

Ireland 8

● NIOM 80 (4)

NOTE OF A MEETING HELD IN THE NORTHERN IRELAND OFFICE
ON FRIDAY 30 MAY 1980 AT 12.00PMPresent

Mr Marshall	Chairman
Miss Kelley	} NIO
Mr Blackwell	
Miss Elliott	
Mr Avann	
Mr Benger	
Mr Stephens	} MOD
Mr Farthing	
Col Wilson	
Lt Col Bateman	
Maj Pheysey	
Mr Haydon Phillips	Home Office
Mr Newington	FCO

Meeting between the Prime Minister and the Taoiseach

1. The Chairman said that the Prime Minister and the Taoiseach had had a meeting tete a tete for about one hour; there was no one else present and hence no record of this meeting. Mr Newington said that it was clear that the Taoiseach had prepared himself well for the meeting and was anxious that it should appear to be a success. The meeting itself had resulted in a useful and constructive exchange of views and the Taoiseach's statement in the Dail had also been constructive in that while he had called for the British guarantee to the Unionists to be withdrawn he had also referred to the unique nature of the relationship between the Republic and Britain and agreed that the consent of the majority of the people within Northern Ireland is needed before Ireland can be united; which in essence is the Government's view of the position. Mr Stephens asked whether the terms of the press conference given by the Taoiseach after the meeting were agreeable. Mr Newington replied that the Prime Minister had been content. He emphasised that the meeting had been the most important event for the Taoiseach since he had taken over from Mr Lynch and he had been well satisfied with the outcome.

Area Reviews

2. Miss Elliott said the review covering the Londonderry area had been presented to the NIO Security Policy Meeting (SPM) last week. As the meeting had been chaired by Mr Alison, the Secretary of State had not yet had the chance to approve the report which should be circulated to officials during the week beginning 2 June. The Security Coordinator would be discussing its presentation to Ministers with the Secretary of State at a later date. The report of the review of East Tyrone would be sent to the GOC and Chief Constable next week with the aim of presenting it to SPM on 16 June. Finally, a lot of the fieldwork on the Belfast review had been done and it was hoped that it would be ready in final form by mid-July.

Renewal of the Northern Ireland (Emergency Provisions) Act 1978 (EPA)

3. Mr Blackwell said that no date had yet been fixed for the renewal debate on the EPA. The Secretary of State had asked officials to consider the implications should section 12 and Schedule 1 to the EPA, providing powers - unused since 1975 - for detention without trial, be allowed to lapse. NIO had written to both the GOC and the Chief Constable, neither of whom had yet replied; and had also approached the Attorney General for an opinion as to whether there would be any legal difficulties about continuing to use section 11 (permitting the police to arrest without warrant and detain for up to 72 hours persons suspected of terrorist offences) once section 12 had lapsed. The previous Attorney-General had considered that section 11 could be retained, but the point was not free from doubt and therefore the present Attorney had to be consulted.

4. The Chairman undertook that NIO would be in touch with MOD if the Secretary of State took the view that section 12 should be allowed to lapse. He emphasised that, even if it lapsed, section 12 could be revived again by Order in Council within a day if necessary. The timing

of the renewal debate was still uncertain as the Northern Ireland Constitution Act had to be renewed by 16 July and the decision was linked to the publication of the Government's constitutional proposals.

Yellow Card

5. Mr Stephens said that following NIO agreement to the proposal that instructions on opening fire at VCPs should be contained in the Army's Pink Card, Mr Stephens had written to consult the GOC. After consultation a draft would be referred to the Treasury Solicitor. The revised Yellow Card was due back from the Law Officers. The Chairman stressed that a clear line was needed soon in view of the incidents involving joyriders.

Constitutional Proposals

6. The Chairman said that the draft, which had not yet been given a title, was basically concerned with devising an acceptable method of sharing power between the two communities in Northern Ireland. There were essentially two possibilities: first, voluntary "power-sharing" similar to that adopted in 1974; and second, a scheme whereby power was shared between the Executive and another body, which would have considerable powers and where the opposition and the administration would have equal representation.

7. The Chairman hoped that the agreed proposals would go before OD on 10 June; provided OD was satisfied, it was likely that Cabinet would be content. Publication date had yet to be decided. The approach of the marching season in Northern Ireland made late June or July inopportune; but against that an early date would minimise the danger of leaks and possible accusations of sharp practice if publication took place immediately after the renewal debate. There would be widespread consultation after publication, not excluding the possibility of reconvening the political Conference for a short, intensive period.

8. Mr Stephens asked how matters stood within the OUP. The Chairman replied that although there had initially been opposition to Mr Molyneaux's refusal to attend the Conference notably from Messrs West and Ardill, this had waned as the Conference wore on, and there had been no split within the party. It was interesting that, during the Conference, the OUP had sent a paper to the Prime Minister which was definitely devolutionist rather than integrationist. Miss Elliott said that some OUP local councillors were worried that they might suffer in the local elections if their leaders refused to attend a reconvened conference thus leaving the field clear for the Rev Ian Paisley; also it was rumoured that Mr Craig might^{soon} be leaving the OUP.

Meetings with Mr Brynmor John MP

9. The Chairman said that the Secretary of State was concerned to keep the Opposition informed of developments and accordingly was making a point of seeing Mr Brynmor John from time to time. He had also arranged for officials to see Mr John fortnightly to give him confidential briefings.

Energy

10. Miss Kelley said that electricity tariffs were already higher in the Province than elsewhere and likely to get further out of line in view of the dependence on oil. An Inter-Departmental Working Group had been set up and NIO's aim was to have it accepted that Northern Ireland's electricity prices should remain in some stable relationship with those in the rest of the country. The best way to do this appeared to be to integrate the Northern Ireland Electricity Service (NIES) with the CEGB. Mr Newington asked what pricing policy would be adopted if the interconnector were re-established; Miss Kelley thought that the Republic would be charged the market price. The Chairman said that at present the Province had excess capacity whilst the Republic was short of power, whereas in the future, if the Republic built a nuclear station they would have excess capacity; it seemed only logical to link the

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systems - although this would not of itself solve the NIES's financial problems.

Other Business

11. Mr Phillips said that neither the Netheravon nor the Catford bombs were thought to be the work of Irish extremists; in fact, everything seemed very quiet, which was perhaps a little ominous although the police thought that PIRA lacked the capacity to mount a campaign on the mainland. He also noted that the Home Secretary had revoked an exclusion order as the person concerned appeared to have reformed. It was likely that in the future other exclusion orders would be revoked.