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An Uimhir

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ANGLO IRISH SECTION  
WEEKLY BRIEF  
WEEK ENDING 06/04/90

Cuireadh chun

Dáta

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SECRET

ANGLO-IRISH SECTION

WEEKLY BRIEF

WEEK ENDING 6th APRIL 1990

## C O N T E N T S

1. Reports from Anglo-Irish Secretariat
  - Faxes and report from Joint Secretary on Secretary of State's request for a meeting with the Minister and call on the Taoiseach
  - Note and Preliminary Draft Agenda - Conference 19 April
  - New initiative in West and North Belfast
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cc PST; PSH  
Mr Nally; PEE  
Mr Nally; Mr/Taoiseach  
Councillor/A1  
JOK

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8/2

(Reference attached)

Immediate

Secure Fax: 008

To: H.Q.  
For: A/Sec. Gallagher

From: Belfast  
From: Joint Secretary

I spoke with Mr. Alston today about Mr. Brooke's request for a meeting with the Minister and courtesy call on the Taoiseach. We had a further meeting after my message had been considered at an internal briefing session at the NIO.

I said that both visits had been agreed in principle but, as he knew, we had encountered serious difficulties in finding a date and time which would suit both the Taoiseach and the Minister, granted especially that both had extremely onerous travel commitments arising from the EC Presidency. I said that a meeting with the Minister only would be possible, but we had to respond with regret that it would not be possible to suggest a date on or near the proposed date of 5 April when Mr. Brooke might visit Dublin to meet the Minister and pay a courtesy call on the Taoiseach.

Mr. Alston said he would give me a response tomorrow as to what his side would now wish to propose but he wanted to give me the following general response following discussion by officials this afternoon:

- The British side would not wish me to hide from Dublin their very strong disappointment that we had not been able to give a positive reply. While the practical difficulties of arranging a meeting and courtesy call were appreciated, the fact was that it had "taken three weeks to get nowhere" since the Secretary of State had written to the Minister on 12 March. In that letter Mr Brooke had expressed his considered judgement that he was bound to take the opportunity which now existed to facilitate political progress since expectations had been encouraged

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8/3

in large part by statements by both Governments, including the major statements by the Taoiseach in November and January; and Mr. Brooke had added his strong personal belief that there was a real prospect of (political) movement and that time was slipping past. Mr. Alston said that if the Anglo-Irish Agreement meant anything, it meant that the two Governments should work closely together in this area (i.e. prospects for political progress). We had known that Mr. Brooke had to speak to us before he could meet the parties again. The negative response I had given meant that this would not be possible before the Conference of 19 April (which the British side had hoped would mark the start of the "gap"); and the delay itself had meant that 60% of the window of opportunity was now gone. Surely time could have been found to consider so important a matter. Officials were wondering whether, "diary problems or no diary problems, the Taoiseach really wished to see Mr. Brooke".

In response to Mr. Alston, I drew attention again to the fact that the meeting and courtesy call had been agreed in principle, that a meeting with the Minister could have been, and could still be arranged notwithstanding his extremely heavy travel schedule, but that it had proved impossible, despite our very best efforts, to arrange a date and time which would accommodate Mr. Brooke's desire for an informal Ministerial meeting and a courtesy call on the Taoiseach. I could not accept that any other view should be taken ~~of~~ of our response; and I made the point that a call on the Taoiseach had been agreed in principle although such agreement had not been, and could not have been, assumed.

#### Comment

Mr. Alston expressed his remarks in his usual courteous and quiet way but, as you will yourself see from their intemperate content, there is no doubt but that senior officials at the NIO are angry and upset and that they wish this to be known in Dublin.

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The internal briefing this afternoon seems to have involved officials only and it remains to be seen what personal view Mr. Brooke will take. I would anticipate that he will seek to contact the Minister and would recommend that the Minister might take the initiative and telephone or send Mr Brooke a message referring to his letter of 12 March, regretting that it has not proved possible to agree the request made through the Secretariat for a meeting and courtesy call on the Taoiseach and indicating his own availability (8 April?) for a meeting if Mr. Brooke wishes to take up that option before the Conference of 19 April.



cc PST ; PJG  
M. N. M. : PST  
M. M. M. ; M. R. R.  
C. C. C.

009/2

Immediate

Secure Fax: 009

To: H.Q.  
For: A/Sec. Gallagher

From: Belfast  
From: Joint Secretary

Further to my phone call. Thank you for your secure fax 008 in reply to mine concerning Mr. Brooke's request for a meeting with the Minister and a courtesy call on the Taoiseach.

Mr. Alston came to see me late this morning following a discussion with the Secretary of State. Mr. Collins and Mr. Dodds (British Deputy Joint Secretary) joined us for the meeting. Mr. Alston said that, having considered the position, the Secretary of State would like to pursue the possibility of a meeting with the Minister this week and asked whether Thursday afternoon, 5 April would be possible for the Minister.

I said I would enquire immediately whether this would be possible or whether we could propose another time in the near future. Grateful if you could let me have our response. The Secretary of State will have to alter some commitments if Thursday afternoon is agreed and has asked, therefore, for a reply today.

In speaking to Mr. Alston, I noted that - as we had conveyed earlier this morning - the Minister had wished to speak to Mr. Brooke by telephone on his arrival back in Dublin on Thursday morning in light of the fact that it had not been possible to arrange the dual meetings requested by the British side. I told Mr. Alston that, as he had asked, I had not concealed the reaction of NIO officials to the response which we had given yesterday and had indeed reported it fully, although drawing attention to the care and courtesy with which he personally had addressed the matter. I said we had found the content of the reaction intemperate and the inference that the Taoiseach might not have really wished to see Mr. Brooke wrongly drawn, unjustified and offensive, particularly as we had conveyed

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agreement in principal to the request for a courtesy call on the Taoiseach. We had repeatedly drawn attention to the commitments of both the Taoiseach and the Minister, especially the very heavy commitments arising from the EC Presidency; we had made our best efforts to arrange a date and time for dual meetings in good faith; and we could not accept any inference by officials that we had been using diary problems to delay a meeting.

BÉAL FEIRSTE

BELFAST

CONFIDENTIAL

5 April 1990

Mr. Dermot Gallagher  
Assistant Secretary  
Anglo-Irish Division  
Department of Foreign Affairs

1. ec *DSS*  
*Gallagher A1*  
Box.  
2. *Mh 70: Carr u*

Dear Assistant Secretary

As a courtesy call on the Taoiseach and a meeting with the Minister have now been arranged for Mr. Brooke on Friday morning in Dublin, I thought I would let you have the following thoughts on the British position. We will be communicating separately the details of travel arrangements.

Reason for Mr. Brooke's request for a political meeting

You will recall that at the end of our difficult meeting with British officials in Dublin on 7 March, when we indicated a firmly negative, although not absolutely final, reaction to the British proposals for political talks between the Northern Ireland political parties and the two governments, the British side said that Mr. Brooke would wish to have a meeting with the Minister and possibly also with the Taoiseach. Mr. Brooke subsequently wrote a letter to the Minister on 12 March saying that in his considered judgement he was bound to take the opportunity which he thought now existed to facilitate political progress since expectations had been encouraged by statements by both governments including the major statements by the Taoiseach in November and January and adding in a personal manuscript his strong personal belief that there was a real prospect of movement and that time was slipping past. Proposals were made to us for meetings with the Minister and Taoiseach in Dublin on or about 14 March or on the St. Patrick's Day weekend. When it became clear that it would not be possible and that the Minister would be away until 5 April, the British side then proposed a meeting and courtesy call on or near that date.

Unionist position

Since the Anglo-Irish Conference of 2 March it has become increasingly clear to us that our doubts about the unionist position and, in particular about the real views of Dr. Paisley and Mr. Molyneaux, were well-founded. The recent Supreme Court judgements in the McGimpsey case and in the extradition case of Finnuccane and Clarke have had an impact on unionist views; and

Mr. Molyneux has taken the opportunity to add the amendment of Articles 2 and 3 of the Constitution (news report attached) as a further condition for any possible agreement with nationalists, thus confirming further our view of his negative attitude to Mr. Brooke's efforts.

#### British position

The British position as presented by the British Joint Secretary and other senior members of the NIO has, nonetheless, remained insistently optimistic (although we have heard pessimistic views from more junior officials). They say that Mr. Brooke is not yet at the end of the road, that he may yet succeed in arranging talks if the momentum is maintained (the meetings tomorrow are very important to the British in this respect) and that he has received signals from the DUP and from within the UUP encouraging him not to give up.

The British side recognise the impact of McGimpsey but believe it is being used as a delaying tactic by Molyneux whom they see as someone who will have to be - but can be - eventually manoeuvred into talks. They are thinking of a public re-statement of Article 1 of the Agreement by both Governments after the next Conference as a way of dealing with this problem.

#### Mr Brooke's personal views

Although the Deputy Secretary at the NIO, Ian Burns, appears as the architect and engineer of the British initiative (a word Mr. Brooke avoids), we should not, I think, conclude that Mr. Brooke is in any sense being led by the nose. It appears to me from conversation with the Secretary of State as well as his officials that he has a strong personal feeling that Northern Ireland is being governed undemocratically and without adequate accountability. He is careful not to express his views in any apocalyptic way, e.g., to forecast a more serious security situation if new political institutions allowing for greater democracy and accountability are not set up; but he does take the view that the present situation is unsatisfactory in itself and that a devolutionary arrangement is the only practical way forward.

The attached extract from an article written by Mr. Brooke for the House Magazine (a magazine of the House of Commons, 5 March) gives a good idea of his own position.

Mr. Brooke says he has "detected" (his choice of word) substantial interest in devolution. He is keen to avoid the use of the word "devolution" because of its association with past failures but he accepts it privately as shorthand for the greater democracy and accountability which he believes people want. He thinks this interest is substantial enough to overcome countervailing forces or inertia; he believes strongly that he has a duty at least to try to rescue the political scene from "lethargy" and to give younger politicians a chance of power; and he is apt to emphasise, in response to our concerns about damage to the Agreement, that failure will be

less risky than the alternative option of doing nothing. In his view, the talks about talks over the last three years have accomplished some progress in terms of the unionist position and he believes that it is possible to go further. If he does not succeed, Mr. Brooke believes he will live to fight another day.

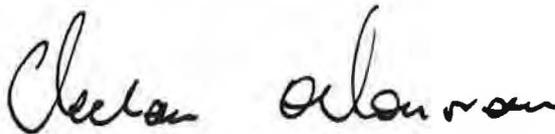
I have been assured that Mr. Brooke has not had any expression of reservations from the Prime Minister or from any of his other principal colleagues, the Foreign Secretary or the Secretary of State for Defence, both of whom are predecessors in the Northern Ireland job. Officials here have noted in particular that there have been "no signs of nervousness" from the Ministry of Defence. (On the other hand, the GOC, Sir John Waters, has expressed pessimistic views to me about the prospects for political progress in the near term.)

Mr. Brooke's officials see him as someone who is not trying to get credit for himself, not just another English politician looking to solve the problem of Northern Ireland in a couple of years, but rather someone of wide views and long perspective who has no hostility to the position of Irish nationalism or, for that matter, to the views of our Government.

In response to my enquiry today, I have been told that Mr. Brooke is not expected to change any elements of the proposals made to us at official level or to spring surprises. In short, he is likely

- to emphasise the importance as he sees it of a devolutionary arrangement in which the two communities in Northern Ireland would work together
- to maintain a fairly optimistic view of the possibility of getting unionists to agree to talks, although this position will be expressed in cautious terms, and
- to ask us to allow him at least the opportunity to "go to the end of the road", i.e., to put his proposals to the political parties and to come to a conclusion as to the likelihood of their forming a basis for talks between the parties and the two Governments.

Yours sincerely



Declan O'Donovan  
Joint Secretary

***Newspaper  
article(s)/cutting(s)  
have not been copied***

29 March 1990

Confidential

Mr. Dermot Gallagher  
 Assistant Secretary  
 Anglo-Irish Division  
 Department of Foreign Affairs

cc PS of  
 Mr. Waffler; RJE  
 Mr. Gallagher; Mr. P...  
 Cullin AI  
 [Signature]

Dear Assistant Secretary

Conference 19 April

We had a preliminary discussion with our opposite numbers today about the next Conference on 19 April.

Venue

Subject to instructions, we are assuming on both sides that the Conference will be in Belfast given that the last two Conferences were in Dublin and London respectively.

Timing

At the British side's request, it is proposed that the Conference be held in the afternoon as Mr. Brooke has a Cabinet that morning.

Preliminary Draft Agenda

I attach a preliminary draft agenda which has been drawn up without commitment.

In the British mind the main issue of course will be the public indication of a "natural gap" if they can persuade us at political level - as they still believe they can - that discussions between the parties and the two Governments should proceed on the basis of the proposals they have made.

Otherwise it is anticipated by both sides of the Secretariat that as usual confidence issues and security co-operation issues will feature on the agenda and that economic/social issues will also be discussed.

Confidence Issues

We have drawn attention in particular to (i) accompaniment, (ii) progress of the Stevens' investigation which, according to

National Archives Act, 1986, Regulations, 1988

ABSTRACTION OF PART(S) OF A RECORD PURSUANT TO REGULATION 8

Form to be completed and inserted in the original record in place of each part abstracted

- (i) Reference number of the separate cover under which the abstracted part has been filed:  
840/3870
- (ii) How many documents have been abstracted: 2 parts of 1 document
- (iii) The date of each such document: 29/03/90
- (iv) The description of each document: Confidential material received during meeting
- (v) Reason(s) why the part has been abstracted for retention: 8(4)(b)(c)

Mary Doyle

Name: Mary Doyle

Grade: CO

Department: *Foreign Affairs*

Date: 07/12/20

the latest information from the British side, is expected to be completed and sent to the Chief Constable during the month of April and (iii) the whole question of inquests in Northern Ireland following the decision of the House of Lords to reverse a decision of the Northern Ireland Appeal Court to compel police witnesses to attend the inquest or shot dead in Armagh in 1982. We have also drawn attention to the specific case of the which the Minister raised at the last Conference.

### Security Co-operation

Mr. Ryan will be reporting further under this heading.

The British side indicated that they would come back to the issues raised at the last Conference. They are also likely to wish to discuss extradition following the Finnucane and Clarke cases and the Carron case if judgement has been given and to raise again the question of the hand-over point.

7  
We said that we might wish to raise the proscription yesterday of the IPLO which was done without advance consultation with us. We have pointed out that the issue has political and security implications and should have been discussed with us under the terms of the Agreement. We have asked for a briefing on the reasons for the decision; so far our attention has simply been drawn to recent incidents for which the IPLO claimed responsibility, notably the death of Mr. McClure.

### Economic Matters

At the last Conference, Ministers charged the Secretariat with the task of carrying forward the Review commitment on widened cross-border economic co-operation. Subject to further instructions, the British preference here is to kick off at a Conference after 19 April with tourism; our preference is for agriculture. It is also proposed to take note of a further discussion with the EC Commission of the joint submission for a cross-border programme under the EC Structural Funds.

### Appointments/Irish Language/"Making Belfast Work"

We have recently submitted a substantial paper on public appointments in Northern Ireland and we have suggested that this would now be a suitable subject for discussion at the Conference. The British think they may not be prepared for

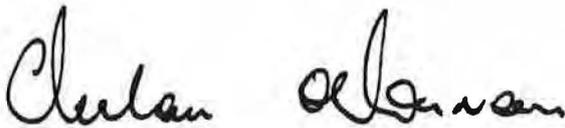
*This has to be decided at political level.*

such a discussion (they have not yet responded substantively to our paper); it is possible that attention will focus instead on the Irish language on which papers have been submitted by both sides or on "Making Belfast Work" on which we have recently submitted a major paper and on which we expect to have a meeting shortly.

The issues of cross-border roads, petrol smuggling and extradition are included in the plenary draft agenda in case Ministers wish to consider them in plenary as well as in the restricted session. We have had a further meeting here on petrol smuggling which has carried the issue no further and we have been telling the British side that the failure to make any progress will now have to be referred to Ministers. The British are anxious about their previous commitments in this matter and may make some move towards us before 19 April.

It was agreed at the restricted session at the last Conference that the question of the re-opening of certain cross-border roads would be discussed initially by the police. We are not aware here if any such discussion has taken place but are conscious that in the view of the RUC at least the matter should be left in the police channel with progress reports as necessary, possibly direct to the Conference by the police chiefs. We would consider that the matter is not wholly a security one and that the relevant officials should consider the final or interim police report when it is ready.

Yours sincerely



Declan O'Donovan  
Joint Secretary

P.S. The British side came back after our meeting to suggest that they would also wish to include on the plenary agenda the paper which we are preparing for publication on the implications of 1992 for the whole island of Ireland.



5 April 1990

Mr. Dermot Gallagher  
Assistant Secretary  
Anglo-Irish Division  
Department of Foreign Affairs

New initiative in West and North Belfast

Dear Assistant Secretary

You will have seen from reports by the Joint Secretary that a new initiative "The Springvale Development Project" was announced by Minister Needham yesterday. The project is focussed on the lands presently occupied by James Mackie and Son, a major employer in West Belfast in textile machinery manufacturing. (I have sent a copy of a Consultative Document on the project to the Department separately).

Mackies manufacturing process is now being relocated to a modernised complex on the Woodvale part of the Mackies holding, that is, north of the Springfield Road. The proposal is that the lands released by Mackies at Springfield and Woodvale be the subject of an early and comprehensive development scheme. There is potential for the creation of a district scale industrial, business and commercial centre. It is also proposed to provide an opportunity to build leisure, recreation and community facilities and it is being suggested that the communication network within the area be improved and that there should be some housing development on some peripheral sites.

The Springvale Project will secure the early and comprehensive development of over 50 hectares of derelict and underutilised land at Springfield/Woodvale - little over a mile due west of Belfast City Centre. The area extends north and south of the Springfield Road and is bisected along its length by the Cloney Water and Forth Rivers. Present land uses in the area are mainly industrial and commercial, with some housing, and some land used for recreation. Derelict and unused land either side of the river has left much of the area in a neglected and unattractive state.

The plan has received almost universal welcome in the media here, especially in the nationalist media.

I have discussed the matter briefly with the British side and asked for a meeting on the issue. In doing so, I stressed the point which is of concern to Dr. Joe Hendron and the SDLP in West and North Belfast, namely, that there should be considerable industrial development on the site with particular emphasis on getting the IDB involved.

Yours sincerely

A handwritten signature in cursive script that reads "Padraic Collins". The signature is written in dark ink and is positioned above the printed name.

Padraic Collins

Meeting between the Minister for Foreign Affairs and  
the Secretary of State for Northern Ireland,  
Dublin, 6th April 1990

OVERVIEW NOTE

Specific British Objective

1. The specific British objective, as at previous meetings, will be to try and secure our agreement on the terms of the three papers handed over at the meeting of officials in Dublin on the 27th February. These papers deal, respectively, with Objectives in Bringing about Talks, Unionist Pre-conditions and the Format for talks.
  
2. Brooke will argue that there is a window of opportunity in the North at present and that this must be seized immediately if progress is to be achieved. Already, the prospects of progress have been damaged by the failure of the two Governments to agree a common position; further delay will almost certainly mean that progress will not be achievable in the next two years due to the imminence of the marching season and, beyond that, the British pre-general election period. In such circumstances, Brooke is concerned (and is also subtly threatening the SDLP and ourselves) that an active drift towards integration could develop.
  
3. Brooke had originally hoped to meet the Unionists (and the SDLP) towards the end of March with a view to conveying to Molyneaux and Paisley the agreement of the two Governments to a "natural" gap (of three months) between two Conference meetings, beginning with the meeting on the 19th April; the British had also intended to say that they (and Dublin) would not seek to contradict any public presentation by the Unionists that the Secretariat would in effect be non-operational during the gap - (to quote the wording in their paper: "the Secretariat would not be serving as a

secretariat to the Conference during a period when there were no Conference meetings"). The attraction of this concession would be reinforced by the British intention, which they would also convey to the Unionists, to assign their head of the Secretariat to service the envisaged inter-party talks - (to quote their paper: "the head of the British side of the Secretariat, who is also responsible for the Political Affairs Division in Belfast, would be actively engaged in any political talks which might take place").

#### Overall British Objective

4. The principal British objective, as set out in their Objectives paper, is "to develop the current signs of increased flexibility and willingness to talk into substantive agreement on ways of devolving powers to local elected representatives on a widely acceptable basis". However, the British also take the view that any talks will inevitably go beyond the confines of internal Northern Ireland arrangements and will also cover the North/South and East/West relationships. They would not completely rule out therefore that the talks might well lead on to a new Agreement.

#### Realism of British Approach?

5. In the past few weeks, there has been a growing sense among commentators that talks are simply not a realistic proposition in the near future. Molyneaux, who had no appetite for talks from the outset, has seized on the Supreme Court judgement in the McGimpsey case as a further pretext to avoid involvement (see paras 10 and 11 below). Paisley's outrageous behaviour in relation to the Taoiseach's attendance at next weeks IOD Conference in Belfast is simply not the posture of a man ready to enter into serious negotiations. And yet the British remain

insistently optimistic about the prospects for talks, without at the same time being able to share with us any hard evidence which would support such optimism. Since it is their assessment which is out of line with the generally prevailing view, the onus is very much on the British to substantiate their claim that progress is indeed possible.

### Confusion between Devolution and new Agreement

#### Devolution

6. The British argue that their primary objective is devolution within the scope of Article 4 of the Agreement - "It is the declared policy of the United Kingdom Government that responsibility in respect of certain matters within the powers of the Secretary of State for Northern Ireland should be devolved on a basis which would secure widespread acceptance throughout the community. The Irish Government support that policy. Both Governments recognise that devolution can be achieved only with the cooperation of constitutional representatives within Northern Ireland of both traditions there".
7. However, as the Taoiseach argued in his Dáil speech in November (which the British tend to quote selectively in support of their argument for immediate talks), the pre-condition of the cooperation of the constitutional representatives of both traditions is "manifestly absent at present". The Unionists see talks on devolution as being mandated under Article 4 of the Agreement and, as such, as being completely unacceptable. The SDLP on the other hand approach talks on the basis that (to quote Hume at the party's last Annual Conference) "the central relationship, the one that goes to the heart of the matter, is the Unionist people's relationship with the rest of this island. Until that relationship is resolved and that distrust is

removed, then, in our view, nothing will be stable or lasting. That view is drawn from our experience, from standing back and asking ourselves the reasons for past failures".

8. There is therefore no agreement among the Northern Ireland parties that devolution is the desirable next step, let alone any element of agreement on the application in principle or in practice of any power-sharing arrangement.

#### New Agreement

9. If the objective is a new Agreement - and neither Government would exclude such a possibility, if the circumstances were right - this raises fundamental questions about the structures that at this time could conceivably be envisaged for such an Agreement. The reality is that the Unionists find the structures of the present Agreement, with its role for Dublin through the Conference and the Secretariat, completely unacceptable. Their present leadership would rule out, therefore, any equivalent - not to say greater - role for Dublin under any alternative Agreement. This is further underlined by their unwillingness, despite repeated invitations, to meet the Taoiseach or Government Ministers, or even (on the part of Paisley) to envisage the Taoiseach, in his capacity as President of the European Council, addressing a business Conference in Belfast. In short, there is absolutely no evidence of any willingness on the part of Unionists to accept a role for Dublin in the politics of the North.

#### Molyneaux's Address to Unionists, 24 March

10. In his address to the Annual meeting of the Ulster Unionist Council on the 24th March, Molyneaux is generally held by many politicians and the media to have ended any possibility

of productive talks taking place when he said that the "Supreme Court has eliminated any possible Agreement between Unionists and Nationalists as long as Articles 2 and 3 remain". At a later stage in his speech, Molyneaux referred to recent events having "made the Irish Dimension as dangerous to Ulster as the Argentinian Dimension is to the Falklands", while his closest ally in the party, Willie Ross, made an appeal for all this nonsense about talks to be ended.

11. At the same meeting, the Unionist leadership accepted with approval a resolution from the floor (presumably prompted and promoted by the leadership itself), the text of which again reinforces our view that Molyneaux is not interested in serious dialogue but is simply pursuing a clever strategy to undermine the Agreement. The text of this resolution reads:

"The Ulster Unionist Council regards the two recent judgements of the Supreme Court of the Irish Republic as confirmation that the assurances attached to the Anglo-Irish Agreement were deceitful and fraudulent.

It follows that any negotiations expose the Union of Great Britain and Northern Ireland to grave danger while the Anglo-Irish Agreement remains in force and the Irish Republic's constitutional claim to Northern Ireland is not repudiated by Her Majesty's Government".

#### Suggested Approach

12. The basis of our approach might be that there are too many unanswered questions, and we see too many potential problems, to justify going down the path proposed by the British. We have taken the view from the beginning that the prospects of success do not nearly measure up to the

risks involved; this view has in fact been strengthened by the statements by Molyneaux and Ross, and the resolution adopted, at the Unionist Conference on the 24th March. We remain, at the same time, strongly committed to the achievement of political progress but cannot see how this can be advanced in circumstances where:

- (a) the sole objective of the Unionist leadership seems to be to undermine the Agreement;
- (b) Molyneaux is at heart an integrationalist and is clearly not interested in devolution, nor in Dublin having a real role in the North;
- (c) Paisley, unlike Molyneaux, is opposed to integration but favours devolution; however, the form of devolution he desires would exclude a real role for the SDLP;
- (d) there is no basis for believing that agreement might be possible on new arrangements to transcend the Anglo-Irish Agreement. There is, in the first place, a fundamental disagreement about what might be involved, with the Unionists wishing for a much-reduced role for Dublin, and we (and the SDLP) at the very least envisaging an equivalent role. Secondly, it would seem naive to believe that we might enter into talks with far-reaching implications (i.e. a possible new Agreement) from a base where, despite repeated invitations, the Unionist leadership have consistently refused to meet the Taoiseach and Government Ministers, and the DUP leader is implacably opposed to Mr. Haughey addressing a business Conference in Belfast next Wednesday in his capacity as President of the European Community.

13. In circumstances where we see talks having no hope of a successful outcome, we believe that there is a grave danger that, by taking a leap in the dark, we will end up weakening or undermining what has been painstakingly built up over four years. Moreover, if talks got underway and subsequently failed, as they almost certainly would, this could lead to a general disillusionment with the political process; the only group to gain from such a development would be the Provos. This would be particularly unfortunate given that the Provos seem to be under some pressure at present to reconsider their current strategy. [The British for their part seem to believe that talks - on devolution - would encourage the Provo rethinking process; in our view, and we differ fundamentally from them on this, such talks would significantly strengthen the more hawkish element in the organisation.]
  
14. Finally, any fudge on the Conference or the Secretariat would be totally unacceptable to us. We could live with a short natural gap between two Conferences. However, the British proposal on the Secretariat is simply not tenable. The formula would enable Unionists to claim the Secretariat was non-operational, with the SDLP being allowed to respond but the Government refraining from any comment. The Unionists would in addition use the absence of the British Joint Secretary in support of their argument that our presence there was redundant. We could not allow the Secretariat, and with it the Agreement, to be undermined in this way. The fudge involved in all this would give a considerable psychological boost to both the Unionists and the Provos, and would very likely result in the Agreement being seriously damaged.
  
15. In summary, and after serious and detailed consideration, we see no prospect of getting meaningful talks underway at this time. Our view on this has been strongly confirmed since

our last meeting. In the circumstances, and while both Governments should continue to encourage contact and dialogue at all levels, and should be prepared to take an initiative if circumstances change, we have no option but to say that the risks involved in the British proposal are too great at this time.

Anglo-Irish Division  
4 April 1990.

E1553.2

CONFIDENTIAL

NOTE: Gibraltar

Paddy McGrory called to say that he had been served with the Certificate under Section 40 [3] of the Crown Prosecution Act signed by the Foreign Secretary to the effect that any alleged liability of the Crown arises otherwise than in respect of Her Majesty's Government in the United Kingdom or in Northern Ireland.

While he had been aware of this provision in the Crown Proceedings Act, McGrory was very surprised that the British had now decided to employ this device to choke off further legal action before the Northern Ireland or British Courts.

He was still undecided as to what course of action to take in relation to this development and saw a number of options in this regard -viz-

- To contest the Certificate in the Northern Ireland Courts. [It was not clear to McGrory whether it would be possible to get a Judicial Review of the Certificate, as the language in the Act appeared to give absolute undisputed power to the Foreign Secretary in this matter.]
- He presumed that it would be still be open to him to pursue the matter through the Gibraltar Court "with one of those awful Gibraltar Juries", and where he thought the legal aid provisions were considerably less generous than in Northern Ireland. [He suspected that in fact legal aid would not be available for a case like this in Gibraltar.]

He intends to contest the Certificate in the Northern Ireland Courts and to see how far he will get with this course of action. He commented that he could not see how the British Government could justify the Certificate's contention that Her Majesty's Government in the United Kingdom had no liability, given that evidence at the Inquest shows

- (a) that Officer O (Commander of the SAS group) did not actually travel to Gibraltar, but briefed the SAS team in the United Kingdom before their departure for Gibraltar;
- (b) that the Chief of Police in Gibraltar signed over authority for the operation to the SAS team leader immediately prior to the shooting, and that this authority was signed back to the Chief of Police by the SAS team leader immediately after the shooting.

PSJ (includes p2 re Mr. Fenwick's  
medical problem); p2  
AGJ;  
MR Moller; PPS  
Mr Mallick; Mr. Robinson;  
Connell A1  
OK

National Archives Act, 1986, Regulations, 1988

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Mary Doyle

Name: Mary Doyle

Grade: CO

Department: *Foreign Affairs*

Date: 07/12/20

However, he presumed that even if the Northern Ireland Courts did agree to allow a judicial review of the Certificate, the British Government will use Public Interest Immunity Certificates to conceal any background to the shootings which might be embarrassing in terms of such a judicial review.

Overall, it is clear to McGrory that this latest device is clearly designed to frustrate any further legal action either in the Northern Ireland or British Courts in relation to the Gibraltar shootings - something which he feels has clear implications for the European Court provisions relating to the prior exhaustion of domestic remedies as a precondition to taking a case before the Strasbourg Court. He also felt that this latest move effectively choking off further legal action by the families would have implications for the Government's consideration of the request of the families for the Government to initiate an inter-state case before the European Court.

I expressed some surprise at this latest development and arranged to meet with him in Belfast later this week.

---

A  
*Bela 7.75*

Brendan McMahon  
Anglo/Irish Division  
4 April 1990

cc A/Sec Gallagher  
Mr Collins  
Mr Dillon

cc p.s.f: p.s.f  
the wife: R.F.  
Credent A1  
KOR

M. Gallagher  
This is an interesting  
development.  
AA 5/4

4

Ms Anderson

Cookstown by-election

1. The SDLP's win in the Cookstown by-election on 29 March means that the Nationalist/Unionist breakdown in Cookstown District Council has reached 8:8 for the first time. It is a significant breakthrough for the SDLP and the Nationalist community generally in the area, given the manner in which the Unionists have exercised their control of the Council; the situation has been particularly difficult in recent years under the Chairmanship of the DUP's Alan Kane.

2. The vacancy on the Council had arisen as a result of the death of a DUP member. Nationalists have a majority in the electoral area in question (Ballinderry), but there were fears that the split vote between the SDLP and Sinn Féin would allow the only Unionist candidate - from the DUP - to take the seat. Sinn Féin supporters, however, transferred in sufficient numbers to enable the SDLP to secure the seat. The details were as follows:

<u>First Count</u>	W. McCormick (DUP)	2721
	F. Rocks (SDLP)	1857
	P. McAleer (Sinn Féin)	1705
	McAleer eliminated.	
<u>Second Count</u>	Rocks	2927 (+1052)
	McCormick	2748 (+27)

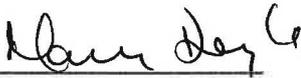
3. The SDLP vote in Ballinderry has increased substantially in the last two elections. While their vote in the by-election was only some 100 up on its total in last May's local elections, it was roughly 1400 votes higher than their result in 1985. Interestingly, the Sinn Féin vote

National Archives Act, 1986, Regulations, 1988

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\_\_\_\_\_

Name: Mary Doyle

Grade: CO

Department: *Foreign Affairs*

Date: 07/12/20

in the by-election, while well down on what it was a few years ago, was an improvement on their result in 1989. This is being put down to McAleer's personal popularity in the area. He had topped the poll in Ballinderry in 1985 but had not stood in 1989. In that sense, the SDLP's victory is all the more meritorious. They had set as their priority in the campaign the need to convince Sinn Féin supporters to give Rocks their second preference. In the event almost 62% of Sinn Féin voters duly did so.

4. Denis Haughey (who, as you know, leads the SDLP team on the Cookstown Council) was understandably very pleased at the outcome. He himself stood as a candidate in Cookstown for the first time at last year's local elections and he has now seen the SDLP's representation in the Council go from 3 prior to last May to its present level of 6. They are now the leading party in the Council. The Cookstown result has no doubt boosted Mr Haughey's prospect of taking the Mid Ulster seat at the next Westminster election; the message that a split vote does not necessarily preclude an SDLP victory will, no doubt, not be lost on Nationalist supporters in Mid Ulster. Nor will it have gone unnoticed on the Unionist side; Mr Haughey told me that in his speech last Friday at the end of the count he told DUP MP Willie McCrea that they were now "going after" his seat -

5. The breakdown in Cookstown Council is now as follows:

SDLP	-	6
DUP	-	4
UUP	-	3

Sinn Féin - 2  
Ind. Un. - 1

Technically, the DUP retain the chair, through the casting vote of the Chairman (and indeed can continue to do so at the next election to the Chair in June) but it means that there is now an extremely tight situation in place. The SDLP are in a position to put continuous pressure on Alan Kane and this they intend to do. The UUP are understood to have considered the idea of an arrangement with the SDLP last June but Kane is believed to have bullied them back into line. In the new situation, Kane's position has clearly been weakened, and the likelihood of another attempt at an accommodation between the UUP and the SDLP next June must now be very much in prospect.

*OSC*

T O' Connor

} April 1990

NORTHERN IRELAND SECURITY SITUATION, MARCH, 1990.

Fatalities:

There were 6 fatalities in the month of March bringing the total for the year so far to 14 compared with 27 for the first quarter of 1989.

- The IRA was responsible for 2 deaths in March, bringing its total for this quarter to 6 compared with 17 in the first quarter of 1989.
- Loyalist paramilitaries were responsible for 2 deaths in the month of March bringing their total to 3 deaths in this quarter compared with 9 during the first quarter of last year.
- The British Army was responsible for 3 deaths in this quarter compared with 2 for all of 1989.
- The IPLO was responsible for one death this quarter and it was declared a proscribed organisation by the Secretary of State. (The IPLO was responsible for a total of 2 deaths in 1989.)

Details of March Fatalities:

The comparative lull of the month of February, during which there were no fatalities, ended on 7 March when the UVF shot dead IRA man Sam Marshall after he had reported to Lurgan RUC station as a condition of his bail. The following day the IRA shot dead part time UDR man Thomas Jamison in an ambush near Dungannon as he was driving a truck for his employers, Henry Brothers. Mr Jamison was the third employee of of this firm to be killed by the IRA since 1985. The IRA also killed RUC Reserve Constable George Starrett, at his home in Armagh.

The UVF shot dead Mr. Eamonn Quinn, a West Belfast Catholic, in a random sectarian attack. There were a number of unsuccessful sectarian murder attempts, including the shooting of a Catholic taxi driver outside the Mater Hospital, Belfast. (There have been several sectarian attacks on taxi drivers this year.)

The IPLO shot dead Belfast loyalist Billy McClure in what the IPLO said was a reprisal for loyalist attacks on Catholics. The IPLO had earlier attempted to murder a UDA man in Newtownabbey, but the attempt failed because the intended victim was not at home at the time.

A debt collector shot dead UDA man Clifford Lyness in self-defence while Lyness was trying to rob him.

#### Other Security Incidents:

##### Bomb and Shooting Attacks

The tactic of large bomb attacks on RUC stations continues to be used by the IRA: - a 1,000 lb. bomb explosion at Ballymena RUC station caused substantial damage to property; a further 1,000 lb bomb planted at the rear of Castlederg RUC station caused minor injuries to eight people and major damage to property. A 350 lb. bomb left outside Cookstown RUC station was defused. The RUC station at Stewartstown, Co. Tyrone, came under rocket and rifle attack and was sprayed with petrol and set alight.

In a follow up to earlier threats, two IRA bombs exploded at Short Bros. missile plant at Castlereagh on 20 March causing minor injuries to four employees. The attacks on Shorts have given rise to increased concern for the safety of catholic employees.

The IRA claimed to have shot and killed two undercover soldiers in Cappagh, Co. Tyrone, but this claim was denied by the RUC. A hoax device was found in the Creggan area of Derry and in a follow up search of the same area a secondary device containing 25lbs. of Semtex was discovered and defused. In the Shantallow area of Derry, the IRA attacked a mobile RUC patrol with drogue bombs. Two bombs exploded near a filling station on the Buncrana Road in Derry where the security forces were investigating a hoax call warning of a bomb.

##### Security Force Successes

In Derry, the security forces discovered an RPG launcher and other weapons on 1 March and, in a further security operation on 6 March, a number of people were arrested after the discovery of 20 lbs. of Semtex and other bomb making equipment and weapons. The IRA issued a death threat to a named individual from Derry because the IRA claims he gave information to the security forces

which led to the seizure of weapons and explosives.

Three people were arrested in the Ardoyne area of Belfast when the security forces raided a house where bomb-making was in progress. Over 500 lbs. of explosives were seized along with a substantial amount of bomb making equipment, including over 5,000 lbs. of fertilizer. This is the third time in the past six months that a major bomb factory in Belfast has been raided while bomb making was in progress.

#### "Punishment" Shootings

There were at least 9 such shootings in March: five would appear to have been carried out by loyalist paramilitaries and four by republican paramilitaries.

#### Civil and other Disturbances

Seven prison officers were injured in incidents involving both republican and loyalist prisoners in Crumlin Rd. Jail. There were disturbances in Coalisland on 16 March when a hostile crowd threw bottles and stones at police. One woman was arrested and several plastic bullets were fired by the RUC. Coalisland RUC station was attacked on the night of 17 March by a crowd of around 100 youths who rammed the gates with forklift trucks and threw over 100 petrol bombs. Also on St. Patrick's night, the RUC fired plastic bullets at youths who attacked police vehicles in Dungannon. (We have sought clarification, through the Secretariat, of the circumstances surrounding the use of plastic bullets in Coalisland and Dungannon.)

#### Dublin - Belfast Railway Line

There were three bomb alerts in March all of which proved to be hoaxes. Disruption to services was minimal. Up to 15 armed raiders escaped with a number of mail bags after holding up the mail train at Gormanston, Co. Meath. It is not certain if subversives carried out the robbery.

Anglo-Irish Section  
4 April, 1990

CC. Mr. Gallagher, Counsellors AI, Secretariat, Mr. O'Brien, Mr. Brosnan, (D/Justice), Embassies Canberra, London, Washington, Box

Fatalities in Northern Ireland 1969- end March 1990<sup>1</sup>

	Civilians <sup>2</sup> (ie non-security forces)	Army	UDR	RUC	Total Security Forces Fatalities	Total Fatalities
1969	12	-	-	1	1	13
1970	23	-	-	2	2	25
1971	115	43	5	11	59	174
1972	322	103	26	17	146	468
1973	171	58	8	13	79	250
1974	166	28	7	15	50	216
1975	216	14	6	11	31	247
1976	245	14	15	23	52	297
1977	69	15	14	14	43	112
1978	50	14	7	10	31	81
1979	51	38	10	14	62	113
1980	50	8	8	9	25	75
1981	57	10	13	21	44	101
1982	57	21	7	12	40	97
1983	44	5	10	18	33	77
1984	36	9	10	9	28	64
1985	25	2	4	23	29	54
1986	37	4	8	12	24	61
1987	66	3	8	16	27	93
1988	54	22	12	6	40	94 <sup>3</sup>
1989	41	12	2	9	23	64 <sup>4</sup>
1990	10		2	2	4	14
Total	1917(69%)	423 (15%)	182 (6.5%)	268 (9.5%)	873(31%)	2790

<sup>1</sup>Source: Westminster PQ replies and Section records.

<sup>2</sup>For breakdown see Table 2. This column includes 26 prison officers.

<sup>3</sup>In addition, 3 IRA members killed by British security forces in Gibraltar on 6 March, 3 British soldiers killed by the IRA in the Netherlands on 1 May, 1 British soldier killed by the IRA in London on 1 August and 1 British soldier killed by the IRA in Belgium on 12 August 1988.

<sup>4</sup>In addition, 1 British soldier killed in FRG on 2 July 1989, wife of British soldier killed in FRG on 7 September, 11 British soldiers killed as a result of explosion in Deal Barracks, Kent on 22 September, RAF corporal and his six-month-old daughter killed at Wildenrath, FRG on 28 October.

TABLE 2

Breakdown of Civilian (i. e. non-security forces) fatalities  
1969-end March 1990<sup>1</sup>

	Prov. IRA	INLA	Off. IRA	UDA/ UFF	UVF/ PAF	U. R. <sup>2</sup>	Non- Paramil.	TOTAL
1969	0	0	1	0	0	0	13	14
1970	5	0	0	0	0	0	18	23
1971	16	0	2	0	0	0	96	114
1972	58	0	8	8	2	0	251	327
1973	28	0	4	6	2	0	133	173
1974	14	0	3	2	2	0	147	168
1975	9	1	7	7	11	0	179	214
1976	14	0	0	4	1	0	224	243
1977	5	1	0	4	2	0	58	70
1978	6	2	0	0	0	0	37	45
1979	4	0	0	0	0	0	45	49
1980	3	1	0	1	0	0	44	49
1981	11	5	0	3	0	0	47	66
1982	7	2	0	2	2	0	42	55
1983	2	4	1	1	1	0	35	44
1984	11	1	0	1	0	0	21	34
1985	5	0	0	0	0	0	19	24
1986	5	0	0	0	1	0	33	39
1987	14	9	0	3	1	0	39	66
1988	9	1	0	2	2	0	40	54
1989	4	0	0	0	5	2	30	41
1990	1			3			6	10

Total: 231(12%) 27(1.5%) 26(1.5%) 47(2.5%) 32(1.5%) 2(0.01%) 1557(81%) 1922

<sup>1</sup>Statistics 1969-1986: Irish Information Partnership  
1986-date: Section records

(Note: Because of some differences in the way they compile their statistics, there are slight disparities between the figures produced by the RUC and the IIP; hence the totals above do not tally fully with Table 1 preceding.)

<sup>2</sup>Ulster Resistance

TABLE 3

Breakdown of all fatalities by Agency Responsible,  
1969-end March 1990\*

	RUC	British Army	UDR	Prov. IRA	INLA	Off. IRA	Other Nationst.	UDA/UFF	UVF/PAF	Non-spec. Loyalist
1969	7	2	0	0	0	0	4	0	0	2
1970	0	5	0	6	0	0	12	0	0	2
1971	1	40	0	57	0	3	33	0	0	21
1972	6	69	1	208	1	5	42	3	1	98
1973	1	29	2	111	0	1	17	14	1	66
1974	2	15	0	81	0	3	15	5	3	86
1975	0	7	0	51	3	2	45	8	17	91
1976	3	13	0	81	1	0	62	5	2	106
1977	2	7	0	47	0	0	23	3	2	20
1978	0	11	0	38	0	0	17	0	0	7
1979	0	1	0	50	2	0	38	1	0	12
1980	2	7	0	36	2	0	12	3	0	10
1981	6	11	1	46	11	1	20	3	1	7
1982	7	4	0	40	30	0	3	0	1	10
1983	6	5	1	41	6	0	3	0	1	9
1984	2	8	0	37	3	0	2	2	1	5
1985	1	3	2	43	2	0	0	1	1	0
1986	2	4	0	37	2	0	2	5	3	8
1987	0	9	0	54	10	0	1	3	1	10
1988	2	5	0	61	1	0	2	6	8	9
1989	2	2	0	38	0	0	4	4	9	5
1990		3		6			1	1	2	
Total	52	260	7	1169	74	15	358	67	54	584
(2649)	(2%)	(10%)	(0.25%)	(44%)	(3%)	(0.5%)	(13.5%)	(2.5%)	(2%)	(22.5%)

\* Source: Statistics 1969-1986, Irish Information Partnership  
Statistics 1987-date, Section records.

The footnote to Table 2 also applies to this Table

Agency responsible for fatalities 1969- end March 1990:  
Breakdown by category of victim<sup>1</sup>

<u>Category of Victim</u>	<u>Agency Responsible</u>		
	<u>Security Forces</u>	<u>Nationalist Paramilitaries</u>	<u>Loyalist Paramilitaries</u>
Security Forces	16	844	10
Nationalist Para.	116	140	20
Loyalist Para.	13	18	39
Civilians	174	588	635
Prison Officers	0	26	2
TOTAL	319	1616	706
As % of Total	(12)	(61)	(27)

<sup>1</sup>Source: Statistics 1969-1986: Irish Information Partnership;  
 Statistics 1986-date: Section records.

It should be noted that in addition to the above, there were about 160 fatalities for which the agency responsible is unknown.

Breakdown of Catholic fatalities in Northern Ireland  
by Agency Responsible

(a) 1969 - end March 1990<sup>1</sup>

Agency Responsible	No. killed	% of total
Nationalist paramilitaries	448	37%
Loyalist paramilitaries	567	46%
Security forces	210	17%
<b>TOTAL</b>	<b>1225</b>	

(b) 1978 - end March 1990

Agency Responsible	No. killed	% of total
Nationalist paramilitaries	122	36.5%
Loyalist paramilitaries	122	36.5%
Security forces	92	27 %
<b>TOTAL</b>	<b>336</b>	

<sup>1</sup>Primary source: Irish Information Partnership. For further background on the breakdown of the statistics on the period 1969 - date, see Table 6 following.

TABLE 6Breakdown of Catholic fatalities inNorthern Ireland by category of victim 1969 - end March 1990<sup>1</sup>

<u>Category of Victim</u>	<u>No. Killed</u>	<u>approx. %of Total</u>
Civilians killed by security forces	94	8%
Civilians killed by Nationalist paramilitaries in "mistake" operations	123	10%
Catholics killed by loyalist paramilitaries	567	46%
Nationalist paramilitaries killed in "own goal" operations	109	9%
Nationalist paramilitaries killed by security forces	116	10%
Catholics killed by Nationalist paramilitaries in "punishment/discipline" operations (alleged informers etc.)	175	14%
Catholic members of security forces killed by Nationalist paramilitaries	41	3%
<b>TOTAL</b>	<b>1225</b>	<b>100%</b>

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<sup>1</sup>Source: Irish Information Partnership and Section records.

TABLE 7Fatalities arising from incidents in border areas<sup>1</sup>

	<u>1990</u>	<u>1989</u>	<u>1988</u>	<u>1987</u>	<u>1986</u>
Fatality					
RUC	2	5	3	3	10
UDR	1	1	4	1	4
Army	-	9	2	1	3
IRA	-	1	2	4	3
INLA	-	-	1	4	-
Civilian(cath. )	1	4	3	2	2
Civilian(prot. )	-	-	6	7	3
<u>Total</u>	<u>4</u>	<u>20<sup>2</sup></u>	<u>21</u>	<u>22</u>	<u>25</u>

Fatalities in border areas: Breakdown by County

	<u>1990</u>	<u>1989</u>	<u>1988</u>	<u>1987</u>	<u>1986</u>
County					
Down		4	1	5	5
Armagh	2	6	10	7	9
Tyrone	1	3	4	-	4
Fermanagh		2	5	2	5
Derry	1	5	1	8	2
<u>Total</u>	<u>4</u>	<u>20<sup>2</sup></u>	<u>21</u>	<u>22</u>	<u>25</u>

<sup>1</sup>Border areas are defined as areas lying within a 10 mile radius of the border and include, therefore, the urban areas of Derry, Strabane, Armagh and Newry. The above tables are based on statistics which the Section has been compiling since 1986.

<sup>2</sup>This does not include the Protestant ex-RUC man shot dead by the IRA at Ballintra, Co. Donegal, on 15 January.

Meeting with Eddie McGrady

I met Eddie McGrady in Downpatrick on 31 March. The points of interest which arose in our conversation were as follows:

Political Developments

- He accepts that the likelihood of talks taking place is increasingly remote; in particular, he feels that the Supreme Court judgement in the McGimpsey case let Molyneaux off the hook. Nevertheless, he argues that it is important that efforts continue to "trap the Unionists into talks".
- His anxiety that the pressure for talks be maintained reflects his pessimism about the likely scenario if talks do not take place. He sees the outlook for the period ahead as continued "creeping integration" of Northern Ireland into the U.K., coupled with an increasingly "bloody-minded" British attitude towards implementation of the Agreement.
- He is conscious that the British, if they do not succeed in initiating talks, will be looking for scapegoats. He fears that, instead of placing the blame squarely with the Unionists - where it belongs - the British will try to pin at least partial responsibility on the SDLP. He expressed concern about the British attitude to Hume and feels that British criticisms are both feeding, and being fed by, an increasingly hostile attitude to Hume among opposition parties in the South. (I emphasised that we had taken the British up very sharply at a recent meeting when they had spoken somewhat cynically of Hume's approach).
- He was, as usual, critical of his own party for what he sees as a lack of strategic thinking and an undue concentration on the risks of action, while ignoring the risks of inaction.

- In McGrady's view, the Conservative Party in Britain is inherently and irredeemably anti-Irish. Backbencher instincts and rhetoric are to some extent held in check by front-bench restraint (he noted Brooke's very careful language following the recent Supreme Court judgement). If Brooke and his colleagues become embittered at what they perceive as an uncooperative Irish attitude on talks, they will no longer exert this restraining influence and the tenor of debate in Westminster will change.

- I asked what scope he saw for progress, given present Unionist attitudes, if talks did get off the ground. He acknowledged the obvious problems and risks, but said that (i) the SDLP and the Irish government would stand solidly together in support of the Anglo-Irish Agreement and there could therefore be no fundamental threat to the Agreement (ii) in the event of a devolved government being established, the Anglo-Irish Secretariat could be expected to move from Maryfield to Stormont, thus placing an Irish government representative "at the heart of government in Northern Ireland", and (iii) devolution would lead to greatly increased North/South contact at Ministerial level - SDLP representatives who were members of a devolved power-sharing government would be "constantly up and down to Dublin".

- Comment

[McGrady's approach on this occasion was notably different from our previous conversation in early February - his emphasis then was on the need for caution, the risks involved in talks etc. With the prospect of talks now receding, he is clearly depressed at what he perceives as a barren period ahead. He fears that the Agreement will be increasingly undermined by British inactivity - "there are more ways than one of killing the Agreement" - and that integration will become the dominant feature of political

life. While he has no consistent view of what the Irish Government's approach should be, McGrady seems to feel that - as and when Brooke's initiative is seen to have failed - Dublin should develop some initiative of its own to breathe life into the Anglo-Irish process].

### Other Issues

#### - U. S. Visit

He was grateful for the assistance provided by our Consulates in Boston and Chicago during his recent U. S. trip. Commenting on the fact that Needham had accompanied Hume for much of the latter's U. S. trip, he was critical of Hume for "unlocking Irish-American doors to British politicians" (McGrady himself had refused offers of assistance from Needham).

#### - International Fund

He continues to have a number of concerns, particularly in relation to the criteria used for defining Disadvantaged Areas (a separate note is being prepared on this aspect of our conversation).

### Fair Employment

- He questions the level of commitment to implementation of the new legislation and very strongly urged continued vigilance on our part. (He raised a number of specific points which are reported on separately).

*Anne Anderson*

Anne Anderson

5 April, 1990

c. c. PSS, Mr. Gallagher, Joint Secretary, Counsellors A. I., Box W4456

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Mary Doyle

Name: Mary Doyle

Grade: CO

Department: *Foreign Affairs*

Date: 07/12/20

CONFIDENTIAL

Conversation with David McKittrick, 29 March 1990

Brooke Initiative

Apparently the NIO had been very upset about a recent article by McKittrick which had given a somewhat downbeat picture of the chances for Brooke's political initiative. Two days after the article the NIO press officer (Andy Wood) had a meeting with all the correspondents of the quality papers (with the exception of McKittrick) and attempted to rubbish McKittrick's analysis.

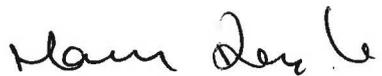
More recently, there had been a further briefing for the correspondents of all the Qualities (this time including McKittrick) and given by John Cope and Ian Burns. According to McKittrick, Burns made all the running and made a point of handing around underlined portions of speeches by the Taoiseach to demonstrate Dublin's support for the initiative. Cope by contrast made only occasional interjections and seemed more interested in assessing the reaction of the journalists present at the briefing. That reaction was one of disbelief, and when Cope interjected to say that there was a rising tide in favour of the initiative, this was greeted with hoots of laughter from the journalists.

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Name: Mary Doyle

Grade: CO

Department: *Foreign Affairs*

Date: 07/12/20

Comment:

It is difficult to know at this stage what will be the long term effect of these developments for the future of the UDA as an organisation. However, there is speculation in Belfast that the absence of strong leadership may result in letting some of the younger and wilder elements off the leash and may ultimately result in an increase in sectarian attacks. There have been some signs of this with recent attacks on taxi drivers, a group which has traditionally been exempt from paramilitary attack owing to the involvement of both the IRA and UVF in the black taxi business in Belfast.

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Mary Doyle

Name: Mary Doyle

Grade: CO

Department: *Foreign Affairs*

Date: 07/12/20

on, the full ramifications in security terms was revealed to him by an RUC contact who told McKittrick that Hanna had been sufficiently senior within the prison service that there were some nights when Hanna had been duty officer in control of the whole of the Maze Prison.

RUC

He had noted that the recent public spending figures for security had made no provision for an increase in RUC numbers. He wondered whether this might have implications for accompaniment, though he felt it is noteworthy that there is an increased use by the RUC of civilians for essential tasks, presumably in order to release additional resources for other police duties. In this regard, he mentioned that in many cases, scene of crime officers who collect forensic evidence, are now civilian rather than police.

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*Brendan 7/7/90*

Brendan McMahon  
Anglo/Irish Division  
4 April 1990

cc A/Sec Gallagher  
Counsellors A. I.  
Secretariat  
Box

Confidential

Meeting with Mr. Frank McManus, Enniskillen, 5 April 1990

Internal Sinn Féin Debate

1. Mr. McManus, the former Independent Nationalist M.P. for Fermanagh/South Tyrone, runs a solicitor's practice in Enniskillen and Lissnakea. Although no longer involved in active politics, he retains good links with the various parties, including Sinn Féin. He has been enquiring among the latter's local Councillors about reports of an internal debate within Sinn Féin/IRA on whether or not to continue with the "armed struggle": He has been getting a markedly tight-lipped response; from his experience that usually means that something significant is in the air - the same Councillors are apparently normally quite forthcoming when it comes to scotching speculation which has no basis.
2. Sources of his in Republican Sinn Féin maintain that a ceasefire decision has already been taken in principle and that all that remains is the arrangement of its implementation. This, however, could take some time because of the complex and secretive nature of the IRA's cellular structure. There would undoubtedly be strong opposition to a ceasefire among a significant number of members, he felt, and the process of convincing these would not be an easy one. Mr. McManus stressed that this scenario was pure speculation and that Republican Sinn Féin would, of course, have a vested interest in spreading around such a controversial rumour. Nonetheless, he remains convinced that there is a substantial debate underway among the Provisionals at present.
3. He has heard a rumour from a (Provisional) Sinn Féin contact that Republican Sinn Féin have now acquired a "military capacity" and that in the event of an IRA ceasefire, disaffected Provos would defect to RSF and continue the "armed struggle" under the umbrella. He does not know how much credence to lend such a story, but it is indicative of the complex nature of any attempt to bring about a ceasefire.

Talks

4. Mr. McManus is very sceptical about Unionist readiness for dialogue and believes that the caution of the Taoiseach and the Minister is fully justified. He has little regard for Molyneaux; he recalls from his own Westminster days that Molyneaux was completely under the thumb of Powell and was regularly to be seen "giggling imbecilicly" at the latter's interventions in the House! Mr. McManus feels that Molyneaux has retained the leadership of the UUP primarily because nobody else has wanted the job.
  
5. He has a higher regard for John Taylor with whom he has had frequent contact over the years, first at Queen's and later in politics. While Taylor has to "continually look over his shoulder", he is a solid performer and somebody with whom Nationalists could do business.

Lord Coleville

6. At the invitation of Lord Brookeborough (which he greeted with wry amusement!), Mr. McManus recently attended a meeting with Lord Coleville, who is currently preparing a review of EPA legislation. The meeting was also attended by Sean Quinn of the Quinn Cement Group. Mr. McManus was glad of the opportunity to convey at first hand to Lord Coleville the nature of the difficulties which the legislation gave rise to; he particularly stressed the problem of harassment of young people. Mr. Quinn raised the difficulties caused for his operation by the Army checkpoint in Derrylin. (Mr. McManus understands that Lord Brookeborough subsequently raised the matter in the House of Lords; we have also been approached by the Quinn Group and are taking the matter up in the Secretariat).

*T. O'Connor*

T. O'Connor

6 April, 1990

c. c. Mr. Gallagher, Counsellors, Secretariat, Section, Box  
W4464

Conversation with Brice Dickson, Law lecturer at Q. U. B.  
Belfast, 29 March 1990

Brice Dickson is currently chairman of the Committee on the Administration of Justice (CAJ) - a civil liberties group, which is effectively the Northern Ireland equivalent of the London-based, National Council for Civil Liberties (NCCL), with which it maintains very close links.

Independent Commission for Police Complaints (ICPC):

The CAJ met some time ago with the vice-chairman of the ICPC (Brian Garrett) to discuss the investigation into the plastic bullet shooting of Seamus Duffy in August of last year. He had respect for Garrett and had been told by him that he was determined to fully supervise the investigation which Garrett hoped would go beyond the shooting of Duffy, and look at the whole issue of the control over the use of plastic bullets by the security forces. [The ICPC has since issued a certificate of approval of the police investigation and the DPP decided last week that there would be no prosecutions in relation to the killing. A series of questions has been put to the British side of the Secretariat in relation to this case.]

He mentioned that the CAJ are currently pressing for some reform of the police complaints system - particularly that some steps should be taken to address the problem for public confidence in the current system which provides for the police to investigate the police. One proposal which they have made is that a number of RUC officers should be seconded to the ICPC to work full-time for that body. He mentioned that the secretary of the ICPC, McClelland, is adamantly opposed to any change in the current system.

Overall, he feels that the ICPC is not as effective as it could be. The chairman, James Grew, dominates the Commission and, in Dickson's view, is not much of a civil libertarian. In addition, he felt that the secretary, McClelland, is a negative influence on the Commission.

Stevens Inquiry:

The CAJ had also raised the Stevens Inquiry with the ICPC and had queried why, in view of the exceptional public interest in the matters being investigated by Stevens which involves investigation into the police as well as the Army, the Stevens Inquiry is not being supervised by the ICPC. In response they have been told that before the ICPC could become involved in the supervision of the Stevens Inquiry, they would have to be invited to do so by the Secretary of State or the Police Authority. The ICPC has not been invited by either source to become involved. The only other avenue by which the ICPC could become involved is if they actually received a complaint. No complaint regarding

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Mary Doyle

Name: Mary Doyle

Grade: CO

Department: *Foreign Affairs*

Date: 07/12/20

allegations of collusion between the RUC and loyalist paramilitaries has actually been received from a member of the public.

Current CAJ activities:

A group from the CAJ are currently in the United States in an attempt to raise additional funds from various Foundations for CAJ activities. The fund-raising drive in the States is specifically targeted at support for the largest project on their books - the creation of an international data base on emergency legislation world-wide. Their estimate as to the costs of this project are in the region of £500,000.

From our point of view, a more interesting project of immediate concern which is currently being contemplated by the CAJ, is a 3 month study on the problem of harassment. Dickson admitted that it would be almost impossible to conduct a purely scientific study of harassment but thought that a comprehensive look at incidents over a 3 month period in Northern Ireland might produce some interesting conclusions. He felt that while legal reforms were very important, he agreed with those who say that harassment by the security forces is of greater immediate impact, given that few people actually come before the Courts in Northern Ireland, but very many people, particularly in strongly nationalist areas, have first hand experience of different types of harassment by the security forces. He estimated the costs of such a study would amount to about £20,000.

The CAJ have forged links with an all-party civil liberties group in the House of Commons and I understand that they are now actively looking at the possibility of forging similar links with an all-party civil liberties group in Dáil Éireann.

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Mary Doyle

Name: Mary Doyle

Grade: CO

Department: *Foreign Affairs*

Date: 07/12/20

Bulu 7.7.90

Brendan McMahon  
Anglo/Irish Division  
4 April 1990

cc A/Sec Gallagher  
Counsellors A. I.  
Secretariat  
Box

7

Immediate

6 April 1990

To: HQ

From London

For: Brian Nason

From: Jim Henessy

The following is a summary report on Winchester Three hearing as requested by Asst. Sec. Gallagher.

Winchester Three Applications for Leave to Appeal Their Convictions and Sentences.

Procedure

Court time had been reserved for Monday and Tuesday of this week. In the event the hearing lasted from Monday, 2 April until midday on Thursday, 5 April. Lord Justice Roy Beldan sat with Mr. Justice Tucker and Mr. Justice Desmond Fennell. The hearing was in Court No. 7 of the Royal Courts of Justice on the Strand Michael Mansfield QC and Junior Mr. Nick Blake represented Finbarr Cullen. Jeffrey Robertson QC and Junior Nick Blake appeared for Martina Shanahan. Helena Kennedy who is a Junior Counsel appeared for John McCann. With the exception of Lord Gifford QC the defence team was the same as at the original trial. The solicitor for Cullen and Shanahan is Gareth Peirce while Mick Fisher represents McCann. The Crown were represented by Mr. Rawley QC and Junior Mott. Rawley was also involved in the original trial before Lord Justice Swinton Thomas in October 1988. As no official record is kept of applications for leave I summarised each day's proceedings in brief reports to you.

Oireachtas Representation

The Convenor of the Oireachtas ad hoc Committee on the Winchester Three, Mary Wallace T.D. with fellow Fianna Fail T.D.'s Michael Martin, Seamus Cullimore, Sean Power and Senators Eamon O'Cuiv and Pascal Mooney attended. Fine Gael sent Senator Mary Jackman and Deputy Monica Barnes. The Brehon Law Society asked Judge Andrew J. Summers to observe on their behalf. Ms. Nuala Kelly of the ICOP, Father Paddy Smith and Sr. Sarah Clarke were also present. As instructed, I attended the hearing on behalf of the

Embassy. You will recall the original trial was attended by Mr. B. O' Reilly, Third Secretary.

### Families

The families of the Three were represented throughout the hearing. Mrs. Mary Cullen, Mr. Paddy Shanahan and Brendan and Colette McCann attended daily and other members of their families were present on the first two days.

### Defence Case

It was argued that the Crown had to prove an irresistible inference that the Three were party to an agreement that had murder by one of the conspirators as one of its objectives. Counsel argued that while the Crown claimed the evidence had to be looked at in its totality the Jury had been asked to assume the guilt of the Three and then fit each piece of evidence into place. The Defence went through the evidence and argued that each individual item was equivocal, for example, the lists of names and cars were not sufficiently detailed for terrorist use. It was pointed out repeatedly that the Crown had accepted there was no link established between any of the Three and the IRA.

The Jury had been asked to come to quite a number of assumptions. The charges themselves, the timing and location of the trial were all prejudicial, the practical arrangements were weighted against the Defence. The intervention by Tom King the day after the Defence had claimed the right to silence was seen as having a devastating effect on the minds of the Jury and allowed them to exclude all other possibilities in favour of the Crown's contention. Adverse media publicity even before the trial had a significant impact on the outcome. Even if one Juror had been swayed that would have been decisive.

Robertson argued that the procedures under the Attorney General's guidelines for vetting of the Jury in sensitive cases was unconstitutional.

Helena Kennedy said that the evidence against McCann was even less tangible than that against the other two. She conceded that it was idle to say the Three were not up to any good but the Crown had not proved their interpretation.

#### Crown Case

The Crown argued that the evidence, which was entirely circumstantial, had to be considered in its totality. Rawley agreed with Mr. Justice Fennell that the Three had not at any stage used their real names in their travels around Britain. The amount of money, the article on sniping, lists of prominent people with connections to Northern Ireland, the hotel booking in Blackpool and suggested links to other members of the conspiracy were said to have carried weight with the Jury. The intervention of Tom King was cured by the Judges remarks.

#### Reaction of the Bench

Each Judge in turn asked Defence Counsel, while accepting the right of the Three to remain silent, if any innocent explanation for their activities had been advanced during the trial. Defence responded that it was for the Crown to prove their case. On the Wednesday the Bench repeatedly asked Rawley to identify the piece of evidence which elevated the case from intelligence gathering to a conspiracy to murder. He argued each time the Case had to be seen as a whole. Lord Justice Beldam pointed out that there had been an ongoing debate in Britain on the right to silence and that the then Home Secretary had referred to its abolition at a police conference in the late summer of 1987.

#### Development of the Crown Case

Legal representatives of the Three claimed in private that the Crown had from the outset been unsure what to charge the Three with. There appears to be a gap in British legislation between the Official Secrets Act and the Prevention of Terrorism Act to cater for cases such as this. The initial publicity, contributed to by the Police, had been a factor in the decision by the Crown to try for the extremely serious conspiracy to murder charges.

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Name: Mary Doyle

Grade: CO

Department: *Foreign Affairs*

Date: 07/12/20

While the first count was conspiracy to murder Tom King, you will recall the second count of conspiracy to murder persons unknown had been dropped and reinstated in the period between the arrest in August 1987 and the original trial in October 1988. At that time the Defence thought that the Three might get 10-15 years and Rawley reportedly guessed 5-10 years. The Three were each sentenced to 25 years on both counts. The Jury divided 10-2 on all of their decisions.

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#### Decision by the Bench

Lord Justice Beldam had said on Wednesday that this was a very important case. He reserved judgement on the applications for leave to appeal against conviction. He conceded leave to appeal against the length of sentences at this point. The hearing will recommence on a date to be decided. If leave to appeal is given but the appeal refused the Court can then hear argument by Defence Counsel against the length of sentence. The Court may of course decide to make no change. The immediate reaction of Mansfield was that this seemed to be a sympathetic tribunal. He hoped, however that the families would not get their hope up as he has previous experience of a lengthy hearing proving ultimately to be unsuccessful. He thought he "detected a hint that something may be going to give". There may "have been a hint on the question of sentence". If the convictions are upheld he will argue for 10-15 years in line with Northern Ireland.

Robertson privately said "when there are distinguished visitors in the Court, the Bench always want to be seen as fair". He guessed "there is a 50% chance of getting the convictions quashed". Otherwise they "should get 10 years off the sentences" which were "ridiculous".

#### Family reaction

May Cullen and Paddy Shanahan expressed themselves as being very pleased with the outcome. Brendan McCann said he hoped they had not "sat through four days of window dressing for nothing". If unsuccessful he said they would vigorously pursue the Department of Justice on the question of repatriation. Each family is to visit their relative within the next few days to report on the hearing.

As instructed, I maintained a discreet presence at the hearing. Mrs. Cullen thanked me for attending the case from start to finish. I told her, as agreed with you, that the Department were being kept fully informed on the case which was being followed very closely in Dublin. She asked me to attend the hearing when it resumed. I await your instructions on that point.

#### Resumed Hearing

It is unofficially estimated the case will resume at the end of April or in early May. The Three should be in Court at that time. This probably means the case will be continued at the Old Bailey.

W4466



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Confidential

4 April 1990

Mr. Dermot Gallagher  
Assistant Secretary  
Anglo-Irish Division

Dear Assistant Secretary

A conversation with Jonathan Caine

Caine is the Northern Ireland desk officer in Conservative Central Office.

In the course of a conversation yesterday following a memorial service for Harold McCusker, which we both attended, the following points of interest arose:

The political situation in Northern Ireland

- Caine commented that Peter Brooke is, at this stage, "simply going through the motions" of talks with the NI parties. He recognizes that little, if anything, is likely to come of his efforts to stimulate talks between the parties. However, rather than break off the process after a mere one or two meetings with the Unionists (and risk charges by the latter that he was never serious in his undertaking), he feels that he must continue for a little longer, listening to them and promising to raise their concerns with the Irish Government.
- When the exercise comes to an end, Caine went on, the Irish Government will not be blamed. He believes there is a general acceptance on the British side that the conditions imposed by the Unionists, in particular the suspension of the Secretariat, could not have been accepted by Dublin. For that matter, he added, "they were not really acceptable to us either". (Note: reassuring as such remarks may be, it should be borne in mind that Caine is not a NIO official but a Conservative Party official who has no direct involvement in Brooke's current efforts).

cc post  
the details; post  
Caine's AS  
Kear

- The Unionists, however, will certainly try to blame Dublin. They will allege an insufficient commitment on Dublin's part to political progress in NI and will try to extract maximum political capital from the Supreme Court judgement in the McGimpsey case. When I noted, however, that it was Molyneaux who had added a fresh obstacle to talks by demanding action on Articles 2 and 3, Caine agreed. He went on to mention a recent conversation with Molyneaux in which the latter's "complete indifference" to Brooke's efforts to stimulate talks had emerged clearly.
- Caine was strongly supportive of a suggestion by Frank Millar (in an article in yesterday's Irish Times) that the British Government should now put its own proposals for devolution to the parties. "Some of us", he commented, feel that it is pointless to wait until the parties have reached agreement among themselves. "We could be waiting for years for that to happen". The British Government has a responsibility which it cannot evade.

#### Conservatives in NI

- It is not yet clear whether the local Conservative association in the Upper Bann constituency will receive official recognition. While Central Office is opposed on several grounds (including the practical consideration that a Conservative candidate in Upper Bann will stand no chance whatsoever against the OUP candidate), Ministers Needham and Mawhinney are "pushing very strongly" for recognition. The prospective Conservative candidate, Collette Jones, has indicated that, with or without recognition, she intends to stand.
- The writ will be moved shortly after Easter and the bye-election is expected to take place in late May or early June.
- The selection convention for the Conservative candidate to contest North Down in the next general election will be held in the next week or so. The candidate is likely to be Derek Begoyne, a Belfast solicitor (and a major in the Territorial Army), who is considerably more popular with the grass-roots in the constituency than Laurence Kennedy.

Yours sincerely



David Donoghue  
Press and Information Officer



IRISH EMBASSY, LONDON

Confidential

4 April 1990

Mr. Dermot Gallagher  
Assistant Secretary  
Anglo-Irish Division

Dear Assistant Secretary

Lunch with Anthony Bevins, The Independent

Bevins is the Political Editor of the Independent and a shrewd and experienced Westminster observer.

The following points of interest arose:

The succession to Mrs Thatcher

- As previously reported, there is a growing consensus here that the Prime Minister will face a serious challenge to her leadership this autumn. It is also accepted that, although the timing will not suit him, Michael Heseltine will be unable to stay out of the contest.
- A scenario which is being discussed in Tory circles is that a stalking horse for Heseltine will stand against the Prime Minister and, if sufficiently successful, yield to Heseltine in the second round. The stalking horse would have to be a senior and popular Tory capable of attracting very broad support, enough support to frustrate a clear victory by the Prime Minister and force a second round.
- The candidate on whom Bevins is placing his bet is Sir Norman Fowler. Fowler is, both personally and politically, very close to Heseltine. He left Mrs Thatcher's Cabinet because it was clear to him that he could expect no further advancement. He has hinted to friends since then that he would have liked to become Home Secretary. In Bevins' view, Fowler has nothing left to lose and could prove amenable to standing as a surrogate for Heseltine, particularly if the prospect of high office in a Heseltine administration were held out to him.
- Bevins considers it possible that Fowler could win up to 150 votes (out of a total of 374 Conservative MPs). Under the complicated electoral rules, this would be enough to force a second round. At

cc P.S.T.; P.S.F. (h.2)  
Mr. Vally & P.S.  
A/Sec, Dublin & T.J. John,  
Counsel A1  
Kod.

that point, he would announce his withdrawal and recommend the transfer of his support to Heseltine, who would formally enter the race. Although Heseltine has hitherto professed himself unable to imagine circumstances in which the Prime Minister would not lead the party into the next election, he would explain his candidature with reference to the changed circumstances caused by Fowler's challenge.

- It is difficult to envisage any other candidates entering the race. Norman Tebbit has indicated that he will not stand until after Mrs Thatcher has retired. Furthermore, Howe, Hurd and other serving Cabinet members can hardly stand against the Prime Minister while she is still in office.
- Another possibility under discussion is that there would be no Heseltine stalking horse but a list of, say, 150 MPs pledging their support for Heseltine (with signatures) would be produced. Heseltine could then argue that, in view of the clearly expressed wishes of so many of his colleagues, he has no option but to stand against the Prime Minister.
- The widespread view in Tory circles is that Heseltine alone can prevent a Labour victory at the next election.

#### The Prime Minister and Europe

- By bringing sterling into the ERM this year, Bevin commented, Mrs Thatcher could disarm criticism both from Heseltine and from the Labour Party.
- N.P.// - Over the past fortnight, Charles Powell (her foreign affairs adviser) has been quietly briefing some senior journalists to the effect that entry to the ERM could well take place by the autumn of this year.
- For various reasons, however, Bevin believes that this is a diversionary tactic and that the Prime Minister has no intention of entering the ERM. First, she knows that, while she might impress the pro-European wing of her party by doing so, she would jeopardise the crucial support she enjoys among right-wingers. A decision to enter the ERM could well prove counter-productive.
- Secondly, and more importantly, she is profoundly suspicious of the Germans. This means that she not only has grave reservations about German unification, and the increased political leverage which this will give the Germans, but is also reluctant to tie sterling into a system dominated by the Deutschmark.
- In support of his contention that Mrs Thatcher "fears the Fourth Reich", Bevin referred to her natural xenophobia, her membership of the war-time generation and the effect of cultivating a Jewish vote (in Finchley) over many years. He also, however, cited the following remarks made by the Prime Minister in private recently:

- (i) In discussion with a senior Tory MP on the day after she addressed the British Council for Jewry, she remarked that "the German people are responsible for some unspeakable

crimes". (The MP was stunned by her deliberate overlooking of the non-involvement of most of the present West German population in the last War);

- (ii) In a conversation with Gerald Kaufman MP shortly after the same meeting, she drew close to Kaufman at one stage, patting him on the arm, and remarked: "We mustn't allow anyone to forget, must we, dear?"
- (iii) Over lunch with senior media representatives recently, she said that East Germany cannot be admitted to the EC until its economic development is complete. When one participant countered that this could take fifteen years, she replied: "So what?". When another suggested that it was sufficient for the East Germans to have embraced democracy, she remarked: "Hitler was elected, wasn't he?"
- (iv) In another recent private conversation with a Tory MP, she recalled that the Second World War started when the Germans expanded to the East by force of arms. "We cannot allow them to expand to the West by force of the Deutschmark".

While these remarks were made in private, Bevins noted, something of the same preoccupations emerged in her recent public indication that Europeans would have to get used to one country being more powerful than the rest.

- According to Bevins, therefore, Mrs Thatcher's deep-rooted suspicion of the Germans is likely to keep sterling out of the ERM for as long as she is in office. If she allows the impression to develop over the coming months (via Powell and Major) that she is seriously contemplating entry, she is doing this only to create a breathing-space. In reality, she has no intention of entering.
- In more general terms, Bevins remarked on the Prime Minister's habit of "taking one step back and then two steps forward". Under pressure, she has often agreed to things about which she had deep reservations. Subsequently, however, she has sought in various ways to frustrate or unravel what she has agreed to. Thus, she signed the Single European Act - and has spent much of her time since then trying to block its implementation. She agreed to the Madrid formula about ERM entry - and has since demoted one of its authors and provoked the other into resignation.
- Her approach to the Anglo-Irish Agreement, Bevins concluded, is not dissimilar. Under pressure from Ministers and officials, she signed it but her heart was never in it and, "plagued by guilt about it", she has never given it the necessary political impetus.

Yours sincerely

*David Donoghue*

David Donoghue

Press and Information Officer



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CONSULATE GENERAL OF IRELAND

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cc P.S.P.  
Carrigan P.J.  
19 02

Mr. D. Gallagher  
Assistant Secretary  
Anglo Irish

Cardinal Law - St. Patrick's Day 1990

At Mass at Boston Cathedral on St. Patrick's Day Cardinal Law read a strong statement on Northern Ireland. The Minister for the Marine John Wilson, T.D. was present.

The principal points raised in the statement (~~copy attached~~) are:

- an acknowledgement that the recent Fair Employment legislation "offers hope and promise...to set aright the unacceptable disparity between the unemployment rate of catholics and protestants". However he added more than this must happen. "A climate must be created in which fairness and equity in hiring and promotion are the normal procedure in all businesses and enterprises of Northern Ireland".
- He said the O'Connell project in Derry was a hopeful sign for the future and thanked Boston Ireland Ventures and Mayor Flynn, who collaborated in bringing this about.
- He mentioned the murder of Eamonn Quinn and violence on both sides.
- He called attention " to problems many perceive exist in the administration of justice in the North".
- He said that the Birmingham Six case remains a matter of concern about the British Justice System (in relation to the North).
- He questioned the role of the UDR.
- He recounted the House of Lords ruling which allows the security forces not to give testimony in the 'Shoot to kill' inquest. " To many", he said " this seems to apply one standard of law in England but a different one in N.I."



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- He said that in the U.S. "the question about the legal rights of Joe Doherty seems to have become complicated by questions of international relations".

- He reserved his greatest emphasis for an attack on the New Education Reform (N.I.) Order of 1989 which he said "is potentially discriminatory of catholic schools by its overriding of the rights of trustees". He extolled the values which Irish people have and continue to derive from the education system and the role the catholic church plays in it. He condemned as "totally untrue and contrary to the facts" that catholic education is divisive. He said that some even call into question "the validity of catholic education in the North". He said that it was grossly unfair that the catholic community in the North, who "remains the most deprived sector of the Northern economy", should have to carry a heavy financial burden for their schools. He ended by saying that the British Government "would advance the cause of peace and justice by promoting and strengthening catholic schools as well as the other schools in the North. He pointed out that the catholic church has consistently made a contribution to the education of Ireland and thus to the culture of the people and the Nation.

In conversation after with Minister Wilson the Cardinal said that both Cardinal O'Fiaich and Bishop Cahal Daly (both were in Boston over the past few months) were most concerned about the New Education regulation. They and he are of the view that the British Government and particularly Brian Mawhinney are using the issue to introduce a curriculum to the North's which will neutralise the Irish cultural slant which exists presently in catholic schools.

The Minister had a wide ranging conversation with the Cardinal on issues from the North to the European Community and the question of Eastern Europe relations with the EC.

At the end of the Conversation the Cardinal especially mentioned his recent visit to Cuba where he met with Fidel Castro. Before going he said he had a briefing with senior officials at the State Department and also with President Bush with whom he has a strong friendship.



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He told the Minister that there exists in Cuba a great desire to come to terms with the US but Castro does not want to be seen to sue for peace. The Cardinal said he was very disappointed with the US Government because they are not apparently prepared to give Castro an opportunity of getting off the hook. The Cardinal is concerned because he feels that in his isolated state, with the Soviet Union's attention on its own problems at home and Nicaragua voting Ortega out, Castro will become even more intractable and in maintaining control will possibly become more brutal.

*Liam Cannyffe*  
Liam Cannyffe  
Consul General

cc Ambassador, Washington  
Brian Nason, Anglo Irish

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