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10 DOWNING STREET

*From the Private Secretary*

28 October 1984

Anglo-Irish Talks

The Prime Minister has noted the Secretary of State for Northern Ireland's note of 26 October on his talks with the Irish Ministers of Foreign Affairs and Justice and also the more detailed records enclosed with your letter of the same date. She has not otherwise commented on them.

I am copying this letter to Len Appleyard (Foreign and Commonwealth Office) and to Sir Robert Armstrong.

Charles Powell

Graham Sandiford Esq  
Northern Ireland Office.

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From: THE PRIVATE SECRETARY

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NORTHERN IRELAND OFFICE

WHITEHALL

LONDON SW1A 2AZ

Charles Powell Esq  
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LONDON SW1

*M* 26 October 1984

Prime Minister

Dear Charles,

CDP  
26/10

ANGLO-IRISH DISCUSSIONS

- ... Attached is a record by the Secretary of State of his discussion at dinner on 25 October with the Irish Minister for Foreign Affairs and the Irish Minister of Justice. Also attached is a note by Robert Andrew of the discussion which he and HM Ambassador had at a separate dinner on the same evening with Mr Donlon and Mr Lillis of the Department of Foreign Affairs. These discussions over dinner followed a more limited discussion on matters of only departmental interest which the Secretary of State and the Irish Minister for Foreign Affairs had with a larger group of officials in the afternoon.

Copies of this letter and enclosures go for information to Len Appleyard and Sir Robert Armstrong.

Yours sincerely,

Graham Sandiford

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RECORD OF DISCUSSION AT DINNER ON 25 OCTOBER BETWEEN  
MR PETER BARRY, MR MICHAEL NOONAN AND MR DOUGLAS HURD

Security Co-operation

1. I raised this by saying that my strong impression was that whereas co-operation between the RUC and the Garda was good at junior levels, it became more and more difficult as one went up the scale. It seemed to me important to find a way of making sure that the two Forces worked together effectively at all levels. Mr Noonan reacted quite sharply. He said that the machinery for co-operation existed and was used. Superintendents along the border met regularly, and a planned meeting of Chief Superintendents had just been postponed at the request of the RUC. It was perfectly true that the Chief Constable and Commissioner Wren were not on terms. Wren believed that the Chief Constable had let him down badly over the case where the RUC was alleged to have connived at suppressing a witness wanted by the Garda. However this personal difference could be overcome by Noonan lifting the telephone and ordering Wren to meet Sir J Hermon. The real difficulty was different. Inevitably the Garda listened to the criticisms of the RUC voiced for example by the Taoiseach. Some of them were reluctant to co-operate with a Force which appeared to have a shoot to kill policy and which was resented by the Catholic minority. In addition the RUC was insecure; for example a leak in a current case which had cost the Garda a valuable intelligence source could be attributed to the RUC. There was no similar difficulties in co-operation between the Garda and the Metropolitan Police Special Branch. I answered these points as Mr Noonan made them.

Home-made Explosives

2. I said that it was clear to me that the most important single blow which we could deliver to the IRA would be to bring to an end their ability to make home-made explosives. Mr Noonan then

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explained to Mr Barry the nature of the problem and of the options put forward in the paper which we handed several weeks ago to officials of the Ministry of Justice. Mr Noonan said that the Irish had to think of their farms and of their fertiliser factory. He thought the least stringent option was the only one which they might agree to, but wondered if the inconvenience which this would cause to the IRA was enough to make it worthwhile. I said I hoped that in the light of recent happenings people would be prepared to take unpalatable decisions about this and I hoped that the official discussions would move forward as rapidly as possible.

#### Extradition

3. We discussed the McGlinchey case, which had also been covered in the official talks earlier in the evening. Mr Noonan was well aware not only that McGlinchey might be acquitted from lack of evidence but also that there might even be difficulty in getting him back to the Republic to face charges there because of the views of the Chief Justice of Northern Ireland. He was also concerned that we might be asking for Downey on a warrant even though we might not have evidence enough to convict him. If people handed over to us by the Irish Courts were then not convicted in Northern Ireland and British Courts, then it was certain that Irish Courts would stop extraditing. We ought to make more use of the 1976 legislation which allowed the Republic to try offences committed in the UK and vice versa.

#### Political Talks

4. We had a long discussion about the prospects for the Summit and the Armstrong/Nally approach. Mr Barry repeated the analysis which he had already given me when we first met about the alienation of the minority. Unless we could find an answer which showed that the minority could effectively rely on Dublin to speak and act on their behalf then they would turn to Sinn Fein and the SDLP would be swallowed up. I said that I thought that too much talk of alienation did harm and went beyond the facts. It gave

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Mr Barry more room for manoeuvre but it reduced my own, because of the strong Unionist reaction. As he knew, we were prepared to consider a joint security commission and an Irish Resident in Belfast. Security co-operation was needed anyway and a joint commission would enable the Irish to discuss with us on the spot all the minor complaints eg about border roads which they now took up through the diplomatic channel. It would be difficult for the Unionists to object to this development of security co-operation since they were always criticising the Republic for not co-operating enough. That was the political advantage of putting security at the front of any package. Mr Barry said that we concentrated too much on security. He asked whether a joint security commission would be advisory and I confirmed that it would. He said that in that case it would be regarded simply as a means of giving the British some sort of Irish camouflage for a British security policy. The Irish would be criticised by the SDLP and by Mr Haughey for a thoroughly bad deal.

5. The two Ministers emphasised the great risks which they personally, and their party, were taking in floating a referendum on Articles 2 and 3. I said that we fully realised this; it would be an act of great courage. They confirmed that Mr Haughey would be certain to oppose. I said the difficulty was that in my judgement even if the referendum succeeded the Unionists would not feel that a great concession had been made. They would argue that Articles 2 and 3 had always been an aspiration anyway and that in return for a purely verbal change the British had given the Irish Government a real say in the government. I did not believe that it was possible to restructure the RUC as the Irish wanted though I accepted that the RUC had to make strenuous efforts to show it was policing in the interests of the whole community. Nor would it be possible in my judgement to abolish the UDR. It was very important that the Irish should understand the strong attachment to both these institutions in the Province.

#### The Summit

6. Both Ministers were clearly anxious that this should proceed and neither now expected that it would produce a definite agreement.

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We did not discuss in any detail how the November Summit should conclude. Barry said he thought there should be more frequent Anglo-Irish Summits so that each one would be accepted more or less as a matter of routine and expectations were not raised. They both still hoped that an agreement could be reached before the local elections in the Spring, since they believed that the Sinn Fein despite their recent announcements might return to the idea of a massive effort to overtake the SDLP vote.

Procedures

7. I said that there were many matters of common concern to the NIO and the Ministry of Justice; how should these be handled? Mr Noonan said that there was good co-operation between officials and this caused him no difficulty. It was very difficult for him to meet the Secretary of State in any official way and he hoped that at the Ministerial level I would normally use Mr Barry as a channel.

*Graham Sandford.*

26 October 1984

D.H.

(Approved by the Secretary of State and signed in his absence)

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**PERSONAL**CONVERSATION WITH IRISH OFFICIALS - 25 OCTOBER 1984

Following the Secretary of State for Northern Ireland's meeting with the Irish Minister for Foreign Affairs in Dublin on 25 October, HM Ambassador, Mr Goodison, and I had dinner with Mr Sean Donlon and Mr Michael Lillis of the Department of Foreign Affairs. The conversation was devoted largely to the progress of the Armstrong/Nally initiative.

At the outset I sought to reduce the expectations which seemed to have been building up on the Irish side as we approach the Summit. I said it appeared from reports of the latest round of official discussions, in which my colleagues from the Northern Ireland Office had participated, that there was a considerable gap between what the Irish were asking for and what the British might be ready to offer. It had perhaps been salutary to get down to more practical and detailed discussion of what might be done in the policing and judicial fields since this had demonstrated some of the difficulties inherent in the current proposals; but I hoped that there was no failure of communication between the two sides. Although we had repeatedly emphasised that we were only talking about a consultative role for the Dublin Government, the latest Irish proposals seemed to go further than this, while there was evidently still a desire to restructure the RUC which was not acceptable to us on either practical or political grounds. Even if agreement could eventually be reached on the substance of a package, I thought that the timescale envisaged by the Irish was unrealistic and I saw little chance of any agreement being reached and put into effect before the local elections in May 1985. Some of the speeches recently made on the Irish side (eg by Mr Barry at the BIA Conference in Cambridge) had encouraged exaggerated expectations. I hoped that the Irish side were not building unreasonable expectations on the November Summit, at which I did not think that dramatic progress was likely.

Lillis replied that it was not so much a question of expectations as of the needs of the situation, which required urgent action

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if the forces of constitutional nationalism were not to be defeated in the North, with the most serious consequences in the South as well as the North. The Irish had been disappointed by the attitude shown by the British team in the talks on 15-16 October. Both Donlon and Lillis emphasised the importance of the step which the Irish Government was proposing to take in seeking to amend the constitution (which could put its very existence at risk) and stressed that it was necessary for the British response to be of comparable magnitude. What the British seemed now to be offering would not, in their view, be enough. There was much talk on familiar lines about the alienation of the minority in the North and the need to support the SDLP to stop the progress of Sinn Fein. Lillis also developed the argument that there was much uncertainty among Unionists about British intentions and that they would welcome a joint (ie Anglo-Irish) guarantee of their future constitutional status.

I replied that we in the Northern Ireland Office were bound to look at any package from the point of view of whether it would facilitate the government of the North by helping to secure the support of the minority, and whether it would contribute to dealing with the security problem. I recognised that the Irish were contemplating a very large step; but even if they were able to deliver a constitutional change, I was not sure how much ice this would cut with the Unionists if the territorial claim was simply replaced by an aspiration; Unionists would say that the claim had never been more than an aspiration anyway. The involvement of the Dublin Government as of right in the affairs of the North would also be a major step; but I was not sure how much impact the sort of proposals now under consideration would have on nationalist opinion. They would certainly do nothing to change the views of hard-line PIRA and Sinn Fein supporters. Among SDLP members and potential members, Hume was putting all his money on the Irish dimension, but there might be others who would prefer a more direct involvement in the government of the North. In any event, from our point of view the search for an acceptable form of government in the North must be a key element in any package. Any political settlement

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would probably make the security situation worse initially, and we should have to satisfy ourselves that in the longer term it was likely to lead to an improvement by reducing the alienation of the minority, which certainly existed although it was often exaggerated.

In discussing the ability of the Irish Government to deliver a constitutional change, Lillis repeated the line he has taken before to the effect that if the SDLP supported a package devised by the two governments this would cut the ground from under Mr Haughey and the Taoiseach could win a referendum. Donlon appeared less certain; he seemed to think that Haughey would be bound to oppose the Government; that "all the wounds of the civil war would be re-opened"; and that the outcome was in doubt. I must say that his reading of the situation seems to me the more plausible, especially in the light of recent opinion polls.

Donlon went on to say that if the gap between our two positions was as wide as I had suggested, there must be a possibility that the present initiative would come to nothing. Had we thought what we would do then? I commented that I still hoped that it would be possible to reach agreement and that we should certainly continue to try. If we could not devise an acceptable package, one result would probably be that the SDLP would not take part in any form of devolved government in the North, in which case we would presumably have to continue with Direct Rule. Speaking personally, I thought that in that event we might seek to buttress Direct Rule, first with a number of measures which might be taken within Northern Ireland to reassure the minority community, and secondly with an Irish dimension on a reduced scale which might consist of consultation and co-operation in the security field, which was the area least objectionable to the Unionists. Donlon and Lillis made little comment of substance on these ideas, but I think they registered the possibility that if the present initiative foundered both sides might have to lower their sights.

After dinner I spoke to Lillis about the Forum Report. I referred to the recent statements by Irish Ministers to the effect that they

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were waiting impatiently for a British response. What precisely did they want? Surely if the Armstrong/Nally talks produced an acceptable package this would be a response? It would hardly be helpful if at this stage the British published a detailed commentary on the report, which would have to criticise numerous features and reject all the three constitutional models. Lillis agreed with this. Because the Irish had invested heavily in the Forum and had indicated that they wanted the British to respond, it was difficult for Irish Ministers not to refer to the need for a considered British reply; but he recognised that such requests could be embarrassing for us and counter-productive. He would see if any future Irish statements could follow the Taoiseach's line about it being more important to get the right answer, rather than Mr Barry's more insistent demands for an early response.

Lillis went on to repeat the suggestion that the British Government could at least respond to the realities set out in the Forum Report with a list of British realities, so that the two could be combined in an agreed statement of principles. He wondered whether this at least could be done at the forthcoming Summit. I pointed out that Mr Prior in his speech on 2 July had already stated 5 British realities. It might be that some statement of principles could be devised as a framework for continuing work by officials; but we were more interested in practical measures. However, some form of communique would presumably have to be issued after the Summit and this was no doubt something which would be addressed at the next round of Armstrong/Nally talks.

NORTHERN IRELAND OFFICE

26 October 1984

  
R J ANDREW**SECRET PERSONAL**