform, and that is something from which the Irish Labour Party in particular must derive encouragement.

But in terms of North/South relations, the poll made the clearest statement yet that Irish people are not prepared to consider the kind of changes to their State, particularly in the area of the Catholic Church's political influence, which would be necessary to make the Republic acceptable to Northern Protestants. No wonder that ever since the count dejected Irish Republicans have been saying that Irish unity is off the agenda for the foreseeable future.

Nonetheless, the somewhat bedraggled New Ireland Forum is to go ahead. Last Thursday evening, as the last results of the referendum were being announced, the four

politicians crucially involved - Garret FitzGerald, Charles Haughey, Dick Spring and John Hume - were meeting to discuss its autumn work schedule. The abortion amendment and its implications for North/South relations were not mentioned. These politicians simply cannot afford to consider whether the damage which has been done is irreparable.

For them the problems of the North remain, as threatening and volatile as ever. The violence continues. The use of 'supergrasses' by the Ulster police already has the smell about it of previous attempts to smash terrorism by bending the legal system. Like internment, like the ill-treatment of Republican prisoners which led to the Bennett Report, like the 'criminalisation' policy which led to the IRA's hunger strike, the supergrass phenomenon has already caused bitter alienation within the Catholic community and is a growing cause for concern to lawyers on both sides of the Irish Sea. Provisional Sinn Fein continues to gain support at the expense of the moderate SDLP. James Prior's assembly offers no solution and the Northern Secretary is known to be impatient to talk to the Irish government. It was London, not Dublin, which pressed for an early summit meeting between Mrs Thatcher and Dr FitzGerald, now scheduled for November.

All this explains the urgency with which Irish politicians now regard the meetings of the New Ireland Forum. It isn't just the constitutional referendum which has brought a new sense of realism to politicians involved in trying to devise a solution to Ireland's oldest problem. When the Forum meets in plenary session next week, its members will have before them a document entitled 'Framework for Discussion of Fundamental Problems' which attempts to set in train a hard process of self-examination about the real costs involved in progress towards Irish unity - social, cultural, economic. It looks, for example, at the reality of Ulster Unionists' apparently immutable loyalty to Britain and even goes so far as to ask whether it will be possible to devise any political structure which can accommodate this attitude alongside traditional Irish nationalism.

There are other tough questions to be faced. In the coming weeks the Forum's



political members will hear evidence from a formidable array of academics, economists, lawyers and others on such topics as the extent to which British subsidises Northern Ireland and the South's inability to match this; Church/State relations in both parts of Ireland; how the legal systems might work together against terrorists; and, crucially, what further co-operation should be considered in the field of security.

What is all this leading up to? The Forum is due to present, probably early next year, a report in which it will lay out the options which it believes the British government and the people of Northern Ireland should agree to consider. Because of the need for a united front on an issue on which the southern political parties involved have deep historical devisions, this will almost certainly propose a number of alternatives. Mr Haughey's Fianna Fail party, for example,

remains committed in name to a united Ireland, *tout simple*, in which Irish men and women could iron out their differences, if only the British would get out of their way. But Mr Haughey has already said remarkably interesting things at the Forum. In his first speech last May, he opened with a strong 'Brits Out' pitch, but then, having established his green credentials, went on to talk about the importance of continuing British citizenship for Northern unionists, the possibility of a defence pact with Britain and of power-sharing structures in the island of Ireland as a whole.

What seems to be emerging is that the Forum will propose three possible constitutional solutions to the problem of Northern Ireland. These will be: 1) a unitary state (Mr Haughey and Fianna Fail in favour); 2) a federal arrangement with parliaments in Dublin and Belfast (Dr FitzGerald and Fine

Gael in favour); and 3) some form of joint sovereignty under which Britain and Ireland would together share responsibility for the administration of Northern Ireland. The implications of this in the security area would be dramatic and might well prove attractive at Westminster — given that the cost of security in Northern Ireland is now running in excess of £350m per annum, *excluding* the cost of the army.

If this sounds like yet another excursion into the celtic mists of wishful political thinking, pause just a minute. The idea of joint sovereignty as a possible solution to Britain's Irish problem did not originate in Dublin, nor from any Irish politician. It was first advocated, in considerable detail, by Lord Gowrie, until recently Minister of State at the Northern Ireland Office and a strong influence on Jim Prior's thinking about the future of Ireland. □

MR NOONAN'S SPEECH - BRITISH IRISH ASSOCIATION CONFERENCE  
17 SEPTEMBER 1983

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The challenge to both Governments is very simply to ask ourselves together - not what we want, but what workable arrangement can we devise together which will give to the people of Northern Ireland what they want and what they need. It seems to me that their fundamental requirement is for stability, for order. Moreover, I do not see how that can be achieved unless the fundamental requirements of both traditions in Northern Ireland are acknowledged and accommodated by both Governments. Unacceptable pressures and threats against either side must be removed. The test of any solution must be that it be realistic: that it be such that the principle of public authority, down to and including the policeman on the streets in Northern Ireland, be acceptable and accepted throughout the community. Anything short of that would be unrealistic and only make matters worse. That solution will involve the necessity that Irish nationalism accommodates the Unionist identity and the necessity that Britain accommodates the Irish nationalist identity.

Such formulations have an easy and almost inevitable symmetry when articulated: as if solving the problem of Northern Ireland were no more than matching the colours and shapes of a few building blocks. In this case, as I have suggested, the building-blocks - Ireland, Britain, the two sections of the community in Northern Ireland - when stripped of their polite packaging, are such unsightly and awkward chunks that, at first glance, it is difficult to conceive that any system, however ingenious, would be capable of assimilating them in harmony. Yet such a system has to be found if Northern Ireland is not to founder in chaos and to communicate elements of this chaos - perhaps substantial elements - to its neighbours in the same island and the island next door. Therein lies the challenge to everyone in this room and throughout our two islands. The process of normalisation will help, indeed it is essential as a preliminary to the kind of joint effort needed to resolve this crisis. But let us not pretend that things are or can be normal between us until we have successfully devised a system that will assimilate these building-blocks in harmony.



*FA*

10 DOWNING STREET

STEVE

*no letter  
8/7*

As the book mentioned in the papers below was obtained by a Duty Clerk, perhaps you would like to keep these papers.

So far as I am aware, the book is still with the Prime Minister. She did not read it on holiday in Switzerland.

A handwritten signature in cursive script, appearing to be 'Ril'.

8 September 1983



*Top Copy on Home Affairs, March 1983, Prison Officers Dispute.*

NORTHERN IRELAND OFFICE  
GREAT GEORGE STREET,  
LONDON SW1P 3AJ

Tim Flesher Esq  
10 Downing Street  
London SW1

ms  
23 August 1983

*Dear Tim*

Mr Prior has asked me to inform you of a dispute with the Prison Officers Association which, at the time of writing, will mean that there will be no prison officers on duty in Northern Ireland on Monday. (There is a meeting this afternoon with the POA, chaired by Mr Scott, but it is not thought likely that the POA will be persuaded to drop their planned action).

The dispute is over payment for travelling time when overtime is worked. Prison Officers, by National Agreement, work their rest-days which means that they work in effect a 6-day rather than a 5-day week. They receive overtime payment for this rostered rest-day working but are not paid for the time spent travelling. However any unrostered overtime they are called upon to perform does attract that additional payment. The POA want rest-day working (and working on Bank Holidays such as Monday) to attract travelling time payments but we and the Home Office have always stood firm in the face of that claim. If it were met for prison officers in NI, their counterparts in Great Britain and other civil service grades who work regular overtime would expect similar treatment.

The result is that the POA has announced that its members will not work on Bank Holiday Monday and that there will be a ban on rostered overtime thereafter. POA representatives appear to think that the Government will have no choice but to back down in the face of this unprecedented action in the Province. It is even conceivable that their withdrawal of labour will extend beyond Monday when they see that we are ready to use police officers to staff our five establishments rather than give in to their claim.

The RUC are ready to man the prisons on Monday in two shifts and will maintain a 'lock-up' regime during that time (which means that free association, exercise and visits will be stopped). Many normal police operations will cease as a result though there will be some extra military activity to compensate.

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As I have indicated, we cannot be sure how the prison officers will behave on Tuesday. We expect staffing problems through the ban on overtime working but could cope with that for a while. A meeting of the Privy Council has been arranged for Friday, 2 September if industrial action should be continuing so that an Order-in-Council can be made suspending the need for remand prisoners to appear in person each week for further remands. This action, which would take effect on 5 September, will relieve some of the pressure on Governors whether there is to be a complete strike or a continuation of the ban on overtime working, since escort duties are a drain on manpower.

If the prison officers were to continue Monday's full strike for the rest of the week difficulties would become acute. The RUC can fill in for a one day strike but could not alone man prisons for an extended period. The Ministry of Defence understandably see the gravest objections to army personnel manning civilian prisons though they can be at the perimeter to prevent escapes and help the police more than usual in their ordinary work so as to make more policemen available for prisons. We will reassess the position early next week as soon as we see how the prison officers are behaving and I will report further.

Unless the POA withdraw their threat today there will be a robust public relations campaign placing emphasising the responsibility of the POA in taking such industrial action when the official side had offered to have the dispute resolved by the established procedure of reference to the Whitley Council.

I am copying this letter to the Private Secretaries to the Lord President, the Home Secretary, the Secretary of State for Defence, the Chief Secretary and Sir Robert Armstrong.

Yours ever

Derek

D A HILL

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TO IMMEDIATE FCO  
TELEGRAM NUMBER 2332 OF 19 AUGUST  
INFO PRIORITY BIS NEW YORK DUBLIN

YOUR TELNO 1370: NORTHERN IRELAND: POSSIBLE EXCLUSION OF IRISH/  
AMERICAN VISITORS

1. I FULLY ACCEPT THE DESIRABILITY OF TRYING TO PREVENT NORAID VISITORS FROM MAKING MISCHIEF IN NORTHERN IRELAND. BUT THE SORT OF ACTION CONSIDERED IN TELEGRAM UNDER REFERENCE WOULD HAVE SERIOUS DISADVANTAGES WHICH I FEAR COULD PREJUDICE OUR MAIN OBJECTIVES HERE OF INFLUENCING AMERICAN OPINION ON NORTHERN IRELAND POSITIVELY, DISCOURAGING THE FLOW OF MONEY AND ARMS TO THE IRA MINIMISING ADVERSE PUBLICITY. THE BROADER THE CATEGORIES OF THOSE EXCLUDED, THE MORE DIFFICULT IT WOULD BE TO PRESENT THE DECISION IN A POSITIVE LIGHT AND LIMIT THE DAMAGE HERE.
2. FOR ONE THING, TO EXCLUDE NORAID MEMBERS RISKS ATTRIBUTING TO NORAID AN IMPORTANCE WHICH (IN US TERMS) THEY DO NOT AT PRESENT POSSESS AND GIVING THEM AN ISSUE WHICH THEY COULD EASILY EXPLOIT TO ATTRACT PUBLICITY AND EMBARRASS HMG. AS BIS NEW YORK HAVE REPORTED, US MEDIA COVERAGE OF RECENT NORAID VISITORS TO NORTHERN IRELAND WAS SURPRISINGLY MUTED. THAT OWED SOMETHING TO THE LACK OF POLITICAL INTEREST DURING THE CONGRESSIONAL RECESS, BUT ALSO REFLECTS NORAID'S LOW STANDING AND THE DAMAGE THEY HAVE SUFFERED FROM RECENT GUN-RUNNING TRIALS AND RELATED PUBLICITY. ACTION BY US TO EXCLUDE THEM COULD GIVE THEM A HIGHER POLITICAL PROFILE WHICH COULD IN TURN MAKE IT MORE DIFFICULT FOR THE U.S. AUTHORITIES TO ADOPT AS FIRM A POSTURE TOWARDS THEM IN FUTURE.
3. BEYOND THAT, ANY POLICY OF EXCLUSION WOULD BE LIKELY TO STIMULATE THE INSTINCTIVE AMERICAN REACTION (BY NO MEANS CONFINED TO IRISH/AMERICANS) AGAINST MEASURES WHICH INHIBIT FREEDOM OF ACCESS AND INFORMATION. (THERE WAS EDITORIAL CRITICISM ON THESE GROUNDS OF THE DENIAL OF A US VISA TO DR PAISLEY IN 1982). THIS WOULD BE MAGNIFIED IF IT APPEARED THAT WE WERE EXCLUDING THOSE WHOSE INVOLVEMENT IN PROVIDING SUPPORT FOR THE IRA COULD BE CLAIMED TO BE TENUOUS OR UNPROVEN BUT OF WHOSE POLITICAL VIEWS (NOT THEMSELVES ILLEGAL IN NORTHERN IRELAND) WE WERE THOUGHT TO DISAPPROVE. NORAID WOULD OF COURSE EXPLOIT SUCH A REACTION. THEY COULD ALSO BE EXPECTED TO ENCOURAGE SOME OF THOSE EXCLUDED TO VISIT NORTHERN IRELAND, TO STAGE PRESS APPEARANCES AND INCIDENTS, AND TO SEEK TO EXPLOIT THE DEPORTATIONS WHICH WOULD NO DOUBT FOLLOW.

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4. IN CONGRESS THE FRIENDS OF IRELAND AND OTHERS WOULD COME UNDER PRESSURE TO DENOUNCE AND OPPOSE ANY EXCLUSION MEASURE. IRISH-AMERICAN EXTREMISTS WOULD NO DOUBT BE ENCOURAGED IN THEIR LOBBYING FOR RETALIATORY ACTION EG. IN STATE LEGISLATURES AGAINST BRITISH INTERESTS. PRESSURE FOR RECIPROCAL ACTION, EG. DENYING US VISAS TO PAISLEY AND OTHER UNIONISTS, COULD ALSO BE EXPECTED.

5. IN SHORT, I SEE REAL RISKS IN CHANGING OUR PRESENT POLICY TO ONE WHICH HOWEVER CAREFULLY PRESENTED COULD TOO EASILY BE DISTORTED HERE TO SMACK OF SUPPRESSION OF FREEDOM AND VICTIMISATION. IF APPLIED ON SUCH A WIDE SCALE AS ENVISAGED IN YOUR TELEGRAM UNDER REFERENCE, THIS COULD BE SEEN AS AN ADMISSION OF WEAKNESS ON OUR PART.

6. IF, HOWEVER, MINISTERS DECIDE THAT ACTION OF SOME KIND IS NECESSARY, THE DISADVANTAGES I FORESEE WOULD NOT APPLY FULLY IF IT WERE CONFINED TO THE EXCLUSION OF CONVICTED GUNRUNNERS. EVEN THIS MIGHT ATTRACT INITIAL PRESS CRITICISM SINCE THEY WOULD PRESUMABLY HAVE SERVED THEIR TERM. BUT SUCH CRITICISM COULD BE FIRMLY REBUTTED ON THE GROUND THAT THOSE CONCERNED, GIVEN THE SUPPORT THEY HAD DEMONSTRABLY PROVIDED TO TERRORIST VIOLENCE IN NORTHERN IRELAND POSED A CLEAR THREAT TO OUR NATIONAL SECURITY. THIS ARGUMENT APPLIED TO CONVICTED GUN-RUNNERS, BUT WOULD BE LESS CONVINCING TO AMERICAN OPINION IN RESPECT OF BROADER CATEGORIES. WE MIGHT ALSO DRAW A PARALLEL WITH US REGULATIONS WHICH PROHIBIT THE ISSUE OF A VISA TO PERSONS CONVICTED OF CERTAIN OFFENCES.

7. FLANNERY AND HIS CO-DEFENDENTS POSE A PARTICULAR PROBLEM IN THAT THEY WERE NOT CONVICTED (ALBEIT ON THE BASIS OF A TOTALLY SPURIOUS DEFENCE). THERE IS THEREFORE A RISK THAT THEIR EXCLUSION COULD BE PRESENTED AS A CHALLENGE BY A FOREIGN GOVERNMENT TO THE US COURTS AND AN ATTEMPT TO RECTIFY THE LATTER'S SHORTCOMINGS BY POLITICAL ACTION. THIS WOULD NOT HELP IN FUTURE US COURT CASES.

8. AS FAR AS DEFINITION OF THE CATEGORIES IN TELEGRAM UNDER REFERENCE IS CONCERNED, (A) IS STRAIGHTFORWARD. ON (B) WE AND BIS COULD PROBABLY COMPILE A FAIRLY FULL LIST OF NORAID OFFICERS, CULLED FROM THE PRESS AND NORAID'S SUBMISSIONS UNDER THE FOREIGN AGENTS' REGISTRATION ACT. IT WOULD THEN HAVE TO BE DECIDED WHETHER ALL OR SOME OF THOSE LISTED SHOULD BE EXCLUDED AND ON WHAT CRITERIA. ON (C) WE KNOW OF NO NORAID MEMBERSHIP LIST.

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THEY CLAIM A NATIONAL MEMBERSHIP OF AROUND 5,000 WITH A FURTHER 30,000 SUPPORTERS. NORAID HAVE PUBLISHED LISTS OF CONTRIBUTORS. BUT (EVEN IF CORRECTLY IDENTIFIED) CONTRIBUTORS ARE NOT NECESSARILY MEMBERS, STILL LESS REPRESENTATIVES.

9. WE HAVE NO INFORMATION ON FLANNERY'S RUMOURED VISIT TO NORTHERN IRELAND BUT WILL REPORT ANYTHING WE PICK UP.

THOMAS

NORTHERN IRELAND

LIMITED

RID

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MAED

NEWS D

PUSD

PS

PS/LADY YOUNG

PS/MR WHITNEY

PS/PUS

SIR J BULLARD

MR WRIGHT

LORD N GORDON LENNOX

MR GIFFARD

MR ADAMS

MR JAMES

MR URE

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FM FCO 181200Z AUG 83  
TO IMMEDIATE WASHINGTON  
TELEGRAM NUMBER 1370 OF 18 AUGUST  
AND TO IMMEDIATE BIS NEW YORK  
INFO PRIORITY DUBLIN

NORTHERN IRELAND: POSSIBLE EXCLUSION OF IRISH/AMERICAN VISITORS

1. EVENTS DURING THE RECENT NORAIID VISIT, TOGETHER WITH POLITICAL AND PRESS REACTIONS TO IT, HAVE PROMPTED THE NIO AND HOME OFFICE TO CONSIDER THE PRACTICALITY AND DESIRABILITY OF TAKING STEPS UNDER THE IMMIGRATION ACT TO KEEP OUT ONE R MORE OF THE FOLLOWING CATEGORIES OF PEOPLE:

(A) MICHAEL FLANNERY AND HIS CO-DEFENDANTS IN LAST YEAR'S GUNRUNNING TRIAL, WHO HAVE OPENLY ADMITTED THEIR INVOLVEMENT IN GUNRUNNING TO PIRA (AND A FORTIORI THOSE CONVICTED OF GUNRUNNING):

(B) NAMED LEADING FIGURES IN NORAIID, ON THE GROUNDS THAT THEIR ACTIVITIES (FUND-RAISING FOR A PROSCRIBED ORGANISATION), IF CARRIED OUT IN THE UK, WOULD BE A CRIMINAL OFFENCE:

(C) ANY MEMBER OR REPRESENTATIVE OF NORAIID.

2. THERE ARE VARIOUS LEGAL AND TECHNICAL DIFFICULTIES UNDER CONSIDERATION. THE FACT THAT MOST SUCH VISITORS WOULD ARRIVE IN NORTHERN IRELAND ACROSS THE LAND BORDER WILL CAUSE PROBLEMS WHICH MAY REQUIRE DISCUSSION WITH THE IRISH. THE SITUATION WILL BE FURTHER COMPLICATED IF ANY OF THEM HAVE OR COULD CLAIM IRISH (OR EVEN UK) CITIZENSHIP.

3. FOR THE MOMENT, HOWEVER, WE WOULD BE GRATEFUL FOR:

(A) AN ASSESSMENT OF THE LIKELY US REACTION TO THE HOME SECRETARY CERTIFYING INDIVIDUALS IN EACH OF THE ABOVE CATEGORIES AS PEOPLE WHOSE PRESENCE IN THE UK WOULD NOT BE CONDUCTIVE TO THE PUBLIC GOOD, THEREBY RENDERING THEM LIABLE TO DEPORTATION IF THEY ENTERED THE UK, TOGETHER WITH ANY VIEWS YOU MAY HAVE

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ON HOW SUCH STEPS COULD BE PUBLICLY PRESENTED:

(B) YOUR VIEWS ON WHETHER IT WOULD BE POSSIBLE TO DRAW UP SUFFICIENTLY WATER-TIGHT DEFINITIONS OF EACH OF THE ABOVE CATEGORIES AND PRODUCE COMPREHENSIVE LISTS OF THE PERSONS IN THEM.

4. IT IS RUMOURED THAT FLANNERY MAY VISIT NORTHERN IRELAND IN SEPTEMBER AND NIO WOULD IN ANY EVENT LIKE TO ADVANCE THEIR CONSIDERATION OF THE ISSUES. GRATEFUL FOR COMMENTS DESKBY 0900Z ON 22 AUGUST.

5. IT WOULD ALSO BE HELPFUL IF YOU COULD OBTAIN DETAILS OF FLANNERY'S TRAVEL PLANS AS SOON AS POSSIBLE.

WHITNEY

NORTHERN IRELAND

LIMITED

RID PS/MR WHITNEY  
NAD PS/PUS  
INFO D SIR J BULLARD  
WED MR WRIGHT  
MAED LORD N GORDON LENNOX  
NEWS D MR GIFFARD  
PUSD MR ADAMS  
PS MR JAMES  
PS/LADY YOUNG MR URE

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FROM THE PRIVATE SECRETARY  
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NORTHERN IRELAND OFFICE  
GREAT GEORGE STREET,  
LONDON SW1P 3AJ

David Heyhoe Esq  
Private Secretary to the  
Lord Privy Seal  
68 Whitehall  
London SW1A 2AT

*Dr 2/4*  
1 August, 1983.

*Jean Finlay*

MINISTERIAL DEALINGS WITH SINN FEIN MPs and ASSEMBLYMEN

My letter of 26 November 1982 to Piper, MOD, which suggested how approaches from Members of the Northern Ireland Assembly might be handled, contained a brief reference to the need for particular care in handling correspondence on policy issues from Sinn Fein. The purpose of this letter is to offer more detailed advice on relations with Sinn Fein elected representatives, bearing in mind that Sinn Fein now has an MP (Gerry Adams - West Belfast).

Adams, whether acting as MP or Assembly Member, and his Assemblymen colleagues will probably take their representations to NIO Ministers, but they will write to other Ministers from time to time and may seek meetings. In those circumstances, Ministers may find it helpful to have the following general guidance to hand, although in cases of doubt or difficulty it would be as well to have a word with us before taking any action. As you know, the Lord Privy Seal, and those other senior Ministers who were consulted at the end of June, have already agreed the broad principles governing the advice offered in this letter.

It might be argued that Sinn Fein representatives should be treated in the same way as other MPs and Assemblymen. But Mr Prior believes that Sinn Fein's public support of violence makes it both right and necessary to treat Sinn Fein representatives with more reserve than representatives of the constitutional parties. Thus we suggest that a letter from a Sinn Fein MP addressed to a Minister should normally receive a brief, formal Ministerial reply, but a Private Secretary reply would generally be right to a letter from a Sinn Fein Assemblyman. Careful attention needs to be paid to the style, substance and possible political implications of any replies, especially letters dealing with broad policy issues. Replies to letters raising constituents' problems must deal adequately with the interests of the constituent, but should be brief and formal, avoiding any appearance of friendliness. For example, phrases such as "thank you for your letter ....." or "I regret that I am unable to grant your request ...." should be avoided. We do not think there need be any reluctance in giving a negative answer when one is justified. For some letters, eg a brief covering letter to a document which

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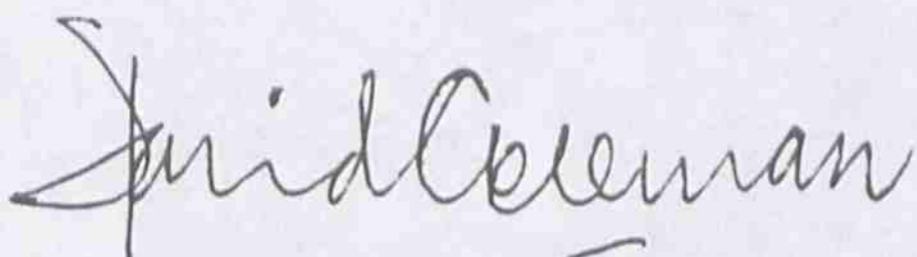
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has been widely circulated or a reply to an abusive letter, a one sentence acknowledgment by a Private Secretary would be more appropriate than a letter from a Minister, if a reply is needed at all.

In view of the Secretary of State's public position that he will not meet Sinn Fein representatives unless that party renounces violence, any request for a meeting with a Minister should be declined and the matter dealt with in correspondence. The whole question of meeting with Sinn Fein elected representatives is especially sensitive and we should therefore like to know of any requests for meetings with Ministers.

I attach for information a copy of a note on this subject which has been sent to Private Offices in the Northern Ireland Office and in the 6 Northern Ireland Departments in Belfast.

I am copying this letter to the Private Secretary to the Prime Minister, and to the Private Secretaries to other Ministers in charge of Government Departments.

  
D A HILL

(Signed on behalf of  
D A Hill in his absence.)

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11 Aug 1983

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PLEASE ASSOCIATE THIS DOCUMENT  
WITH THE LETTER WHICH WAS SENT  
OUT ON THE 6 AUGUST 1983 FROM  
MR. HILL TO MR. HEYHOE ON  
'MINISTERIAL DEALINGS WITH SINN  
FEIN MPs AND ASSEMBLYMEN'.

Thankyou.

K. Grant.  
(PRIVATE OFFICE)

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PRIVATE OFFICE STAFF

## APPROACHES TO GOVERNMENT BY SINN FEIN MEMBERS OF PARLIAMENT AND ASSEMBLYMEN

1. Central Secretariat Circular 5/83 deals with Access to Government by MPs, Assembly Members, Councillors, etc. This note gives further advice to Private Office staff on the handling of approaches from Sinn Fein MPs and Assembly Members : it is NOT for general distribution. It does not deal with the question of access by Sinn Fein Assembly Members to prisons and prisoners which is the subject of separate guidance. It supersedes Mr Sullivan's minute to you of 7 December 1982.

### 2. Correspondence

Letters from Sinn Fein MPs and Assemblymen (hereinafter referred to as Sinn Fein Members) addressed to Ministers should receive Ministerial or Private Secretary replies. A reply from a Minister should be made only where it is clearly unavoidable - the most likely case being a letter from a Sinn Fein MP on a constituency matter. You should pay particular attention to the style, substance and possible political implications of the replies (especially with letters dealing with broad policy issues.

3. Replies to letters raising constituents' problems must deal adequately with the interests of the constituent but should be brief and formal, avoiding any appearances of friendliness (eg phrases such as "thank you" for your letter of ....., or "I regret" that I am unable to grant your request ....., should be avoided). You need not be reluctant to give a negative answer when a negative answer is justified. For some letters (eg a brief covering letter to a document which has been widely circulated or a particularly abusive letter) a one sentence acknowledgement by a Private Secretary would be more appropriate than a letter from the Minister. If you have any doubt about the content or tone of a letter, you should consult Central Secretariat who will consult NIO as necessary.

### 4. Meetings with Ministers

The Secretary of State has stated publicly that he will in no circumstances meet a Sinn Fein member unless Sinn Fein renounce violence. Any request for a meeting involving any other Northern Ireland Office Minister with a Sinn Fein Member (either individually or as part of a broader deputation) should be reported to Central Secretariat for advice. The decision is likely to be negative and you should, without giving any firm decisions, handle the initial approach so as to steer the matter towards correspondence if at all possible.

### 5. Approaches to Officials

The normal response to telephone enquiries to Private Offices from Sinn Fein Members (or those claiming to speak on their behalf) should be to ask them to put the point

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in writing. Only when the request cannot reasonably be dealt with in correspondence, eg compassionate parole to see a dying relative, should Private Offices act on Sinn Fein telephone calls.

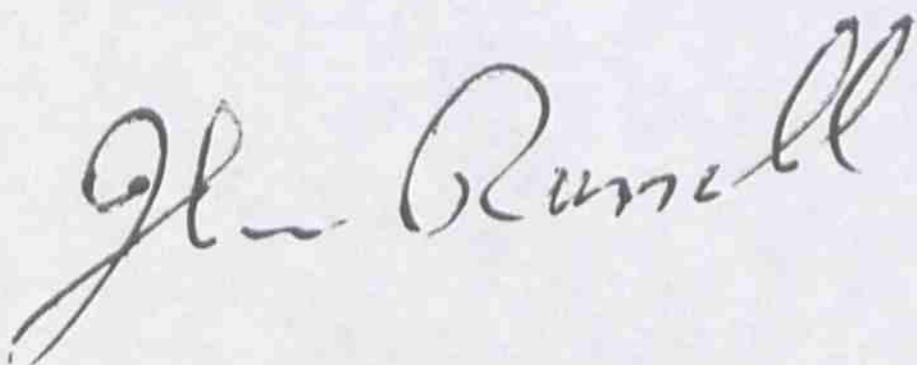
6. Approaches from Sinn Fein Members to local offices, etc, concerning purely constituency matters which do not appear to raise wider questions of policy, will be dealt with at local level in the same way as similar approaches from other MPs or Assemblymen. Staff have been instructed that if these approaches do go wider or if they have any doubts, they should refer them to their Minister's Private Office. You should in turn consult senior officials in your Department and Central Secretariat.

7. Whitehall Departments

Sinn Fein Members may write to United Kingdom Ministers outside the Northern Ireland Office. A brief formal Ministerial reply would normally be appropriate to a letter from a Member of Parliament. For Sinn Fein Assembly Members, a Private Secretary reply would be sent.

8. Approaches by Sinn Fein workers

The advice given above applies to approaches by Sinn Fein elected representatives. You should treat approaches from other Sinn Fein representatives as if they were from members of the general public but with considerably more caution. On a point of any complexity or difficulty, the enquirer should be asked to send his views in writing.



J F RUSSELL  
Central Secretariat  
STORMONT CASTLE

26 July 1983

PART 13 ends:-

Alison to PM (M.A. / E. Powell Mtg  
Record - 22/7)  
25/7

PART 14 begins:-

NIO to LPS's Office 1/8