

START of file

~~PSS.~~
seen

SECRET

W

ANGLO-IRISH SECTION

WEEKLY BRIEF

WEEK ENDING 7th SEPT. 1990



1
2
3
4
5

C O N T E N T S

1. Reports from Anglo-Irish Secretariat
 - Telex on forthcoming Conference
 - Meeting on the NI Emergency Provisions Acts
 - Meeting with Mr. John Chilcot
 - Conversation with John Ledlie
 - Taoiseach's meeting with Alliance Party
 - Telex on withdrawal of Glór na nGael funding
 - Visit of Minister for Education to Belfast

2. Contact and Information Work
 - Meeting with Mr. Eddie McGrady MP, SDLP
 - Conversation with Mr. Brian Feeney, SDLP
 - Conversation with Fr. Matt Wallace, Belfast

3. Report on Northern Ireland Security Situation - August 1990

4. Report on the International Fund for Ireland - Perceptions and Impressions in Northern Ireland.

5. Reports from Embassy London.
 - Media comments on recent Birmingham Six developments
 - Lunch with Terry Kirby, The Independent
 - Conversation with Julia Langdon, The Sunday Telegraph

269/2 1

SECURE FAX 269

30 August 1990

*rec PS of
sh. Hughes, app
sh. Hughes: sh. Ryan
Gallagher
or other
Rex*

TO: H.Q.

FROM: Belfast

FOR: Asst. Sec. Gallagher (on return)

FROM: Joint Secretary

Conference Proposed for 14 September

The following reflects preliminary discussion here.

Venue/Time

It is anticipated that the Conference will be in Dublin on the morning of 14 September and will include lunch at which energy issues will be discussed with the participation of Ministers Molloy and Needham. (The Minister told me last week of a slight doubt concerning his availability on the 14th which I have mentioned to the other side. I undertook to keep them informed).

*not now
on the 14th
- news about
energy tonight*

Format

We expect the format to be along the usual lines, viz., opening tete-a-tete which is likely to involve principally the political situation, restricted security session and plenary with discussion on energy issues in the company of Ministers Molloy and Needham at lunch. We would suggest that, as at the last Conference, Ministers might wish to brief the Joint Secretaries and an Energy official from either side on the results of their lunch conversation.

The British side recall that Minister Burke gave a detailed presentation on security co-operation at a recent Conference. They would like to reciprocate with a presentation by the Chief Constable which, we understand, is likely to cover border security in particular. The British side say that Mr. Annesley would like to bring one or two Police assistants in order to help him with the presentation which will involve illustration,

289/3

- 2 -

e.g., slides. It has been suggested to me that the British side would prefer to give this presentation in the plenary session.

I have expressed some surprise at this, noting that, while there is obviously some cross reference to security co-operation matters in the plenary session, the restricted session has established itself as the forum for presentation and discussion of security co-operation issues. The British side noted my reaction and said they would reflect further.

Plenary Agenda

- Political Development: No announcement on political developments is expected from the Conference which will, however, mark a resumption of political discussion and will follow a Bangor-type speech expected from Mr. Brooke on or about 7 September. Ministers may wish to take their *tete-a-tete* discussion further in plenary and/or brief the full Conference (alternatively, in case of a time problem, they may wish to brief the Joint Secretaries at the end of the *tete-a-tete*). Mr. Brooke has proposed by letter to the Minister that officials should meet before the Conference to consider the present position.
- Security Co-operation: As noted above, the British side envisage a presentation in the plenary but are reflecting further on this idea.
- Stevens: Ministers may wish to give further consideration to this subject which we expect will be prepared at a meeting of officials in the Secretariat on 6 September.
- Extradition: We expect to have an interim report by Working Group II (which is meeting in Dublin today).
- Petrol Smuggling: There has been further internal consideration on the British side and they expect to say something to us under this heading.

- Closed Border Roads: This issue has been remitted to the Police Chiefs for a report.
- Cross-Border Shopping: The British side have expressed strong concern about the question of implementation of the EC Court's decision on the 48-Hour Rule and will expect to have further information from us under this heading.
- Energy Issues: The main discussion will be at lunch but Ministers may wish to comment briefly and take note in plenary. We understand that the two Departments have been in touch with a view to having a preparatory meeting on 5 September. This had been proposed by the Northern side for their own headquarters here at Netherleigh House. We have already suggested to you and to the other side here that it would be more appropriate to hold such a meeting, ~~meeting~~ ^{meeting} for the Conference at the Secretariat as has already been the case with tourism, ~~tourism~~ and Interreg issues. We understand from the British side that the issues for discussion are likely to be the gas and electricity inter-connectors, energy efficiency and pollution control (ref. Sellafield). Papers are being prepared but it is envisaged on the British side that they would not be completed and exchanged until after the Conference. I might add that Mr. Brooke has said to me personally that he envisages that discussion on energy issues will be "exploratory" and will not come, therefore, to conclusions as, for example, in the case of tourism issues.

Other Possible Issues

- Interreg: If there are developments to warrant it, there could be some discussion of this matter.
- Glor na nGael: The withdrawal of funding from Glor na nGael may be worth raising by our side.

269/5

- 4 -

- Prisons: In principle, it would be desirable for the Conference to have some discussion on prisons issues since it was now some time since these were addressed and since there has been a continuing problem at Crumlin Road. The British side are doubtful, expressing some anxiety that discussion at the Conference and reference to prisons afterwards might make things more difficult for them in relation to Crumlin Road and in relation to parole decisions which are now pending.

AN RÚNAÍOCHT ANGLA-ÉIREANNACH

ANGLO-IRISH SECRETARIAT

BÉAL FEIRSTE

BELFAST

286/2

7 September 1990

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

Dear Assistant Secretary

EPA Meeting

A meeting took place in the Secretariat yesterday to discuss Lord Colville's Review of the Northern Ireland (Emergency Provisions) Acts, 1978 and 1987 and the action to be taken on the Review. Present, on the British side were Messrs. Peter Bell, David Brooker, Paul Priestly and Robert West from the Northern Ireland Office and the British Deputy Joint Secretary, Mr Marcus Dodds. On the Irish side, the Joint Secretary was accompanied by Messrs. Ronan Murphy and James Farrell, Department of Foreign Affairs, Mr Paul Hickey, Department of Justice and Mr Sean Hughes, Secretariat. A full note of the discussion is being prepared by Mr Farrell.

You will recall that the 1978 and 1987 Acts are both due to expire in March 1992 and that Lord Colville was appointed by the Secretary of State in September last to consider what changes to existing provisions should be made when the time comes to replace the Acts. The British side explained that they are under instructions to have this legislation ready for introduction at any time from the beginning of the next Parliamentary session; this means in effect that the Bill is likely to be introduced sometime between mid-November and mid-December. The only decision made so far by Ministers has been to proceed with new emergency legislation; they see such legislation as essential having regard to the continuing terrorist threat. Officials hope to be in a position soon to go to Ministers for decisions on the provisions carrying political implications. In the meantime they are going ahead with preliminary drafts following the format of the existing legislation and taking Colville's recommendations into account. Their approach is to keep only those provisions which are necessary to enable the security forces to confront the terrorist threat and they are conscious of the need to avoid alienation of sections of the community.

We raised the question of the need for a new EPA at all referring to the extensive powers in the Prevention of Terrorism Act and the Police and Criminal Evidence Order. On the

assumption that new legislation will be forthcoming, however, we outlined the main areas which would be of concern to us. We referred to the following points mentioning that they were not in order of importance:

- ensuring that in any new emergency legislation it be made clear that the military operate in support of the civil power;
- a change to a three-judge Court in the Diplock system instead of a single judge;
- a change to certifying cases for trial by the Diplock Courts rather than the present system of certifying cases out of these courts;
- replacement of the EPA provision on admissibility of confessions by the corresponding PACE Order provision which is more protective of the interests of the accused;
- replacement of the non-statutory Guide to the Emergency Powers by a statutory Guide or Code or alternatively a statutory unified Code of Practice on the lines of the PACE Code for both terrorist and non-terrorist cases;
- a provision that the killing of a person by use of excessive force in self defence should be capable of amounting to manslaughter;
- a prohibition on blanket searches of houses under the EPA when suspicion attaches to one house only; and
- a reduction in the maximum powers of detention for questioning under the PTA to 96 hours.

The British side in response stressed that Ministers have yet to make up their minds on the contents of the proposed Bill. They did not comment favourably on any of our proposals, however, preferring instead either to point to what they saw as the difficulty involved with a proposal or to give a neutral answer.

The meeting then proceeded to discuss Colville's review chapter by chapter. Our comments followed closely the views expressed in the Secretariat paper of 2 September.

On internment (Chapter 11) the British side asked specifically whether we would be calling for the dropping of the relevant provisions, as recommended by Colville, while at the same time maintaining corresponding provisions in our law. We responded that the situations in the two jurisdictions are in fact, quite different, in that they have to make a positive decision on whether to re-enact their internment provisions whereas that situation does not arise in our case. We added that it was an issue on which Ministers on both sides would undoubtedly wish to reflect, however,

286/4

- 3 -

We went on to mention that, as a lead-up to an early Conference discussion on Colville/EPA matters, which we envisaged for October, we will consider presenting a paper to the other side setting out formally our views on the various issues. We stressed the need for information at the earliest possible moment on any completely new proposals which may be going ahead so that we could make our views known in advance of any public announcement. We also asked that we be supplied with a copy of the draft EP provisions as soon as the shape of the Bill is determined.

Overall, the discussion was a useful preliminary exchange of views although the other side showed a reluctance to enlighten us on their thinking in advance of Ministerial directions. The fact that the Conference has already agreed to discuss the matter and the British side's agreement that discussion at an October Conference would be appropriate, will help in monitoring developments on the proposed Bill.

Yours sincerely,



Seán Hughes

BÉAL FEIRSTE

BELFAST

6th September, 1990.

Confidential

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

Dear Assistant Secretary,

Taoiseach's Meeting with the Alliance Party

I had a brief exchange with the British Deputy Joint Secretary today about the call by Dr. Alderdice and his colleagues on the Taoiseach yesterday.

I understand that Dr. Alderdice told the British that he had given the same message to the Taoiseach that he had given here over dinner at Stormont last month although in a less "impassioned" way. He said he had been pleased that the Taoiseach had agreed to see him and pleased also with the discussion. The British side had no details of the discussion and I gave them the gist of the Taoiseach's presentation to Dr. Alderdice laying emphasis on the following points:

- The Government had remained relatively silent in order to make it easier for all parties to reach agreement; We had not rebutted charges made against us (by the Unionist side);
- Opposition Spokesmen and Dail Deputies generally had been very responsible in regard to the talks;
- We had not "vetoed" Mr Brooke's intended statement on 5 July; we had found it impossible to respond to a long text in the short space of time given; we had said that if the statement were made we might have to state our own views in public;
- We had made concessions which were important in the light of concern in the South about implications for the Agreement;
- In order to be helpful we had not asked to be party to the internal talks;
- As parties to the Agreement it was axiomatic that we should be involved from the start in talks which had as their objective the consideration of an agreement transcending or superseding the present one;

- Again, in order to be helpful, we were prepared to agree that North/South talks should start within weeks of internal talks;
- We could not accept a situation, however, where we had no clear guarantee or understanding that we would be involved in the process at some stage;
- We did not believe that things were at an impasse; there were ways in which the problem might be resolved, for example, a private understanding about a timescale within which North/South talks would begin.

I said I understood that Dr. Alderdice had described the Taoiseach's views as very helpful.

Yours sincerely,



Declan O'Donovan,
Joint Secretary.

268/2

SECURE FAX NO 268

cc [unclear]
de [unclear] [unclear]
M [unclear] [unclear]
C [unclear] [unclear]
[unclear]

30 August 1990

To: HQ From: Belfast
For: Asst. Sec. Gallagher (on return) From: Joint Secretary

Glor na nGael

Please refer to Mr. Gaffey's 546C, Mr. McMahon's Secure Fax 207 and other exchanges concerning the Secretary of State's decision to withdraw public funding from the West Belfast branch of Glor na nGael.

I discussed this matter with the British Deputy Joint Secretary last evening.

I said we had three concerns:-

- First, we had been informed of the decision after it had been taken and after the letter had issued. I said we were surprised that the British side had not thought it right to consult us in advance. The Agreement specifically provided for consideration of matters concerning the identities and cultural heritage of both traditions, and of security issues having a bearing on the community. The failure to consult us was all the more unfortunate in light of the Minister's letter of 7 August to Mr. Brooke which concerned the specific question of street names in the Irish language, but referred to the recognition in the Review (para 8) of the central importance in the implementation of the Agreement of measures to accommodate the rights and identities of the two traditions in Northern Ireland and expressed concern that the issue of

268/3

- 2 -

the language could be used by subversive groups to try and undermine our common efforts under the Agreement to make progress in relation to issues of importance to the nationalist community.

Second, we had asked for and I now asked again for briefing on the reasons which lay behind the decision to withdraw public funding. I noted that the communication to Glor na nGael simply referred to Mr. Hurd's policy statement of 27 June 1985 which speaks of community groups which have "sufficiently close links with paramilitary organisations to give rise to a grave risk that to give support to those groups would have the effect of improving the standing and furthering the aims of a paramilitary organisation, whether directly or indirectly". I said that subject to briefing awaited from the British side, our assessment at this point was that the funds of Glor na nGael were not likely to be channelled to the IRA and that the coordinator (Garlann) and incoming coordinator (Andrews) of Glor na nGael did not appear to have obvious political affiliations. No doubt there were Sinn Fein supporters on the Committee, but the most public of these, Councillor Mairtin O'Muilleoir, had in fact resigned two months ago.

Third, I said that it could not be expected that Sinn Fein supporters or activists could be entirely excluded from associations promoting the Irish language or Irish culture. By appearing to punish an association because it had a Sinn Fein element, the British Government ran the strong risk of being seen to be anti-language and anti-local community efforts in West Belfast and to set back the efforts of Minister Mawhinney in regard to cultural traditions and Minister Needham in regard to West Belfast. We had already pointed out this risk and I drew attention to the critical publicity in yesterday's Irish News adding that no doubt Sinn Fein would make the most of the decision in An Phoblacht and other propaganda. I repeated our request for a fuller explanation from the British side.

268/4

- 3 -

In response Mr. Dodds noted the point about consultation and said his side believed there were good reasons for the Secretary of State's decision. He said that as the use of the Hurd document which was "so long in the tooth" might suggest, the decision had been security driven. (I took this to mean that the political factors may not have been given sufficient weight). Dodds said that he would ensure that my comments were brought to Mr. Brooke's personal attention on his return to the office at the end of next week and that he would try to provide a further reply at that time.

BÉAL FEIRSTE

BELFAST

Confidential

6 September 1990

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

Dear Assistant Secretary

Visit of Minister for Education to Belfast

As you know, the Minister for Education, Mrs. O'Rourke, paid a visit on Tuesday to the Kings in Conflict Exhibition at the Ulster Museum which was mounted to mark the third centenary of the Battle of the Boyne. The Minister's visit was well received here and was a very appropriate gesture at the close of this Exhibition which featured many contributions from the South. We experienced a last-minute problem, however, in regard to the Secretariat which is the reason for this letter.

We were asked some weeks ago whether the Minister for Education would agree to visit the Exhibition in the company of the Parliamentary Under-Secretary in charge of Education here, Dr. Brian Mawhinney, and we were involved in subsequent exchanges. At the time, we were asked if we wished to attend the occasion. We did not think that was required but we said we would like to be available to the Minister to provide any briefing or assistance she might need in regard to matters coming within the ambit of the Anglo-Irish Conference and which might arise in discussion with Dr. Mawhinney. We were thereupon invited to attend a lunch for the Minister and her official party at Stormont and it was understood that in my absence on leave, the Deputy Joint Secretary, Mr. Nason, would represent the Irish side of the Secretariat. On Tuesday morning when the Minister for Education was already en route to Belfast, Mr. Nason was given an abrupt message from Dr. Mawhinney that the invitation had been withdrawn and that he would not accept any association by the Secretariat with Minister O'Rourke's visit.

Although we continue to experience efforts by some Northern civil servants to frustrate the commitments made by the two Governments in the Agreement and in the Review of 1989, we have been gaining more cooperation in recent times and, as you know, it has been the norm for the Secretariat to be represented at discussions between Northern Ministers and our Ministers which may have a bearing on the work of the Conference: Dr. Mawhinney's decision came, therefore, as a complete surprise.

I should make it clear that our only concern is to assist any Ministers or officials visiting here in any way we can. We do not ask to participate in these visits except, to the extent that they involve discussion of matters which fall within the scope of the Conference. In this case, we were conscious that there might be discussion not only of educational matters but of the status and treatment of the Irish language and culture in Northern Ireland, and, indeed, possibly the question of the political talks in which Dr. Mawhinney has a role outside his strict educational brief. As it happened, Minister O'Rourke was asked by the media about the British Government's decision to withdraw funding from Glor na nGael which is an issue on which there have been several exchanges here and which will be raised at next week's Conference.

I believe it is necessary to the credibility of the work we do here on behalf of the Government that the British side should be made aware in clear terms of our concern about the decision made by Dr. Mawhinney and the manner of informing us when our Minister for Education was actually en route. I have arranged to call on Sir John Blelloch, the Permanent Under-Secretary of State at the NIO, to make a formal protest and I think it would be important to take other appropriate opportunities to make our views known to the British authorities.

Before writing this letter, I spoke informally to the British Deputy Joint Secretary, Mr. Dodds, to see if there was any argument or alleviating factor which we should take into account. Unfortunately, his private account of the affair simply makes Dr. Mawhinney's action all the more objectionable. Mr. Dodds came here from a post in the Department of Education and is in a good position to know the background. He agreed that the Ministerial meeting could and, in fact, did cover matters coming within the ambit of the Agreement. In response to my suggestion that we could only interpret the last-minute decision as a deliberate discourtesy, Mr. Dodds said that, unhappily, he had to agree. He confirmed that the invitation to us was agreed a month ago and that, in withdrawing it, Dr. Mawhinney had rejected not only their own advice but the advice also of Sir John Blelloch. Mr. Nason was told on Tuesday that Dr. Mawhinney saw the lunch discussion as outside the ambit of the Agreement and had given that as his reason for withdrawing the invitation. Mr. Dodds told us in confidence that Dr. Mawhinney remarked that he did not want the lunch with Minister O'Rourke to be turned into a "three-ring circus", that our association in any way with the Minister's visit would be objectionable to the Orange Order which was among the contributors to the Exhibition and that our presence at lunch would be objectionable to a school principal, a Ms. Lambé, who had been invited.

Mr. Dodds expressed his own personal embarrassment and referred to Dr. Mawhinney's reputation for "brutal and dictatorial" treatment of officials and outsiders alike. He said Dr. Mawhinney likes to think of himself as the voice of the Unionist working man although the Secretary of State does not necessarily accept advice given on the basis that "I come from a street off the Malone Road" (my British colleague drily

observed that "there are no streets off the Malone Road, only Parks and Avenues"). I thanked Mr. Dodds for the efforts made by the British side of the Secretariat to dissuade Dr. Mawhinney but I said that the manner in which Dr. Mawhinney treats his own officials and others is a matter for the British Government; as representatives of the Irish Government we do not expect such treatment and will not accept it.

I would be grateful if you would arrange to inform the Minister for Education of the position and to express to her our regret that we were unable to meet her on Tuesday.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Declan O'Donovan".

Declan O'Donovan
Joint Secretary



752 75-54122

NORTHERN IRELAND Information Service

4 September 1990

BOYNE VIDEO FOR SCHOOLS NORTH AND SOUTH

The Battle of the Boyne, an episode in Irish history that to most people signified religious division, today brought together Ministers from both sides of the border in a venture of community harmony.

Northern Ireland Education Minister, Dr Brian Mawhinney MP, and the Republic of Ireland Education Minister, Mrs Mary O'Rourke TD, at a ceremony at the Ulster Museum, Belfast, jointly announced the production of a video, based on the exhibition "Kings in Conflict", which has just ended a successful five-months display at the museum.

Both Ministers expressed the hope that "a constructive study of the conflicts in Ireland in the 1690s would herald a new era in cross-border co-operation and mutual understanding in the 1990s".

The video, to be jointly funded by the Education Departments North and South and to be produced by the Northern Ireland Centre for Learning Resources, based at Stranmillis, Belfast, will be shown in schools throughout Ireland. It is geared mainly for secondary schools, but it will be of interest to senior primary pupils and should encourage pupils and their teachers to investigate and understand the wider European and parliamentary significance of the Boyne battle.

Dr Mawhinney said: "The joint production of the "Kings in Conflict" video and teaching materials marks a significant advance in the already impressive range of co-operative, neighbourly ventures between the Departments North and South and I am delighted to be able to make the Ulster Museum's exhibition materials more widely available to schools throughout Ireland.

"The Kings in Conflict exhibition, part of the Boyne tercentenary celebrations, should help dispel many misconceptions about Irish history in the 1690s era. - The video will help place in perspective the Battle of the Boyne and the war between the Jacobites and Williamites in Ireland and help erase political myths that have tended to obscure historical realities.

"This process of education in schools North and South will enable our young people to better understand and respect each other's point of view without there being any threat to religious belief or political aspiration".

Outlining the background to the Battle of the Boyne and the 1690 wars in Ireland, Dr Mawhinney said: "William's victory at the Boyne was an historical turning point which marked a change in the government of, and in these islands, the advent of constitutional monarchy, and the slow but steady progress towards democratic institutions which are cherished in these islands and have been copied the world over."

Dr Mawhinney added: "I hope the evidence presented in the video and teaching materials will be studied by young Catholics and Protestants in Northern Ireland, perhaps working together through our increasingly popular cross-community contact scheme, to arrive at their own conclusions about the Boyne and its aftermath. I also hope that they might join with young people in the Republic to investigate and discuss these great events so that 1990 might yet become the year when the Boyne became a stepping stone to reconciliation for young people in Ireland, North and South."

Mary O'Rourke saw the "Kings in Conflict" venture as the latest promising symbol of co-operation between North and South, especially in the context of 1992 and common membership of the single European Market.

Mary O'Rourke said: "The peoples of Europe, long locked in bitter rivalries and dissensions, are now looking forward to this new dawn when the ideals of liberty, equality and fraternity will be given positive and concrete expression in the European Community and it is a source of great encouragement and satisfaction that the Irish, North and South, should now be seen to be rowing with the broader flow of history. All our young people are now 'Young Europeans' and in sharing and working for the new, open, co-operative Europe they can retain their traditions and cherished identities while sharing common goals and a common identity."

According to Feeney, Orangemen and police privately accept that at some stage the March will not be permitted. However, there is no history to show Orangemen voluntarily forfeiting a parade route and it will only happen when the police stop them. While the RUC accept all the points about demographic change in the area and the damage to community relations resulting from the continued use of this route, the RUC's refusal to re-route the parade boils down to cost, and the threat from loyalists if they do. As far as Feeney is concerned, the message is clear - the RUC arrived at their decision on the basis of violence and the threat of violence.

Feeney will be writing formally to the Chief Constable outlining the above arguments and making the point that while there was no civil disorder this year, that this is no guarantee for the future. In any event this cannot be the sole criterion. In Feeney's view, the effect on peoples perceptions of justice and the role of the police is ruinous. The perception is that the police facilitate a sectarian organisation in inflicting an injustice on the Catholics of the Lower Antrim Road.

Comment:

It can be anticipated that in the absence of a change of heart on the part of the RUC, this route and the route of the Portadown parade (Garvaghy Road) will continue to be the major problem areas in next years' Marching season.



Brendan McMahon
Anglo-Irish Division
31 August 1990

cc A/Sec Gallagher
Joint Secretary
Counsellors A. I
Box

Conversation with Fr Matt Wallace, St Peter's
Divis Flats, Belfast, 29 August, 1990.

Fr Wallace is the key moving force behind the Church's substantial involvement in community-based job creation programmes in the Falls area of West Belfast.

Economic Regeneration:

As on previous occasions, he articulated his own (and the Catholic Church's) sense of frustration that while local Church inspired activities have had a certain amount of success (success which he largely attributes to the help of the International Fund), there was as yet little sign of direct concrete Government involvement in the area. As far as he could see, the British Government's major initiative (the Springvale Project to develop the existing Mackies site and adjacent land) will for the next 5 years at least, largely be involved with relocating the Mackies plant. Other possible developments on the site which would be to the benefit of Catholic West Belfast are unlikely to begin until after that time. He sees nothing concrete emerging from the Springvale Project until the turn of the century.

There is a limit to what voluntary community-based organisations can achieve and he sees an urgent need for these activities to be complemented by concrete Government sponsored job-creation projects in the area. Unless such complimentary action is seen to be taken by the Government in the short to medium term, there is a real danger that the positive results already achieved by existing community-based bodies in terms of lifting the morale of young people in the area, could be dissipated by a growing sense of cynicism among the youth. In that context, he was particularly worried at reports which he had heard of a 30% reduction in the numbers of young people from the area seeking places on job-training programmes.

He commented at length on the effect which community-based projects had on the morale of local young people over the past two years. He had noted the beginnings of a new spirit - the kids were turning up at the Job Clubs in significant numbers; they wanted work; there is even a new preparedness to work in areas outside of the West Belfast ghetto. He sees Government action now as necessary to avoid disillusion setting in. At the same time, he wondered whether real action by the British Government is really possible given the motivation which he sees as underlying their "Making Belfast Work Programme" (MBW). Instead of adopting the programme as a response to the deprivation in the area, the real motivation was security -ie: through economic development to under-cut support for the IRA.

He expressed considerable envy at the current state of high morale and self-confidence in Derry - something which he attributed to the success of John Hume in promoting the City. He bemoaned the fact that as far as he could see, Hume devotes himself exclusively to Derry and pays little attention to the problems of Belfast. [This is a sentiment frequently expressed by nationalists in Belfast.] He wished that West Belfast had its own forceful M.P. However, Gerry Adams' abstentionism leaves them voiceless and he could see little prospect of any change in this situation nor any sign of a credible challenge being mounted by the SDLP for Adams' seat.

Racketeering:

He commented on the number of Provo Drinking Clubs which had closed in recent times, sometimes because of loss of license or more often, because they were no longer making money. The Pound Loney Club (based in the Conway Mill) closed some months ago and, most recently, the Martin Forsyth Club in Turf Lodge had lost its license. He thought it noteworthy that there had been no outcry at its closure - it didn't even receive a mention in the local Andersonstown News. He speculated that this may be because many of the smaller Clubs were probably losing money. He had noticed that tastes were changing and that many of the local young people preferred to go to ordinary commercial bars and discos either in West Belfast or in the City centre. He commented that at least you don't get shot there, or dragged into the toilets for a beating - something which has not been infrequent in some of the Provo Clubs.

Paramilitaries:

There had been a serious danger of a feud between the Provos and the IPLO following a savage gang-rape of a woman in Divis Flats by an IPLO gang earlier in the Summer. In the event, the police managed to arrest two members of the gang involved and the rest have been chased off to England.

He thought that it was becoming ever more apparent that the Provos have been deeply penetrated by British Intelligence. The security forces have had some notable successes in arms finds, and in discovering bomb factories in recent months. Overall he felt that the Provos are in trouble and their base within the community is not as strong as it was, even up to a year or two ago. He thought it noteworthy that people are no longer afraid to tackle Sinn Fein over punishment shootings of members of their family, or over non-delivery in terms of their local political promises. He commented that the Provos in the local advice centre are getting a lot more stick from the public than they had received in the past. It was also noteworthy that their protest marches, like the recent Internment Anniversary marches, had a very low attendance and even then, half of the participants were bussed-in from outside. His own belief is that people like the

local Sinn Fein Councillor (Fra McCann) and Gerry Adams would be happy to move away from the campaign of violence if some sort of face-saving formula could be found whereby they would be able to show their supporters that the 20 years of struggle and suffering had not been in vain.

Glor na nGael:

He was deeply irritated by the decision of the British Government to cut off funding to Glor na nGael in West Belfast because of alleged paramilitary links. He commented that local people were not going to be dictated to in this high-handed way as to who they could or could not admit to their organisations. As far as he was concerned, while the organisation may contain members of Sinn Fein - this was hardly very surprising in West Belfast. The organisation was not however a Provo Front and it did much useful work in the area. He intended to support them in having the funding restored. [In fact he was on the platform of the Glor na nGael press conference the next day, along with Joe Hendron and Patsy McGlone of the SDLP. At that press conference, Provisional Sinn Fein were noticeable by their absence.]



Brendan McMahon
Anglo-Irish Division
31 August 1990

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

Northern Ireland Security Situation August 1990

Fatalities

There was only one security related fatality during the month of August which was that of Andrew David Bogle, killed by an IRA booby trap bomb in Castlederg, Co. Tyrone. The IRA claimed his employers had carried out work for the security forces. His death brings the total for the year so far to 38, compared with 45 at this time last year and brings to 12 the number of fatalities in border areas this year. (According to press reports, 21 people have now been killed in the village of Castlederg, of which 19 were protestants.)

Other Violent Incidents

- There was a mortar attack on Strabane RUC station in which one bomb hit the station but failed to explode. Sixty families were evacuated from their homes while the bomb was made safe.
- A 600 lb bomb was abandoned by the IRA near Rasharkin and safely defused. A 70 lb shrapnel bomb was defused near Castlewellan. Also in Castlewellan, a full time member of the UDR discovered a semtex bomb attached to his car and in Gilford, Co. Down, a full time member of the RUC reserve found a similar booby trap bomb under his car.
- There were a number of shooting attacks on police stations in Belfast and Pomeroy Co. Tyrone. The latter attack may have been directed at civilians doing building work at the station.
- Two men were arrested after shots were fired at an army patrol in the Lenadoon area of Belfast.
- On 23rd August 40 bomb scares in Belfast caused serious traffic disruption.
- Eight punishment shootings were reported in the media, including the shooting of three Chinese in the legs and ankles by the UVF in North Belfast.
- Police in Belfast opened fire on a stolen car which failed to stop at a checkpoint but there were no injuries to the occupants.

Marching Season

The Apprentice Boys parade in Derry and the various events held to commemorate the anniversary of internment passed off relatively quietly with only a few minor disturbances. A very small number of plastic bullets was fired this year in comparison with other years. The internment rally in Belfast was addressed by Noraid publicity director Martin Galvin. In an apparent "show of strength" for the benefit of the Noraid visitors the IRA in Derry orchestrated the throwing of over 30 petrol bombs at the

security forces and the hijacking of two buses which were left blocking the roads to Letterkenny and Buncrana for a number of days.

Crumlin Road Prison

The pattern of disturbances related to the segregation issue continued inside the prison. One loyalist prisoner was severely beaten by fellow loyalist inmates and some damage was caused by loyalist prisoners in a subsequent protest which included prisoners "slopping out" under their doors. In separate incidents two other loyalist prisoners were treated for minor injuries after being assaulted by republican prisoners and five prison officers were slightly injured in a fight with loyalist prisoners.

Dublin-Belfast Railway Line

Services were disrupted for 9 days while the security forces moved in to defuse a 40 lb bomb at left at Ayalogue Bridge in Armagh.

Lanark Way

The RUC announced the limited closure of Lanark Way in Belfast following the murder of John Judge in late July.

Cross-Border Roads

A number of closed border roads in the north Monaghan area were re-opened and closed again by the Northern security forces.

Other Developments

Three U.S citizens and one Irish citizen, Martin Quigley, were sentenced to prison terms ranging from 3 to 10 years for conspiring to supply the IRA with high-tech electronic devices for use in bombs and missiles in violation of U.S arms export control laws.

J Farrell
J Farrell
Anglo-Irish Section
7 September 1990.

CC. Mr. Gallagher, Counsellors AI, Secretariat, Mr. Collins, Mr. Brosnan (D/Justice), Embassies: Canberra, London, Washington. Box.

Fatalities in Northern Ireland 1969 - end August 1990¹

TABLE 1

	Civilians ² (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 ³
1989	41	12	2	9	23	64 ⁴
1990	23	1	6	8	15	38 ⁵
Total	1930 (68.5%)	424 (15%)	186 (6.5%)	274 (10%)	884 (31%)	2814

¹Source: Westminster PQ replies and Section records.

²For breakdown see Table 2. This column includes 26 prison officers.

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

⁴In 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.

⁵In addition, 1 British soldier killed in London on 16 May, 2 Australian tourists killed in Roermond, the Netherlands, on 27 May, 1 British soldier killed in Lichfield, Staffs, on 1 June and 1 British soldier killed in Dortmund, FRG, on 1 June. Ian Gow M. P. killed in Sussex on 30 July.

TABLE 2

Breakdown of Civilian (i. e. non-security forces) fatalities1969-end August 1990¹

	Prov. IRA	INLA/ IPLO	Off. IRA	UDA/ UFF	UVF/ PAF	U. R. ²	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	2	2		3	1		15	23

Total: 232(12%) 29(1.5%) 26(1.5%) 47(2.5%) 33(1.5%) 2(0.01%) 1566(81%) 1935

¹Statistics 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.)

²Ulster Resistance

TABLE 3

Breakdown of all fatalities by Agency Responsible,
1969-end August 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 ¹		4		23			2	3	3	2
Total	52	261	7	1186	74	15	359	69	55	586
(2663)	(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

¹Person responsible for death of Clifford Lyness on 13.3.90 not disclosed.

Agency responsible for fatalities 1969- end August 1990:Breakdown by category of victim¹

<u>Category of Victim</u>	<u>Agency Responsible</u>		
	<u>Security Forces</u>	<u>Nationalist Paramilitaries</u>	<u>Loyalist Paramilitaries</u>
Security Forces	16	855	10
Nationalist Para.	117	142	20
Loyalist Para.	43	19	39
Civilians	174	592	640
Prison Officers	0	26	2
TOTAL	320	1634	711
As % of Total	(12)	(61)	(27)

¹Source: 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 August 1990¹

Agency Responsible	No. killed	% of total
Nationalist paramilitaries	451	36.5%
Loyalist paramilitaries	571	46.5%
Security forces	211	17%
TOTAL	1233	

(b) 1978 - end August 1990

Agency Responsible	No. killed	% of total
Nationalist paramilitaries	125	36.5%
Loyalist paramilitaries	126	36.5%
Security forces	93	27%
TOTAL	344	

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

TABLE 6

Breakdown of Catholic fatalities in
Northern Ireland by category of victim 1969 - end August 1990¹

<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	124	10%
Catholics killed by loyalist paramilitaries	571	46%
Nationalist paramilitaries killed in "own goal" operations	109	9%
Nationalist paramilitaries killed by security forces	117	10%
Catholics killed by Nationalist paramilitaries in "punishment/discipline" operations (alleged informers etc.,)	177	14%
Catholic members of security forces killed by Nationalist paramilitaries	41	3%
TOTAL	1233	100%

¹Source: Irish Information Partnership and Section records.

Fatalities arising from incidents in border areas¹

Fatality	<u>1990</u>	<u>1989</u>	<u>1988</u>	<u>1987</u>	<u>1986</u>
RUC	5	5	3	3	10
UDR	1	1	4	1	4
Army	1	9	2	1	3
IRA	1	1	2	4	3
INLA/IPLO	1	-	1	4	-
Civilian(cath.)	2	4	3	2	2
Civilian(prot.)	1	-	6	7	3
Total	12	20 ²	21	22	25

Fatalities in border areas: Breakdown by County

County	<u>1990</u>	<u>1989</u>	<u>1988</u>	<u>1987</u>	<u>1986</u>
Down	1	4	1	5	5
Armagh	8	6	10	7	9
Tyrone	2	3	4	-	4
Fermanagh		2	5	2	5
Derry	1	5	1	8	2
Total	12	20 ²	21	22	25

¹Border 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.

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

Colin R. 4

The International Fund for Ireland
- perceptions and impressions in Northern Ireland
(Derry/Fermanagh/Tyrone area)

1. This note is based on soundings among contacts in the Derry/Eermanagh/Tyrone area, and seeks to convey a flavour of how the Fund is perceived on the ground there. Most of our contacts are within the nationalist community and the views expressed in this note tend, therefore, to reflect perceptions in that community. There has also been occasional contact with a number of unionist Councillors and their views will also be of interest, as an indication of thinking on the Fund in some unionist quarters at least.

2. The strong overall message is that the Fund is playing a vital role in the development of the economic life of Northern Ireland, particularly in the more disadvantaged areas, and that it is essential that it be retained and consolidated.

3. It is true, however, that initial impressions of the Fund in the nationalist community in 1987/88 were less than favourable in many instances. The main reason for this was the perception that the First Urban Development Programme favoured the unionist community and discriminated against nationalists. There was particularly strong criticism of the First Programme in Fermanagh, where a list was compiled of grant recipients in Enniskillen which showed that roughly 80% were from the unionist community. The view in nationalist circles in Fermanagh was that the Department of the Environment Office in Omagh (which had responsibility for administering the First Programme in the Fermanagh area) had "ensured" that the bulk of the money went to unionist applicants. This gave rise to considerable resentment in the nationalist community in Fermanagh and to charges that the Fund was already proving to be merely "more of the same".

4. To a great extent, these negative perceptions have now given way to a considerably more positive view of the Fund's activities and role. Among the factors behind this change are:
- the decision in 1988 to focus the Fund's direction more sharply towards disadvantaged areas;
 - the appointment of Development Officers in a number of areas;
 - the appointment of a new Board in 1989;
 - the Second Urban Development Programme, which was generally regarded as recovering much of the ground lost by the First Programme; and
 - the "time factor" i.e. the Fund is now entering its fifth year and as more projects reach completion, there is more and more tangible evidence - and appreciation - of its value and use.

Herewith a brief elaboration on each of the foregoing.

Disadvantaged Areas

5. The reality is that in many nationalist areas - particularly in rural counties such as Fermanagh and Tyrone - there had been little or no tradition of involvement in economic development/enterprise. What economic activity there had been, had tended to be concentrated in "traditional" areas such as construction and the agri-sector. The alienation from, and lack of confidence in, the institutions of Government in Northern Ireland extended also to the economic sector. The nationalist perception was that the unionists controlled the funding/aid process in this, as in every other, sector and that nationalists "need not apply". That

is one of the reasons why the introduction of the Fund, with its strong Dublin role, was seen as such a significant development by the nationalist community. For the first time effectively, there was an institution in place which nationalists could approach in confidence and with a sense that a "fair deal" would be forthcoming.

6. Hence the unease caused in its early period of operation, when it seemed (e.g. First Urban Development Programme) that "old patterns" were already shaping the Fund's direction. The decision in 1988 to focus more sharply on disadvantaged areas was, therefore, of crucial importance and certainly greatly helped to renew nationalist confidence in the Fund.

Development Officers

7. The appointment of Development Officers has been a particularly useful initiative. The fact of a Fund presence at local level in this way has proved most beneficial, both in terms of the practical assistance which the Officers have been providing in these areas and in terms of bolstering overall confidence in the Fund.

New Board

8. "Fairly or otherwise, there was much criticism of the first Board of the Fund. The new Board is viewed with considerably more confidence, particularly in the nationalist community. There is no doubt but that this has been a significant factor behind the change in nationalist perceptions of the Fund.

Second Urban Development Programme

9. In general terms, the Second Programme was viewed as a considerable improvement on its predecessor. With such a heavily over-subscribed application process, there were inevitable disappointments, but certainly the overall impression was that a much fairer balance had been struck.

The "time factor"

10. As the Fund enters its fifth year, there is now a sense of it as "part of the landscape" of life in Northern Ireland. There is greater familiarity throughout communities of what it does and how to go about seeking its assistance. As projects are announced and reach completion in more and more areas, there is also increased, tangible evidence of its achievements and value. In this evolving way, also, therefore, the perception of the Fund as a durable and useful institution has been growing and deepening.

Unionist perceptions

11. As mentioned, this note primarily reflects nationalist views of the Fund. The Fund has, of course, also generated considerable interest among sections of the unionist community. While their opposition to the Anglo-Irish Agreement has precluded many unionists from any involvement with the Fund, a considerable group has seen no contradiction between opposition to the Agreement and at the same time availing of the assistance of the Fund. For these, the Fund is seen as a useful new vehicle for economic development and advance, both in community terms and in terms of assistance to individual applicants. A unionist Councillor in Dungannon told us recently that this involvement by unionists with the Fund was undoubtedly helping the albeit slow process of breaking down barriers between the two communities in Northern Ireland and indeed between North and South.

Conclusion

12. As mentioned, the clear message on the ground is that the Fund is playing a vital role in the development of the economic life of Northern Ireland, particularly in the disadvantaged areas. Any suggestion that the Fund should cease or even scale back its operations would be greeted with dismay. Initial dissatisfaction with aspects of the

Fund's work has been replaced by an overall confidence that it is now working largely along the right lines. The emphasis on the disadvantaged areas (and, for instance, the recent introduction of the CRISP programme for smaller towns) is regarded as particularly helpful, given the long history of neglect in these areas in regard to economic development. There is clearly also a role for the Fund in the process of breaking down sectarian barriers and, no doubt, this is an aspect which has the potential to be developed further.

T. O' Connor.

August, 1990.

H0416



IRISH EMBASSY, LONDON

17, GROSVENOR PLACE,
SW1X 7HR

Telephone: 01-235 2171

TELEX: 916104

5

Confidential

29 August 1990

Mr. Dermot Gallagher
Assistant Secretary
Anglo-Irish Division

*cc DSM
to Miller; PLS
to de la...
C...
for...
---*

Dear Assistant Secretary

Media comments on the Birmingham Six development

I spoke today to a number of key media contacts about the Home Secretary's decision to refer the case back to the Court of Appeal.

The following points of interest arose:

- The news came as a complete surprise to all of them. While one had a hint from a Birmingham police source yesterday afternoon that an unspecified development was imminent, none of them were prepared for today's announcement. It was widely expected that nothing would happen until the Devon and Cornwall team had sent its report to the Home Secretary.
- One contact has learned that it was not even an interim report which prompted the Home Secretary to act but merely a memorandum of one or two pages which was sent to the Home Office last week by the Chief Constable of the Devon and Cornwall Constabulary.
- My contact's understanding is that, when the ESDA technique was applied to the McIlkenny confession, the Devon and Cornwall team were so seized by the results that they brought them immediately to the attention of their Chief Constable. The latter, in turn, wrote immediately to the Home Office and the West Midlands police. The fact that the Devon and Cornwall team decided not to wait until the completion of their report before presenting this new evidence suggests that considerable significance is attached to the latter by Devon and Cornwall.
- The disputed statement, my contact understands, relates to an interview which McIlkenny insists never took place. He has always maintained that he signed an initial statement after ill-treatment at the hands of the police and that the police fabricated a further

section of his statement. The ESDA test has apparently shown that the two sections of the alleged confession were written at different times.

- If it can be demonstrated that the investigating officers invented an interview with McIlkenny (which contained, furthermore, an invented reference to Power), then the credibility of all other statements taken by the police from the Birmingham Six must be questioned. Assuming that the contested McIlkenny interview appeared also in the Reade Schedule, the credibility of this document is presumably also undermined.
- My contacts understand that, in addition to the McIlkenny material, other (unspecified) material will be going to the DPP.
- The DPP has already appointed a team of lawyers (headed by a senior Treasury Counsel, Graham Boal) to examine all the papers and advise him on whether or not the convictions can be sustained.
- In the meantime, Devon and Cornwall will continue their own inquiry and their report is still expected around the end of September or beginning of October. It is also open to the DPP to request Devon and Cornwall to pursue specific points of interest to him.
- As regards the likely outcome, all of my contacts believe that a decision by the DPP not to contest the appeal is likely and that the Birmingham Six will be released within a matter of months.
- While the Home Office line today has been to discourage comparisons with the Guildford case and to anticipate a full appeal hearing, it is noted nonetheless that David Waddington's public comments following his announcement have gone very far in the direction of admitting that the convictions are unsafe. Compared with the Home Secretary's comments when the Guildford appeal was announced, Waddington "went much further" with his comments today. The successive hints that the Home Office was actively seeking a basis for a fresh referral, and the speed with which Waddington reacted to the new evidence, all point to an acceptance by the Home Office that the convictions are unsafe.
- While the DPP's line today has been to argue that the Birmingham case is more complex than the Guildford one, the general view in media circles is that, with both the forensic evidence and the circumstantial evidence now in serious doubt, it will be virtually impossible for the DPP to sustain the Birmingham convictions. A Guildford-type outcome now seems inevitable.

Yours sincerely



David Donoghue
Press and Information Officer



IRISH EMBASSY, LONDON

17, GROSVENOR PLACE,
SW1X 7HR

Telephone: 01-235 2171

TELEX: 916104

Confidential

ee *psst*
Mr Wells; P.S.
Mr. MacKerr, Mr. O'Brien
G. J. Allen A1
Rec.

22 August 1990

Mr. Dermot Gallagher
Assistant Secretary
Anglo-Irish Division

Dear Assistant Secretary

Lunch with Terry Kirby, The Independent

Kirby, who is the Independent's crime correspondent (and was formerly with the Birmingham Post), has been covering police affairs in Britain for the past decade. Among the small group of British journalists who specialise in this field, Kirby is regarded as having the best contacts.

The following points of interest arose:

Scotland Yard's view of the Garda Síochána

- In conversations with Kirby, senior Scotland Yard officers have been highly complimentary about the Garda Síochána ("they praise them to the skies"). In particular, Kirby's contacts on the security and anti-terrorist side have regularly expressed satisfaction with the day-to-day cooperation which they receive from the Gardai.
- In fact, Scotland Yard's relations with the Garda Síochána have always seemed to Kirby to be warmer than those they have with the RUC. For as long as Hermon was Chief Constable, Scotland Yard entertained suspicions about the RUC. Now that Annesley has taken over, however, "one of their own" is in charge and relations with the RUC ought to be better in future.
- It is worth mentioning that Kirby's account of Scotland Yard's view of the Garda Síochána is borne out by comments reported back to me by an Irish journalist who attended a reception in Scotland Yard last week. Two senior officers told this journalist that Scotland Yard has the highest regard for the professionalism of the Garda Síochána. Among their Garda colleagues, they continued, there are

some extremely bright individuals. They also commented very favourably on the Garda Siochana's computerised data system, which, they suggested, is better than Scotland Yard's.

West Midlands Serious Crime Squad

- Kirby has taken a particular interest in this controversy and is currently preparing a book on it.
- You will have seen reports today of a briefing given by the Police Complaints Authority yesterday on the current state of the Shaw inquiry. As indicated at this briefing, and in private briefings which Kirby has received in recent weeks, the inquiry is being frustrated by the fact that a number of important files and notebooks are missing. Six files (including three complaints files) and seven policemen's notebooks have not been traced. While it is possible that they have been innocently misplaced, the inquiry's private view is that they have either been removed to the officers' homes or have been destroyed. As a number of the core suspects are on sick leave, the legal obstacles to retrieval of the documents from their homes are considerable.
- In the continuing absence of this material, it will be extremely difficult for Shaw to forward compelling recommendations for prosecution to the DPP. As of now, only one report has gone to the DPP. No WMSCS officers have yet been suspended or charged.

Birmingham Six

- Kirby believes that the only contribution which the Shaw inquiry can make to the Birmingham Six inquiry is to hand over to the Devon and Cornwall police its files on the small number of officers (Kirby believes there are five) who are implicated in both inquiries.
- Shaw's terms of reference, Kirby insists, are such that detailed investigation of offences allegedly committed in the years prior to 1984 is precluded. Although the Home Secretary hinted some time ago that Shaw might have some discretion in this regard, the reality is that the inquiry is limited to PACE's period of existence and the Police Federation's lawyers can be expected to point this out (and advise their clients to remain silent) if the Shaw team makes any attempt to go back prior to 1984.

If the Shaw inquiry were to try to demonstrate a consistent pattern of falsification of evidence throughout the WMSCS's existence, this would, of course, be of assistance to the Birmingham Six. However, the Police Federation lawyers could be expected to argue that no such assertion is permissible unless the Shaw team combs through every single case in which the squad has been involved since its establishment. This would be a virtually impossible task.

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:
840/3894
- (ii) How many documents have been abstracted: Part of 1 document
- (iii) The date of each such document: 22/08/1990
- (iv) The description of each document: Confidential information received during meeting
- (v) Reason(s) why the part has been abstracted for retention: Section 8 (4) (b) and (c)

Clare Hanratty

Name: Clare Hanratty

Grade: CO

Department: *Foreign Affairs*

Date: 24/11/2020

- In theory, the Devon and Cornwall team would be free to interview the five officers, once they have read the files on them. Kirby anticipates, however, a repetition of the problems facing the Shaw inquiry. Documentary evidence of misconduct would again be required for the purpose of reports to the DPP and the suspects, guided by their lawyers, could be expected to refuse all cooperation. The only hope of breaking this deadlock would be via EDA tests on the documentation which is already available.

- As regards the outcome of the Devon and Cornwall inquiry, Kirby is not entirely pessimistic. Even if no "smoking gun" is found, the inquiry could conclude that the indications of persistent misconduct by the WMSCS are a new element in the case which must be taken into account. Though Kirby has heard no specific hint to this effect, the Home Office might opt to have a judge consider the various options open to the Home Secretary in the light of the inquiry's findings. This was the procedure which it followed when the Home Secretary was required (after a series of controversial libel cases) to introduce new safeguards for the privacy of individuals. (The judge chosen was Mr. Justice Calcutt, who has also been asked to investigate the Wallace case).

Yours sincerely



David Donoghue
Press and Information Officer



IRISH EMBASSY, LONDON

17, GROSVENOR PLACE,
SW1X 7HR

Telephone: 01-235 2171

TELEX: 916104

PLEASE NOTE: Effective May 6, 1990
Tel: 071.235.2171

Confidential

4 September 1990

Mr. Dermot Gallagher
Assistant Secretary
Anglo-Irish Division

Dear Assistant Secretary

A conversation with Julia Langdon

Julia Langdon is the Political Editor of the Sunday Telegraph and one of the best-informed and best-connected Westminster observers.

The following points of interest arose:

Douglas Hurd

- Douglas Hurd's popularity within the Conservative Party has never been greater. The Gulf crisis has allowed him to demonstrate to maximum effect his calm, considered style (in marked contrast to the emotionalism favoured by the Prime Minister at such moments). While the crisis is far from over, he has handled it so far with a quiet authority and self-confidence which has deeply impressed his colleagues both in the Cabinet and on the back-benches. His credentials to succeed Mrs Thatcher have never looked better.
- Hurd also has the traditional Tory pedigree to which many in the party might wish to turn after ten or fifteen years of Mrs Thatcher. In age terms, he could be presented as a bridge between Mrs Thatcher and the Major/Patten generation. He could also offer the party a way of avoiding the internal split which a contest between Michael Heseltine and, say, John Major would inevitably bring.
- Hurd is not, however, one of the Prime Minister's favourites. While she has an active liking for John Major (partly because the latter strongly supports her on the economy), she does not particularly like Douglas Hurd. She has little in common with an old Etonian, ex-FCO mandarin and Heath disciple who likes to write novels in his spare time. She feels temperamentally far more at home with a grammar

cc
DEW
Mr. Hurd; PM
Mr. Patten; Mr. Patten
Connelly A1
Copy to Mr. Hurd
R...

school boy like Major (or, for that matter, Ken Clarke) who has "come up the hard way".

- However, the Prime Minister greatly respects Douglas Hurd's ability and gives him considerable latitude, far more than she has given to any of her previous Foreign Secretaries (even Lord Carrington). When Julia Langdon recently asked Hurd how he has been getting on with the Prime Minister in his new job, he replied caustically: "No windows broken yet!".

The next election

- The Cabinet is reportedly divided at present on the best date for the next election. While a majority favour June/July or October 1991, John Major has been warning that the odds are strongly against the economy picking up in time to ensure a successful election at any time next year. He therefore favours 1992.
- However, there is now a view that one effect of the Gulf crisis will be to enable interest rates to be brought down somewhat earlier than expected. This is encouraging those who favour 1991.
- If it is to be 1991, the Prime Minister will probably opt for June/July rather than October. She has observed to colleagues in the past that "Governments never seem to get re-elected in October".
- Rumours persist that, with an eye to the next election, she may shortly announce the entry of sterling to the ERM. An obvious date for doing so would be the Tory party conference in mid-October. In a recent conversation, Julia Langdon put this speculation to some Treasury Ministers and she noticed that it was not specifically denied.

Yours sincerely ,

David Donoghue

David Donoghue
Press and Information Officer

END of file