

# NATIONAL ARCHIVES

## IRELAND



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Meeting with Mr. Hurd - 25 October, 1984

Mr. Hurd had a private tete a tete with the Minister for Foreign Affairs which lasted half an hour followed by a two hour meeting with officials. The two Ministers were then joined by the Minister for Justice, Mr. Noonan for a private dinner. This report covers the session with officials. Mr. Hurd was accompanied by Ambassador Goodison, Robert Andrew, John Lyon, Graham Sandiford and David Holt. The Minister for Foreign Affairs was accompanied by Messrs Donlon, Lillis, Burke, Davenport and O Ceallaigh.

The Minister welcomed Mr. Hurd. The relationship between the two Ministers can be very difficult and trying. We have to work together and good can be achieved. The Minister had a good relationship with Prior which was achieved by both sides maintaining absolute confidentiality about their discussions. We do not have any illusions about the difficulties facing us but through cooperation and frankness we hope that reconciliation and peace can be brought to Northern Ireland.

Mr. Hurd said he wanted to talk about home-made explosives and Martin Galvin. Mr. Prior had told him about his relationship with the Minister and it seemed to him that this was the only satisfactory way both can operate. His success, if any, will depend very much on a good relationship with the Minister and on an ability to be frank about matters in good time. Both politicians and the public in Britain were very touched and impressed by the way in which the Taoiseach and the Minister had responded to the bombing in Brighton. The Dublin reaction had been just right and had a beneficial effect in terms of British public opinion which would prove helpful in the task ahead.

The Minister said the outrageous bomb was aimed as much at us as at Britain. The Provisional IRA are as much our enemies as they are enemies of the British. They do not want the Irish

Government to act as spokesmen for the minority in the North. If the minority had institutions which they could respect the IRA would not be in business. They want to wreck any chance of success for the Anglo-Irish process. The Minister then asked Mr. Hurd how he saw the political situation in Northern Ireland.

Mr. Hurd said that he has only been six weeks in the Province and his impressions are early and preliminary ones. He starts from the speech made by Mr. Prior in the House of Commons on 2 July. There has been some progress in Northern Ireland. Though difficult to quantify it is evident on the streets in the sense that both communities are living more normal lives than heretofore. One of the U.S. Bishops had said to him that the Bogside now was unrecognisable from the Bogside he had seen 8 years previously. Progress nonetheless was incomplete and inadequate and there is a good deal more to be done. He is not content to administer in a mood of complacency. The problems of security are interlinked with political and economic ones. Violence has been reduced and to some extent has been contained partly because the IRA have so decided. Major problems remain and the IRA continues to have access to arms, money and technology. There is a very great need for cooperation with the Republic in dealing with this.

On the political side there are also problems. He has had his first round of discussions with political leaders in the Province. These were of a get to know you kind. Within the next month or two he hopes to have a second round in order to probe the politicians in the light of the Forum Report and of other documents. The two communities and their political representatives are talking about different things. The SDLP is in tune with Dublin in the sense that it wants an Irish dimension and in recent years has become less interested than heretofore in arrangements within the Province. The unionists find an Irish dimension an anathema. Some are talking about integration, others about devolution and have mentioned within a devolved framework possibilities to take

account of the minority position. Mr. Hurd thought these were inadequate and said that had they been made a few years ago they might have found a better response within the minority. His freedom for manoeuvre on the Irish dimension is limited by the unionists and likewise on the internal dimension is limited by the SDLP.

On the economic side he said the situation had improved but was very unsatisfactory in terms of jobs. There had been no major assault from the Treasury for cuts and he hoped to be able to maintain levels of public spending especially on housing. They will do what they can on jobs and they will keep an eye on geographic distribution and on religious breakdown.

The Minister said he was glad to see Mr. Hurd taking Prior's speech as a starting point. There was much that was new and positive in that speech. On jobs the Minister said it was not important who got a job provided merit was the criterion and provided a person is not kept out of a job because of his religious background. Mr. Hurd talked about the problem of the location of factories while Andrew spoke of non discriminatory legislation. The Minister said he would be in contact shortly about the case where young Catholics are denied jobs because they are a "security risk". Andrew said that a balance had been achieved in terms of recruitment to the Civil Service. He accepts in the senior ranks there is an imbalance but it is changing. The Minister commented that the fact that they are having this conversation in 1984 is a clear indication of how bad the situation is and he hoped that the location of a Shorts factory in Dunmurray would help. Mr. Hurd said it is a bad principle to have segregated jobs but nonetheless he could see the merit of such procedures.

The Minister detected some signs of movement within the unionist community but we are a little suspicious of the OUP in that we are not certain how many of them really hold to the Way Forward. Mr. Hurd said there are different views in the OUP

something he will wish to draw them out on. If they are willing to go down the road described in the Way Forward then that might be something he could encourage the SDLP to look at. Andrew added that the appearance of Robinson at the BIA was significant and encouraging. Hurd added that Robinson handled himself with some skill during the Hunger Strike in Magilligan. The Minister said that differences do exist within the parties and that we should try to isolate the hard-liners.

The Minister disputed Mr. Hurd's view that more people are living more normal lives. Many unionists do not see their lives as normal by comparison with people living in Britain and many of them are emigrating. Mr. Hurd is impressed by the large number of people who do lead normal lives. They are worried that this is not recognised and they blame the media for reporting only on violence. An example of how matters are returning to normal is the recent opening of a massive store by Marks & Spencers. There has also been a reduction in security measures in the North. The Minister said that security measures at the entrance to the Forum Hotel in Belfast are not a sign of normality. When he attended the McGuigan fight in July the hall was surrounded by soldiers with guns. The people for whom he wants to speak do not find life normal. The same is true for many in the majority community including Protestant farmers on the border. Large numbers of the minority are alienated from authority in Northern Ireland including the security forces. There is a widespread feeling that the RUC is a unionist force representing unionist interests. There is harrassment by the UDR, in particular people going to work being asked for their names and addresses by their neighbours. Life is not normal in the ghettos like the Falls and the Bogside. Mr. Hurd accepted that there are a large number of people living abnormal lives. He does not see his job to passively administer Northern Ireland. He has a problem with the concept of alienation, while accepting that our sources of information are different to his. There is

plenty of communication between the minority and the RUC on ordinary policing matters, much more than appears in public. It is insensitive to say this is in public. He is a bit worried that if he publicly accepted the idea of alienation (though privately he accepts there is some truth in it) the situation would become much worse.

The Minister saw Mr. Hurd's dilemma. There is no solution unless a form of Government can be arrived at which the minority feel belongs as much to them as to the majority. It is essential that the minority can have some form of identification with the system. Events such as the Downes killing and recent statements by judges have a disastrous effect. In saying all this he wants to emphasise that we are as much opposed to the Provisional IRA as the British.

Mr. Hurd suggested that the the panel is a little more varied and complicated. The Government and the security forces must do their best. The security forces which must have acceptability on both sides should operate a good recruitment policy and should behave themselves. There must be a proper complaints procedure. They are making progress in recruitment. Mr. Andrew said that 12% of RUC recruits last year were Roman Catholics and 8% in 1982. The Minister said that our impression is that some Catholics are joining the RUC for two to three years to get enough money to emigrate to Australia. Andrew said he did not know what the wastage rate is.

The Minister said that 15 years ago the number of Catholics in the RUC was larger than it is now. The fact that Catholics are now joining the RUC doesn't mean that nationalists can identify with the force. What you are talking about are Catholic unionists. They probably feel threatened, that is dreadful but it is the reality. We are very fortunate that under very difficult circumstances the SDLP have held out a non violent way forward for the minority. Had they not existed

over the last 14 years the situation would have been much worse. He is worried that the SDLP leadership will not be able to maintain their position. There is a real danger that if the two Governments fail the SDLP's attempt to make progress by constitutional means will be devalued and the winners will be the Provisional IRA.

Mr. Hurd responded saying that the SDLP is an essential element. He feared however that when nationalists (other than IRA) use IRA terminology about the RUC (at least in part) the force will become a focus of hostility. He does not want the RUC to become a battle-ground with nationalists saying it is a unionist police force and unionists talking of it as their police force. There are honest efforts being made in the RUC. If that is rubbished the job of policing will become impossible. He understands the reason for our views but thinks there are differences.

The Minister responded by saying that the RUC is a unionist police force. Mr. Hurd said he did not think that is true and said it is very bad where the RUC are criticised by the minority and defended by the majority. The Minister accepted that all police forces make mistakes. The difference is that when it happens in Britain or in the Republic the police are not seen as being supporters of one particular party. The Downes affair and the judges comments are grist to the mill of those who view the security forces with suspicion. Mr. Hurd said the Downes affair is being investigated. He has no control over the judiciary. He believes the RUC is a conscientious instrument and he wants to strengthen that. He does not see any useful purpose in restructuring the whole thing in a way which would lead to the creation of a sectarian police force.

The Minister said he was trying to impress on Mr. Hurd how the minority see things. Until they see the judiciary and the police as their own this problem will exist. Mr. Hurd said he wanted the Minister to understand that he receives a lot of

complaints from the other side. The RUC complain that judges are letting terrorists out on bail. Also there is pressure in England for the reintroduction of internment. Mr. Andrew mentioned that the Hunger Strike in Magilligan was a loyalist hunger strike.

### Supergrasses

The Minister said that some would say that supergrasses are now being used in place of internment, to which Mr. Hurd replied that the length of time people are spending on remand is a cause for real worry. There is a 112 day rule in Scotland. It is a justifiable concern and it is something they must try and improve. He is looking at the legal situation in the light of the Baker report. The Minister raised the case of Thomas Power, saying he did not know whether he was innocent or guilty but he was spending a very long time on remand without access to bail. Mr. Andrew said it was an unsatisfactory situation, that his trial started on 21 September and is now a matter for his defence. [Kirkpatrick trial began on 21 September]. The Minister said that ordinary people are now taking up his case, we must face it. Some of the supergrasses are of very doubtful character and he is concerned about the overuse of the system. Mr. Hurd said that he is aware of the dangers for the judicial system. They are trying to deal with terrorism and the intimidation of witnesses within the rule of law. The supergrass system is one way of doing it. It is possible that no more will emerge. It has had a good effect, for example the Ardoyne area has been cleared of Provisional activists, but it has its dangers. The Minister responded by saying that unless there are meaningful changes in the system the Provisionals will last for a long time no matter how many supergrasses emerge.

## Prisons

The Minister said it would be helpful to release carefully selected prisoners held at the Secretary of State's pleasure. Mr. Andrew said that most of the SOSPs had been convicted of murder. They released some recently and intend to release some more. The life sentence Review Board which he chairs, when reviewing a case take into account the age of the prisoner, time of the offence, the part played by the prisoner, the conduct of the prisoner whilst in gaol and possible risks of reoffending.

The Minister said that the Chaplains in the prisons could help the Board identify suitable prisoners. They know the prisoners and would not ask for the wrong people. Fr. Faul is a fine type and would not misguide the British. He was very helpful during the Hunger Strike.

The Minister then raised the case of John McVeigh and said he would be grateful if they could reexamine his particular case. He also asked if the whole issue of indeterminate sentences could be looked at. Mr. Andrew responded that McVeigh's case had been looked at recently but will be looked at again. The difficulty is that he is in the Compounds and this makes it more difficult for the prison staff to assess him. His presence in the Compounds is not however a bar to him being released. He is not sufficiently ill to be released.

The Minister said that if nationalists in the North could see an end to it and if they could be provided with determinate sentences it would have a beneficial effect. Mr. Hurd said he had to thread carefully and he could not let any concession be seen as one responding to political pressure. The Minister said he would not claim responsibility for any movement and asked again that Mr. Hurd look at indeterminate sentences. Mr. Andrew said that they cannot tell at an early stage of a persons term of imprisonment when he will be suitable for a determinate sentence. Possibly a year before they plan to

release a person they could let him know. In one case they intend to tell a man next Christmas that he will have 18 months to go. The Minister said he does not want the hardmen released. Large numbers could be let out and the effect would be to take cards out of the Provisionals hands. Mr. Andrew said there will be an increasing number getting out in a year or so because large numbers were sentenced in the early 70's.

#### Strip Searching

The Minister said that we use it here but asked that the suggestion made by Kevin McNamara (which Mr. Hurd was not aware of) be looked at so that prisoners who remain in RUC hands when going on remand to court need not be searched. Mr. Hurd said they will look at any suggestion though he gave no commitment.

#### Harassment

The Minister mentioned the manner in which some members of the minority community are harassed by the security forces. Mr. Hurd responded saying that they have tried to get a complaints system which will be used by the minority. In Britain they are changing the complaints system against the police which advances the stage where an independent review body can take on hand. They will look at this in the context of Northern Ireland so that it can be clear that a police officer can be investigated by an independent body. Mr. Andrew said they will follow the practice on the mainland of using a police officer from another force in police investigations. They are doing this for example in the Downes and Gibson cases. They hope it will increase confidence. The Minister indicated his doubts.

#### Plastic Bullets

The Minister opened by stating that the number of deaths is a cause for concern. Mr. Hurd said they are keen not to jump up and down about the European Court decision. The security

forces should only use plastic bullets when in very tight circumstances. An investigation is going on into the Downes shooting. Plastic bullets are probably the best form of riot control available. He does not intend to relax the rules. Realistically speaking the European Commission judgement comes as a relief and will reduce the pressure. The Minister mentioned that bullets are being used at close range and Mr. Andrew said that is provided for in the rules which state that if the safety of a soldier or another is seriously threatened they may be fired at less than 20 metres. Mr. Hurd said that watercanon is still being examined but he is not sure whether they will be safe operationally. There is clearly a need for something other than live ammunition. The Minister said because the rules are not being obeyed plastic bullets have to be withdrawn. The police can always argue that their lives are in danger and he is very concerned that they are now being used more often than they were. Mr. Andrew said 1,700 had been fired this year which is up significantly on 1982 and 1983 but down on 1981. Mr. Hurd said both the Chief Constable and the Chief of Staff are very clear that the use of baton rounds can cause problems. The Minister said that the Downes killing in the manner in which it was seen on television is the worst since Bloody Sunday. If the enquiry exonerates the policeman it could have a very bad effect.

#### Crossmaglen

The Minister said that the GAA are a purely nationalist organisation which he feels is unfortunate. The more that is done to remove their grievances the better. There are people in the GAA in Crossmaglen who are trying to keep out the Provisionals. The army are seen as provocative. If a compulsory purchase of an alternative entrance were carried out it would remove a source of friction, to which Mr. Hurd interjected "and bring another". Mr. Andrew said the base needs a second entrance. The Committee for the Handicapped land is not as good as that in use at present. Their fear is that if they laid a CPO on it a storm would be created. There

were negotiations with the Committee which then stopped. On Crossmaglen Andrews stated that they did not regard their negotiations with the Committee as being at an end and they are planning further negotiations with the Committee. The Minister said that our views are that no storm would be created if alternative premises could be found for the Committee. Mr. Burke said that the house is not being used by the Committee.. If they went ahead the CPO would be accepted. Mr. Davenport made the point that the Committee cannot be seen to collaborate. Hence they will only reluctantly acquiesce in a CPO. Mr. Hurd said that "that is interesting". He wanted to make a general point about this and the crossings. There is no desire on the part of the security forces to take these measures to harass the minority community. That would be absurd from their point of view. If the security forces come to him and make recommendations on the grounds that they will help forestall terrorism it is difficult for "you and me to gainsay that". However, times and needs change and a flexible policy is required but it is difficult to brush security considerations aside.

The Minister accepted that but Lackey Bridge and Kiltyclogher? When these crossings were closed Provisional IRA activity was much greater than now. The only people using them are locals. In the case of Lackey Bridge his information is that the local Protestants on the Northern side want it open. They are however in the same position as Catholics in Crossmaglen. They cannot be seen to be asking for it. Mr. Hurd said Prior had told the Minister that they would reopen Lackey Bridge as soon as the security position improves. He understands the Minister's concern but the security forces still need to keep vehicular traffic off the 3 foot bridges. The new footbridge should be in place before Christmas. They will continue to monitor the situation.

Martin Galvin

Mr. Hurd said that a colleague of Galvin had contacted the British Embassy in Washington to ask if the ban on Galvin will remain. He will be told that it will remain. They have looked at the ban and they feel that at this time it is impossible for them to change their views. It seems possible that Galvin will turn up for the Sinn Fein Ard Fheis and they are anxious to avoid a repetition of what happened last August. He asked if it is possible for us to keep Galvin out.

The Minister said we would not attempt to do it. Had we been asked for our advice before the British banned him we would have advised very strongly against. If he is banned he becomes a hero. Furthermore he is entitled to declare himself an Irish citizen and to hold an Irish passport in view of his grandparents birth here. (Subsequently Irish officials were told that the Secretary of State had also meant to ask that the British be informed if Galvin applies for a passport).

Mr. Hurd said that they are asking for the maximum help in keeping the British Government aware of his movements should he arrive. If he gets into Northern Ireland a very serious situation could arise. Mr. Donlon said that the channel is RUC to Gardai. Mr. Lillis said the Department of Justice had on the previous occasion asked the guards to pass on any information about his movements to the RUC. Clearly neither they nor the RUC had sufficient information about his movements. The Minister said he was sure that the guards would cooperate fully on this occasion.

The meeting ended at 18.50.

*Doc*

D. O Ceallaigh  
26 October, 1984

*cc'd B&H  
M&S*

*A-L. Quinn*

*Eulavria Lunden + Washington.*