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NOTE OF A MEETING BETWEEN THE PRIME MINISTER AND THE TAOISEACH HELD AT  
10 DOWNING STREET AT 1445 ON WEDNESDAY 5 SEPTEMBER 1979

Present:

Prime Minister

Mr. J. Lynch, T.D.

Mr. C.A. Whitmore

Mr. D. Nally

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The Prime Minister said that she was grateful to Mr. Lynch for being ready to have talks with her in the wake of the double tragedy which had occurred the previous week. Since the events of 27 August she had been making it clear in public that she was sure that he was as anxious as she was to stamp out terrorism: terrorism was a threat not just immediately to Northern Ireland but to democracy as a whole. The events of the previous week had aroused public expectation in the United Kingdom that concrete action would be taken to combat terrorism. The co-operative efforts which their two Governments had made in the past were not enough: the opportunity had to be seized to improve their joint efforts against the PIRA, and she saw the purpose of their meeting as being to discuss what measures their two Governments could take together.

Mr. Lynch said that the horror and revulsion which had been felt in the UK for the events of 27 August were matched by public reaction in the Republic, but to those feelings in their case was added shame that the deaths of Lord Mountbatten and those with him had occurred on Irish territory. He had been concerned that the reaction in the UK might have repercussions for Irish people living here, particularly since some British newspapers had given the impression that the deaths had been caused in some way by Irish negligence. He fully agreed with what the Prime Minister had said about the need to stamp out terrorism. Terrorism in the Irish Republic posed not only a security threat but was also damaging economically: in his view there was a real risk that terrorism might in the long term retard economic growth in the Republic, particularly because of its effect on foreign investment and tourism. Successive Irish Governments had taken a number of substantial steps to combat the activities of the PIRA. They had increased the strength of the Garda and of the Irish army; they had committed as many resources

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as they could afford to the policing of the border; they had encouraged close and successful co-operation between the Garda and the RUC; and they had a range of anti-terrorist laws which was perhaps stronger than that of any other European country. The question now was what more could be done. Various ideas had been aired in the press such as direct co-operation between the British and Irish armies, RUC participation in the Garda's interrogation of suspected terrorists and joint British and Irish patrols on the border, but all these ideas would raise difficulties for the Irish Government.

The Prime Minister reiterated that existing co-operation between the two Governments in the security field was not working well enough and had to be improved. The feeling in the UK that members of the IRA were safe once they were south of the border was stronger than ever, and there would be severe public reaction in this country if today's meeting did not point the way towards substantial improvement in security co-operation between the authorities of their two countries. She had a number of specific measures to suggest - and she had been meticulous about not revealing in public before their meeting what she wished to put to him - but before they discussed the details of them, she wished to make it plain that all the steps which she was asking the Irish Government to take the British Government was ready to introduce itself on a reciprocal basis. She was seeking nothing which she was not prepared to offer in return.

The two Prime Ministers then discussed the following measures:

(a) Extradition and extra-territorial jurisdiction

The Prime Minister said that the British Government already extradited people in the UK to the Republic of Ireland. In the years 1976-78 the numbers had been 27, 31 and 26. Moreover, these figures included some of our own nationals who had been extradited to the Republic to face charges there. We had extradited the Littlejohn brothers to the Republic on charges of robbery and when one of them had been recaptured in the UK following their escape from custody while in the Republic, he had been returned again to the Irish authorities. Similarly we had in recent years extradited a number of British nationals to other foreign countries. We were prepared to do this in the interests of the rule of law, and we would like to see other countries, including the Republic, acting similarly. The British

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Government knew that the Irish Government had constitutional difficulties over extradition. She understood, for example, that the EEC Agreement relating to the European Convention on the Suppression of Terrorism contained a special accommodation for the Republic by which it would have no obligation to extradite but which would impose an obligation to consider the prosecution of those whom it did not extradite. This made it all the more important that when the Irish Government did undertake such prosecutions it did so with the best possible chance of securing convictions. The key to getting evidence on which convictions would be obtained turned very often in terrorist cases on translating intelligence into evidence that would stand up in court. The RUC felt very strongly that this process would be helped enormously if they were allowed to participate in the Garda's interrogation of suspected terrorists who were questioned in the Republic about incidents in Northern Ireland. However much information the RUC gave the Garda about a particular suspect, interrogation was more likely to have a successful outcome if those conducting it included police officers with first hand knowledge of the case. The British Government would therefore like to see RUC officers allowed to interview, in Garda stations and in the presence of Garda officers, persons suspected of terrorist offences in the North. We were ready to provide the same facilities for the Garda in Northern Ireland. This measure would make a reality of the 1976 extra-territorial legislation.

Mr. Lynch said that extradition raised difficult constitutional problems for the Irish Government. Extradition was a judicial process which had never been intended to apply to people who were simply suspected of offences and who were wanted for interrogation. Moreover, a number of other European countries, including France, Denmark and Belgium, never extradited their own nationals. As regards the proposal that the RUC should participate directly in the Garda's interrogation of suspected terrorists held in the Republic, he was advised that this could be counter-productive. The Garda felt that such a practice might very well alienate the local population and jeopardise their readiness to supply intelligence to the Garda: this was particularly true in the rather special circumstances that affected the area a few miles south of the

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border with Northern Ireland. Moreover, the station in which interrogation took place might well be a target for terrorist action, and there would therefore be a physical risk to the Garda and RUC officers involved. A further problem about this proposal was that there was a very real risk, in the view of his Attorney General, that the courts in the Republic would exclude as inadmissible a confession which was obtained by interrogation for which an RUC officer had been present. This might seem extraordinary but the attitude of the Irish courts on matters of this kind could only be described as officious. Nonetheless, he recognised that something like 80% of all convictions obtained against terrorists depended on confessions resulting from interrogation and he was therefore prepared to look further at the Prime Minister's proposal.

(b) Garda Anti-terrorist Squad

The Prime Minister said that earlier this year the Garda had deployed to the border a special anti-terrorist squad which the RUC thought had been highly successful. Unfortunately it seemed that the unit had been disbanded after a <sup>short</sup> time. She would like to suggest that it should be revived.

Mr. Lynch said that he was not aware of any major change in the deployment of the Garda along the border, though it was true that in order to combat the rise in crime generally and in particular in IRA bank raids elsewhere in the Republic some police had been withdrawn from the border where it was thought that this would not be detrimental to security. He was ready to consider whether a squad of the kind the Prime Minister had described should be used along the border. Mr. Nally added that he understood that the special unit had been disbanded because the Garda had concluded that it was less effective than local forces using local knowledge.

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(c) Garda and RUC liaison officers

The Prime Minister said that co-operation between the RUC and the Garda would be much improved if a Garda liaison officer was attached to the RUC's headquarters and similarly there was an RUC officer at Garda headquarters.

Mr. Lynch said that a joint RUC/Garda Committee had been set up at Deputy Chief Constable level in 1974 and these liaison arrangements were still working. It might be that there was a need for some strengthening of these links.

(d) Helicopter overflights

The Prime Minister said that suggestions had appeared in the press that the British security forces should have the right of hot pursuit into the Republic. There was a misunderstanding about this. What the British Government would like to propose was that British helicopters should have standing authority to overfly the Republic to a depth of 10-15 kilometers in order to look for terrorists. We were not proposing that British troops or police should cross the border on the ground, but a measure of the kind she had described would do much to stop the PIRA thinking that they had a safe haven across the border. It might be possible for information from the helicopters to be transmitted direct to the Garda and the Irish army, instead of relaying it to them via the RUC: this might save a good deal of time.

Mr. Lynch said that it very rarely happened that the British security forces pursued suspected terrorists to the border and then saw them escape. As regards the overflight of helicopters, the Irish authorities already gave automatic approval for advance requests for permission for British helicopters to overfly Irish territory, even though this was a politically sensitive matter. He would consider the Prime Minister's proposal to see whether it would be effective in its operation.

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(e) Co-operation between the British and Irish armies

The Prime Minister said that there would be much to be gained if there was co-operation between the armies of the two countries on the border to match the co-operation between the RUC and the Garda.

Mr. Lynch said that he thought that there might be difficulties about this proposal. The Irish army operated in the Republic in aid of the civil power and they worked through the Garda. In any case, he understood that the RUC were sensitive about direct co-operation between the two armies and that they preferred to be the sole channel between the security forces on either side of the border.

The Prime Minister said that it was important that there should be a very early follow-up to the proposals which she had put to Mr. Lynch and which he had agreed to consider. She therefore suggested that the Secretary of State for Northern Ireland should meet the Irish Minister for Justice, Mr. Collins, together with the RUC Chief Constable and the Garda Commissioner, in the next two to three weeks to monitor progress. Mr. Lynch said that he saw the Irish Minister for Foreign Affairs, Mr. O'Kennedy, as the main counterpart of the Secretary of State for Northern Ireland, though it was often desirable for Mr. Collins to be present when Mr. O'Kennedy and Mr. Atkins met. There was a risk that if only Mr. Collins saw the Secretary of State this would be interpreted in the Republic that the Irish Government was accepting that its security arrangements were in some way deficient. He was, however, ready to agree that there should be an early meeting between the Secretary of State, Mr. O'Kennedy and Mr. Collins.

Mr. Lynch went on to say that there were two further practical steps which he thought would help to improve the security situation. First, the British security forces frequently described the PIRA as highly professional and its weapons as sophisticated. Such epithets only enhanced the IRA's image in certain quarters and even helped them to recruit new members. There was much to be said for not using such terms and instead for playing down the PIRA's capabilities. Second, the British security authorities persistently complained publicly about what they saw as Irish ineptitude in dealing with the PIRA. Such

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criticism was counter-productive and should be stopped. The Prime Minister said that she agreed that we should not boost the PIRA's morale unnecessarily and she would draw the attention of the Secretary of State for Northern Ireland to what Mr. Lynch had said about the terms in which the PIRA was described.

The Prime Minister said that she would like to bring to Mr. Lynch's notice an interview by a Mr. Peter McMullen, a former member of the PIRA, which was reported in today's Daily Mail and Daily Mirror. McMullen had given details of how shipments of arms for the IRA were moved from the United States through the Republic and into Northern Ireland. She did not know how much truth there was in McMullen's allegations. The British Government was doing all it could to prevent arms reaching the PIRA in Northern Ireland and she assumed that the Irish Government was doing the same. Mr. Lynch said that it was possible that the PIRA brought arms into the Republic in containers, but container traffic was so substantial that it could not all be checked by the customs and so some arms might get through.

The Prime Minister said that the British Government would continue to strain to find a political solution to the Northern Ireland problem. But we had no rabbits ready to pull out of our hat, and given how long the problem had existed, this was not surprising. It would help enormously if people would stop talking about the total unity of Ireland. A majority of the population of the Six Counties had voted to remain part of the UK. There was nothing she could do about yesterday: she was concerned with practical steps for tomorrow. In any case it was out of the question that a political solution could be found that would satisfy the terrorists who were as much dedicated to the destruction of the Republic's existing forms of government as to the overthrow of Northern Ireland's political structure. She hoped that as the British Government explored the possibilities for political movement in Northern Ireland, Mr. Lynch would exert positively any influence he had with the local political parties. When we were ready to come forward with a political initiative, we would wish to discuss it with him.

Mr. Lynch said that he knew full well the difficulty of producing an initiative at any time that would gain the support of both communities in Northern Ireland. That difficulty was perhaps even greater at the moment than it had been in the recent past. Nonetheless, he believed that the cause of the present situation in Northern Ireland had to be tackled, and this required a political solution. He believed that the two Governments should work together if the British initiative

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when it was ready, was not to fail.

The Prime Minister proposed that at the plenary meeting she should summarise the proposals that she had put forward and that Mr. Lynch should describe briefly his reactions. The meeting might then usefully consider how the proposals should be followed up. This was all-important since both Governments would be judged publicly by what they did about improving their ability to fight terrorism and not by what they said. Mr. Lynch agreed with the Prime Minister's proposals for handling the plenary meeting. He did not believe the details of the measures to be taken to improve security should be disclosed in public, and this was the line that he intended to take at the press conference he was holding later that day. The Prime Minister said that it would nonetheless be necessary to make clear that concrete action was being taken.

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5 September 1979

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