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DESKBY 241700Z  
FM DUBLIN 241540Z JUN 85  
TO IMMEDIATE FCO  
TELEGRAM NUMBER 400 OF 24 JUNE 1985

FOLLOWING PERSONAL FOR CLARK RID

YOUR TELS NOS 139 AND 140: NI POLICE AUTHORITY

1. THE TAOISEACH CAME AT 1300 ON 24 JUNE TO THE DFA, WHERE GOODALL AND I HAD BEEN ON OTHER BUSINESS, AND SAW US BOTH WITH LILLIS.

2. I SPOKE IN FULL AS INSTRUCTED, AND HANDED OVER THE TEXT OF YOUR TELNO 140. I STRESSED THAT WE COULD HARDLY HAVE INTRODUCED EMERGENCY LEGISLATION WITHOUT REFERENCE TO THE AGREEMENT, WHICH WOULD HAVE PUT ITS PROSPECTS IN DANGER. I EMPHASISED THE SUBSTANTIAL REPRESENTATION OF THE MINORITY WHICH WAS IN ANY CASE ENVISAGED. I MADE THE POINTS IN PARA 7 OF TUR WITH PARTICULAR CARE.

3. DR FITZGERALD SAID THAT WHAT I HAD SAID WAS VERY DISTURBING. HE UNDERSTOOD THE REASONS FOR THE BRITISH DECISION BUT IT WAS DIFFICULT TO SEE HOW IT COULD BE PRESENTED AS ANYTHING OTHER THAN A SLAP IN THE FACE. HE DID NOT SEE HOW HE COULD EXPLAIN IT. I SAID THAT SINCE THE TEXT OF THE AGREEMENT WAS NOT KNOWN THERE WAS NO REASON WHY THE PUBLIC SHOULD EXPECT ANY COMMENT FROM THE IRISH GOVERNMENT ON THE COMPOSITION OF THE POLICE AUTHORITY. DR FITZGERALD SAID HE WAS MEETING THE WHOLE IRISH CABINET ON 25 JUNE TO DISCUSS OUR RELATIONS (AS FORECAST IN PARA 1 OF MY TELNO 349). SOME WERE VERY SCEPTICAL OF OUR INTENTIONS AND WOULD FIND EVIDENCE IN THIS MATTER TO SUPPORT THEIR VIEWS.

4. HE WAS ALSO CONCERNED ABOUT THE REACTIONS OF THE SDLP LEADERS WHO WERE, OF COURSE, AWARE OF THE REFERENCE TO THE AUTHORITY IN THE DRAFT AGREEMENT. HUME'S PRIMARY POLITICAL PREOCCUPATION WAS WITH THE FUTURE CONTROL OF THE POLICE, AND HE ATTACHED DISPROPORTIONATE IMPORTANCE TO THESE ISSUES. HE WAS CONCERNED NOT TO DESTABILIZE HUME, WHO WAS HAVING DIFFICULTY WITH HIS COLLEAGUES. I POINTED OUT THAT THE AUTHORITY HAD NO OPERATIONAL CONTROL. LILLIS OBSERVED THAT THE COMPOSITION OF THE AUTHORITY WAS NOT A TOPIC OF WIDE INTEREST IN NORTHERN IRELAND.

5. DR FITZGERALD SAID THAT HE THOUGHT THAT THE DIFFICULTIES OVER THE POLICE AUTHORITY WOULD BE ALLEVIATED IF IT WERE TO BE ANNOUNCED AT THE TIME OF SIGNATURE OF THE AGREEMENT THAT STEPS WOULD BE TAKEN TO RECONSTITUTE IT IN CONSULTATION WITH THE IRISH GOVERNMENT AND IF HE COULD NOW TELL HUME THIS WOULD BE DONE. I SAID THAT PARA 7 OF MY SPEAKING NOTE MADE IT CLEAR THAT THE

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IRISH WOULD BE FREE TO MAKE PROPOSALS OF THIS KIND AFTER SIGNATURE OF THE AGREEMENT, BUT THERE WAS NOTHING WHICH WOULD AUTHORIZE HIM TO SPEAK TO THE SDLP AS HE PROPOSED. GOODALL SAID HE DID NOT THINK BRITISH MINISTERS WOULD BE LIKELY TO FAVOUR SUCH AN ANNOUNCEMENT. DR FITZGERALD PRESSED ME TO REPORT THIS PROPOSAL TO HMG.

6. DR FITZGERALD SAID IT WOULD BE VERY HELPFUL IF HE COULD BE GIVEN IN ADVANCE THE NAMES OF THOSE WHOM IT WAS PROPOSED TO APPOINT TO THE NEW AUTHORITY. I HOPE THIS CAN BE DONE.

7. HE IS ALSO ANXIOUS TO KNOW WHEN THE APPOINTMENTS WILL BE ANNOUNCED.

8. LILLIS POINTED OUT THAT THE PROPOSALS FOR CHANGING THE PROCEDURE OVER POLICE COMPLAINTS NOW UNDER DISCUSSION ALSO RELATE TO THE AUTHORITY. IT WOULD BE VERY HELPFUL IF, WHEN THE APPOINTMENTS WERE ANNOUNCED, THE NIO COULD SAY THAT IT WILL OBVIOUSLY BE NECESSARY TO REVIEW THE FUNCTIONS OF THE AUTHORITY IN THE LIGHT OF LATER DECISIONS ABOUT THE POLICE COMPLAINTS PROCEDURE. (I ASKED IF THE IRISH WERE GOING TO OFFER OBSERVATIONS ON THE COMPLAINTS PROCEDURE. HE SAID THEY DID NOT THINK IT APPROPRIATE TO DO SO BEFORE SIGNATURE OF THE AGREEMENT BUT THEY BELIEVED WE WERE NOT INTENDING TO INTRODUCE NEW MEASURES BEFORE THE AUTUMN REASSEMBLY OF PARLIAMENT. DR FITZGERALD SAID THEY WOULD NEED TO HAVE THEIR COMMENTS READY AS SOON AS SIGNATURE HAD TAKEN PLACE).

GOODISON

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HD RID  
PS  
PS/PUS  
MR GOODALL

COPIES TO:

SIR R ARMSTRONG, CABOFF  
MR MALLABY " "  
PS/SOS NIO  
MR BRENNAN "  
MR ANDREWS "  
MR LYON "  
MR POWELL NO 10 DST

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DESKBY 241700Z  
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FOLLOWING PERSONAL FOR CLARK RID

MIPT: DISCUSSION WITH THE TAOISEACH

1. WE WENT OVER THE GROUND SEVERAL TIMES AND GOODALL STRESSED THE DIFFICULTY FOR BRITISH MINISTERS, IN THE LIGHT OF THEIR STATUTORY OBLIGATIONS, OF TAKING ANY ACTION IN THE LIGHT OF AN AGREEMENT WHICH HAD NOT BEEN SIGNED. WE WERE BOTH CONCERNED TO STRESS THE IMPORTANCE WHICH HMG NEVERTHELESS ATTACHED TO THIS AGREEMENT. I MADE THE POINT THAT BECAUSE IT SEEMED SO IMPORTANT TO OUR MINISTERS THEY WERE LESS CONVINCED OF THE NEED FOR ASSOCIATED MEASURES IN ADDITION. DR FITZGERALD SAID THAT IT WAS NOT A MATTER OF THE NEEDS OF THE IRISH GOVERNMENT BUT A QUESTION OF HOW TO PERSUADE THE MINORITY COMMUNITY IN THE NORTH TO SUPPORT THE AGREEMENT. HE FELT THAT WE WERE NOT SUFFICIENTLY AWARE OF THE DEGREE OF CYNICISM AMONG THE MINORITY COMMUNITY ABOUT BRITISH INTENTIONS. WE HAD TO CONVINCED THEM IN ONE LEAP, OTHERWISE THE AGREEMENT WOULD FAIL.

2. IN THIS CONNECTION, DR FITZGERALD SAID HE WAS DISTURBED THAT DESPITE THE INTRODUCTION OF A CODE OF CONDUCT FOR THE RUC IT WAS INTENDED TO CONTINUE THE PRACTICE OF REQUIRING AN OATH OF ALLEGIANCE TO THE QUEEN FROM NEW RECRUITS. HE CONSIDERED THAT THE OATH SHOULD BE TO THE TWO COMMUNITIES OF NORTHERN IRELAND. WE REMINDED HIM THAT WE HAD TO OBTAIN THE AQUIESCENCE OF THE UNIONISTS TO THE AGREEMENT AND THAT DISMANTLING THE OATH WOULD VERY GREATLY DAMAGE THEIR CONFIDENCE.

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3. HE SEIZED ON THE STATEMENT IN PARA 2 OF THE SPEAKING NOTE THAT THE AUTHORITY WAS RESPONSIBLE FOR APPOINTING SENIOR OFFICERS, INCLUDING THE CHIEF CONSTABLE OF THE RUC, BUT ONLY WITH THE APPROVAL OF THE SECRETARY OF STATE FOR NORTHERN IRELAND. HE SAID THAT HIS GOVERNMENT HAD BEEN ASSURED THAT THE SECRETARY OF STATE WAS NOT RESPONSIBLE FOR THE APPOINTMENT OF D A C C CUSHLEY (WHOM HE DESCRIBED BUT DID NOT NAME). THEY HAD BEEN SERIOUSLY MISLED IF WHAT I HAD SAID WAS TRUE. THERE WAS THEN SOME CONFUSED DISCUSSION ABOUT WHAT ASSURANCES THEY HAD ACTUALLY RECEIVED. LILLIS SAID THAT THE SECRETARY OF STATE FOR NORTHERN IRELAND HAD SPOKEN TO MR BARRY. I SAID I KNEW NOTHING OF THIS. DR FITZGERALD ASKED ME TO FIND OUT WHETHER OR NOT THE SECRETARY OF STATE WAS RESPONSIBLE. GRATEFUL FOR INSTRUCTIONS.

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