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NORTHERN IRELAND OFFICE
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Michael Alexander Esq
10 Downing Street
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10 June 1980

Dear Michael,

LORD BROOKEBOROUGH'S CALL ON THE PRIME MINISTER

The most recent outrage of a number which have taken place in Co Fermanagh, the murder by the IRA of an off-duty member of the UDR at Newtownbutler on 7 June, is the immediate reason for Lord Brookeborough's request for a meeting with the Prime Minister. He has been in touch with the GOC and with the Secretary of State's Office. Mr Giles Shaw called on him on 9 June to discuss his concern. He made four points to Mr Shaw which he is likely to repeat to the Prime Minister. They were:-

- (a) Northern Ireland Office Ministers should "lead from the front".
- (b) The Unionist people of Fermanagh and Tyrone are not represented at Westminster. (Mr Frank Maguire the independent Republican MP rarely attends the House).
- (c) Border roads should be closed.
- (d) Failing agreement by the Government of Republic to extradition, they should be pressed to implement their legislation on extra-territorial jurisdiction.

Although there is some cause for concern in South Fermanagh, where the IRA find it easier to select "soft" targets amongst isolated Protestant families than in many other parts of the Province, the Unionist Party in general and Lord Brookeborough* in particular are concerned to make political capital out of what violence there is. They hope by attacking the Government for alleged security failings to outdo Dr Paisley and the DUP. The Security Forces are taking all possible steps to deal with the security threat and their professional judgement on how to go about this must be respected. What they cannot do is to protect every individual

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* Lord Brookeborough is a member of the Unionist Party of Northern Ireland.

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against the threat of assassination. The Security Co-ordinator is undertaking a review of border security in Fermanagh and East Tyrone but it is unlikely that this will throw up any startling new initiatives.

Lord Brookeborough has said that he wishes to talk to the Government of the Republic about extra-territorial jurisdiction. It would be counter-productive to seek to prevent him but he should not be allowed to represent himself as any kind of emissary of HMG.

POINTS TO MAKE

- (a) The Government are fully seized of and concerned for the security situation in Fermanagh. All possible steps to reduce the threat are being taken. The Security Forces must be allowed to get on with the job.
- (b) The Security Forces are having successes in South Fermanagh as elsewhere. The level of violence in the County has decreased substantially since the early part of this year.
- (c) Loud public reaction to a particular terrorist strategy merely convinces the IRA of its propaganda value.
- (d) There is substantive cross-border co-operation with the Security Forces of the Republic. We are pleased to have secured an improved effort from them.

More detailed information can be found in the attached annexes which cover:

- (i) The Security situation in Fermanagh this year.
- (ii) Security measures taken in Fermanagh.
- (iii) The case for closing border roads.
- (iv) Extra-territorial jurisdiction.
- (v) A note on a man (McNally) wanted by the RUC.

Yours sincerely
Mike Hopkins
M W HOPKINS

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(i) SECURITY IN FERMANAGH DURING 1980

Since the beginning of the year there have been a number of terrorist incidents in County Fermanagh as a result of which the following five (5) members and one (1) ex-member of the security forces have died:

<u>Date</u>	<u>Name of Deceased</u>	<u>Brief details of murder</u>
3 January	Robert CRILLY	A part-time member of the RUC(R). Shot dead at his work.
5 February	Aubrey ABERCROMBIE	A part-time member of the UDR. Shot dead whilst working on his farm.
11 February	Joe ROSE and Winston HOWE	Both RUC constables. Murdered when a bomb exploded in a culvert under the road on which their vehicle was travelling.
17 April	Robert MORROW	An ex-member of the UDR. Shot dead whilst walking to work.
7 June	Wm Richard LATIMER	A part-time member of the UDR. Shot dead at his work.

Although it is no comfort to the people of Fermanagh, the rate of terrorist violence is in fact no greater than elsewhere in Northern Ireland, for example in South Armagh and West Belfast. However it is important to remember that the county is not so densely populated as others, and inhabitants feel isolated and vulnerable. (Prior to the murder on 7 June, no major incident had occurred since 30 April.)

The attacks on members of the security forces have been by gun, land mine and booby-trapped car, and, from PIRA's point of view, the gun has been the most successful. Four (4) part-time members of the security forces have been shot dead and two (2) RUC constables were killed by a land mine. In addition a number of part-time members of the security forces have been wounded by gunfire and one (1) regular army officer was seriously injured when a bomb exploded under his car on 30 April. There is reason to believe that most of these attacks have been launched from across the border.

Part-timers, especially those living on or near the border, are particularly vulnerable as they go about their daily jobs. Although the number of troops and police in the area has been increased this year, twenty-four hour a day protection cannot be provided for anyone. Constant vigilance and a willingness to take reasonable precautions remain the best defence.

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Lord Brookeborough may allege that there is a PIRA campaign to drive Protestant farmers from their border farms. Local police do not believe this is so but accept that PIRA would welcome such a consequence of their activities. Although those murdered by PIRA were all Protestants, they were all also connected with or members of the security forces.

In addition to the attacks on persons, two blast incendiary attacks have been mounted on premises in Belleek which is right on the border.

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(ii) SECURITY MEASURES IN FERMANAGH

A number of recent developments illustrate the efforts the security forces are making in Fermanagh. This year there has been a substantial increase in the military presence in the county, though it would be wrong to imagine that the problem is soluble simply by increasing troop levels. Troop dispositions, methods of operation and so on are just as important and these factors explain why, as is sometimes claimed, the security forces are not always visible in large numbers. In Fermanagh, as in other areas, extra emphasis has been placed of late on covert operations, by forces specially trained for such work. More use is also being made of the UDR. As well as operating right up to the border, which Loyalists have often claimed is not the case, they have now taken on new responsibilities in the area round Belcoo on the border.

The Police effort is also being stepped up. A new Divisional Mobile Support Unit has recently been introduced into the county and this has had the effect not only of improving the speed and mobility with which the police are able to react to events but also of increasing police numbers. It is planned that they should increase further as more recruits become available. The progress being made with the rebuilding of Kinawley Police Station near the border is further evidence of the Chief Constable's intention to strengthen the RUC presence in the county.

On border security specifically, a number of border crossings have been closed this year between Fermanagh and County Monaghan in the Republic. There has also been a substantial improvement in Fermanagh, as in other border areas, in co-operation between the RUC and the Garda. This improvement is clearly reflected in day-to-day dealings between the two police forces. For the most part, this contact receives little or no publicity - which is how we (and the Irish) prefer it - but it is a major ingredient in our efforts against the terrorists.

(iii) BORDER ROAD CLOSURES

Lord Brookeborough may well raise the question of the closure of border roads as a means of preventing terrorists' entry to Northern Ireland or of hindering their escape after an incident.

It is accepted that most of the terrorist murder attempts have been launched from across the border; attackers have been seen to make off in that direction after committing their crimes. It is also true that the closure of border roads to vehicular traffic plays a part in the struggle to suppress terrorism and several roads in Fermanagh have in fact been closed over the years, four of them earlier this year, including two in the Newtownbutler area, where a number of murders have occurred. But the Fermanagh border is a long and difficult one; there are 109 roads or tracks which cross it. 28 of these are currently impassable to cars, having been closed by the security forces. Of the other 81, 61 are reckoned to be passable by car.

The Government's position has always been that the closure of particular border crossings is an operational matter on which it is essentially for the security forces to advise. The Secretary of State has made it clear on a number of occasions that he is perfectly willing to authorise further closures if, on the advice of the security forces, they are likely to result in genuine operational benefits. In considering their advice, the security forces take into account a variety of factors, including the needs of legitimate cross-border travellers and the possible implications for co-operation with the security forces in the Republic.

(iv) EXTRADITION AND EXTRA-TERRITORIAL LEGISLATION

Extradition

Extradition between the UK and the Republic is governed by a simple 'backing of warrants' procedure by which a warrant issued in one jurisdiction is backed for execution in the other. The existence however of the political safeguard in the Irish Statute using the term "political offence or offence connected with a political offence" has had the effect of precluding extradition for politically motivated terrorist crimes.

Extra-territorial Legislation

Introduced following Sunningdale, this legislation enables courts in the Republic to try offenders who committed crimes in the North after 1 June 1976; reciprocal powers have been granted to courts in the North. So far there have been two successful cases, one in the North involving the murderers of Captain Nairac, and one in the South. Papers concerning one further case, that of O'Hara (already serving a sentence in the South) and McNamee, have been sent to the Garda and thence to the Irish DPP (last August, we understand). Currently methods of bringing pressure to bear on the Irish to speed matters up are being considered. Also papers concerning three men believed to have been involved in the murder of an off-duty UDR man in Armagh were sent to the Garda in April, no further progress has yet been made. In conversation with Mr Shaw yesterday Lord Brookeborough offered to approach the Taoiseach over the O'Hara case. It is unlikely that he would achieve much but there is little to be lost and it is just possible that Mr Haughey would co-operate as an earnest of good faith to the Unionists. Any approach would of course have to be on a personal basis.

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(v) MAN WANTED IN CONNECTION WITH THE LIVINGSTONE/LATIMER MURDERS

The RUC have reason to believe that a man named *~* who is one of the three suspects named in the file passed to the Garda on the LIVINGSTONE murder, was also concerned in the murder of WILLIAM LATIMER (a UDR man) in Newtownbutler on Saturday last. This is not public knowledge but Lord Brookeborough may be aware of it through his connections with the UDR and the RUC. He may raise this matter with the Prime Minister who should take note of his comments without confirming the allegations.

~ Name deleted and closed, 60 years,
under a FOI Exemption.

Wayland

1 September 2011

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