



An Chartlann Náisiúnta National Archives

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**Meeting between the Government and SDLP,
Government Buildings, 10 September, 1987.**

1. The Taoiseach was accompanied at the meeting by the Tanaiste, Minister for Finance, Minister for Tourism and Transport and the Minister for Health. The SDLP delegation consisted of John Hume, Seamus Mallon and Eddie McGrady. Officials present were Mr. Nally, Mr. Dorr, Mr. O hUiginn and Mr. Gallagher.

2. The Taoiseach opened the meeting by welcoming the SDLP delegation and he then went on to ask them for their assessment of the current talks about talks between the Unionist leadership and NIO officials. In reply, John Hume made the point that, at political level, the Anglo-Irish Agreement had had a major impact on the two Unionist parties. It had made it clear to them that the British were not prepared to give in to Unionist pressure and had, in effect, called their bluff. It also had a significant effect on Sinn Fein and the IRA as it had shown that the whole argument that only force worked in Northern Ireland was not true. The present debate within Unionism, as to their future strategy, should be encouraged. There would be no real movement until Unionism, as we know it, had changed its colour. However, we would have to sit back and watch the Unionists work out this self examination process for themselves.

3. Turning to the Anglo-Irish Conference, Mr. Hume said that there was a danger of people publicly picking bones on every single issue. This was in contrast with the Council of Ministers which met on a regular basis and where people did not at each meeting pick publicly on individual small

issues. The Taoiseach agreed and made the point that, if the Council of Ministers did not agree on an issue at a particular meeting, this did not mean that the Council had been a failure. We had to get the message across that the Anglo-Irish Conference was part of a continuing process and there was something to be said for having it and the Secretariat accepted as part of the normal infrastructure which, while pursuing issues actively, would also be working away on routine, everyday matters. Seamus Mallon was inclined to take the view that it was not valid to place the Conference in the same context as the Council of Ministers. The Conference, above all, was concerned with the problem of justice for the nationalist community; which was one of the basic reasons for the Anglo-Irish Agreement. The Taoiseach again underlined that he was not saying that issues should not be pursued and progress made. But he wanted the Conference and the Secretariat to be seen and to be accepted as an infrastructural part of the process. In this sense, if progress was not achieved at any particular meeting, this should not undermine the institution. The Minister for Finance added that, while of course there should be on-going progress, it would be wrong to hype-up the anticipation on each occasion the Conference met. This could lead to public disappointment which, because the Conference was part of an on-going process, might well not be justified. The SDLP members said they agreed with this approach.

4. The Minister for Tourism and Transport asked if the SDLP really expected the Unionists to change fundamentally their position. He could not, for instance, ever see them getting rid of Paisley. Mr. Hume, for his part, did not rule out movement and made the point that the Unionist Task Force Report had envisaged round table talks with nothing excluded. Mr. McGrady added that the Unionists had changed their stance three times during the election and had

clearly got the message that they had to change their approach. The Taoiseach agreed that the Unionists were at sixes and sevens and he said he agreed with John Hume's advice that they should be let work the situation out for themselves.

Prison Issues

5. The SDLP delegation said that they were very worried about a number of prison issues, including an apparent slowing down in the rate of prison releases. This was also of considerable concern to Fr. Faul. Some civil servants seemed to be pushing an extremely hard line at present. On the other hand, the SDLP had met the new Minister in the North, Mr. Stanley, and had been pleasantly surprised, over a two hour conversation, at his approach. The Tanaiste said that he and the Minister for Justice had been equally and pleasantly surprised by the Stanley approach.

6. The SDLP delegation also expressed concern about the situation in Magilligan, which is used for long term prisoners, who are transferred from the Maze to finish the last two to three years of their sentence. The main difference between the two prisons is that prisoners are integrated in Magilligan, rather than segregated as is the case in the Maze. The prisoners, for instance, watch television together and this can lead to one side cheering if there is a news announcement of the killing of a member of the other community. There was a real danger that the Provos could build this up into a powder keg. The SDLP delegation could not understand why Magilligan could not have the same regime as the Maze or, indeed, why the prisoners could not be moved back to the Maze.

7. The Taoiseach said that both these points could be taken up in the Secretariat and at the next Conference and that we would, in particular, stress the political importance of them.

RUC Code of Conduct and Accompaniment of UDR

8. The meeting was surprised that the Code of Conduct was taking so long to produce and the Taoiseach said that this would be a matter which would be raised at the next Conference. The meeting generally thought that, when it came, the Code would be largely symbolic. The Taoiseach felt that we should confine ourselves to giving it a lukewarm welcome. The Tanaiste said it would probably be the minimum that was required. On the accompaniment of the UDR, Seamus Mallon said that it was very difficult to say precisely what the position was but, in his view, only between 20% and 30% of UDR patrols were accompanied by the RUC. This was very inadequate. He believed that senior police officers were refusing to cooperate. The RUC did not see it as their job to police the UDR, the UDR did not want the RUC along and the British army were laughing at both of them. Perception at the time of the Agreement was that accompaniment was going to be delivered immediately; two years later it had still not been delivered. If people in the Nationalist community did not see accompaniment being delivered there was a danger that they would judge the SDLP and the Agreement in the light of this.
8. The SDLP delegation gave incidents of recent provocation by UDR patrols though, on the other hand, John Hume said that some patrols could be quite friendly. Seamus Mallon said that, when they got away with it, the UDR behaved as in the past. However, they tended to be slightly more wary as they were conscious that there was more logging of incidents now.

9. John Hume said that recently the Army and the police had become much more aggressive in Derry. Sledge hammers, for instance, had been used to break in doors in a totally unnecessary way. This was happening in small streets of about ten houses, of which eight would be SDLP and two Sinn Fein. While having no sympathy with the IRA, the SDLP families did not like to see their neighbours treated in this way. It was of even more concern however, that the Security Forces in Derry were stopping and questioning young people on the streets for no apparent reason other than that they were young and wearing denims. This could well have the effect of turning some of them into Provos.

Stalker/Sampson Report

9. There was a brief discussion on this. The Tanaiste said he believed the issue was sleeping in the DPP's office at the moment but that we would try to find out more precisely what the likely time-table was.

Courts and Extradition

10. John Hume opened the discussion on this issue by saying that, in the Anglo-Irish Agreement, the British had accepted that there was a problem in the administration of justice in Northern Ireland. They had now rejected three person courts but would, as a result, have to say what their alternative proposal was. There was a link in the Agreement between the administration of justice and extradition. In fact, the Agreement went further than three-judge courts and committed the British to considering the possibility of mixed courts. In reply to the Taoiseach, Mr. Hume made it quite clear that he rated mixed courts higher than three-judge courts. He added that his

impression was that Lord Chancellor Havers was favourable to mixed courts but would oppose three-judge courts. It would be a breakthrough if mixed courts were conceded.

11. In a strong intervention, Seamus Mallon said that he believed courts to be central to the whole problem. If you take away juries from people you had to offer them protection. There was a danger that the issue would be seen as legal rather than the political matter which it was. Lowry and Hailsham were strongly opposed to three-judge courts, which now would not appear to be on. There seemed, on the other hand, to be a view that mixed courts were coming up for consideration and the British should be tested fully on this. They would have a fundamental effect on the situation and would go right to the heart of the establishment. Unionists would be affected in a way that had never happened previously. Extradition was very difficult for all of us. If mixed courts were granted, however, some of the present very difficult problems would not be as difficult.

12. The Taoiseach said that he took it from the thrust of what the SDLP delegation said that they believed the Government should not give extradition by the 1st December as not enough progress had been made in the administration of justice in Northern Ireland. John Hume made the point at this stage that the objective should be to get the British to move before December. He was also concerned that the extradition issue had been linked to the Birmingham and Guildford cases whereas, in reality, it was linked to the administration of justice in Northern Ireland. The Taoiseach said he agreed with this last point. Mr. Hume went on to say that the commitment to reform was contained in an international agreement and we were still waiting two years later for something to be done.

13. The Taoiseach asked the SDLP delegation if the Government could say to the British that the SDLP did not want them to go ahead with extradition given that there was no movement in this area in the North. Mr. Hume replied "Yes". He also said the SDLP were very angry about the continued involvement of Hailsham in the matter. Mr. Dorr intervened at this stage to say that, whatever we wanted in this area, it was important that we did not go public on it. There was already some indication in the press that mixed courts were in the air.

Fair Employment

14. The Taoiseach mentioned that a revised Guide to Manpower Policy and Practice would be published shortly by the British. This would clearly not go far enough and should only be given a lukewarm welcome. John Hume wondered why there was such a delay in legislation and why it was necessary to introduce new measures via a Bill rather than the more normal (for Northern Ireland) Order in Council approach. Mr. Nally said that he thought the problem was one of consulting all interests involved and that this explained why they were using the legislation approach.
15. The Taoiseach said that we should go major on this issue and both he and the Tanaiste made the point that proper fair employment legislation would be the answer to the MacBride Principles and would subsume them. Mr. Hume added that, as well as a Fair Employment Act, there was also need for what he called inward investment. Unionist discrimination in Northern Ireland was two fold - Catholics were discriminated in employment in Protestant areas while in their own areas there were no jobs. The IDB and the Tourist Board were also discriminating to some degree. For instance, 41 American travel agents had been in the North

recently but no visit to the North West had been arranged for them. In short, fair employment needed affirmative action on job creation in high unemployment areas. The Taoiseach agreed that this was a particularly valid point.

International Fund

16. The Taoiseach expressed disappointment at the development of the Fund and said no one was happy about it. Mr. Hume said that it seemed to be subsumed by bureaucratic rules. It had only spent some £2 million to date. It was vital that it did something visible in high unemployment areas. While the Board of the Fund was independent, four of the seven members were "from our side". We should be able to talk to them about the difficulty. There followed a general discussion about the Fund in which both sides registered their dissatisfaction and disappointment.

Sellafield

17. Mr. McGrady congratulated the Taoiseach on the recent withdrawal of the ESB from involvement in a British nuclear industry project. He also mentioned his concern about the plutonium traces which had been found off the Down coast and suggested in general that Ireland should spearhead a campaign on the whole issue in Europe. The Taoiseach said that we were pursuing a very active policy in this whole area.

Conclusion

18. The meeting lasted some 90 minutes and it was agreed that a joint statement to the press would be issued. This is attached as Annex 1.

Dermot Gallagher,
11 September, 1987.

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ANNEX I

The Taoiseach, Mr. Charles Haughey, Tanaiste and Minister for Foreign Affairs, Mr. Brian Lenihan, Minister for Finance, Mr. Ray MacSharry, Minister for Tourism and Transport, Mr. John P. Wilson, and Minister for Health, Mr. Rory O'Hanlon met an SDLP delegation in Government Buildings today. The delegation included Mr. John Hume, Mr. Seamus Mallon, and Mr. Eddie McGrady.

Both sides were at one in their determination to ensure the continued implementation of the Anglo-Irish Agreement. In this connection they reviewed the current political situation and a wide range of issues on which they wished to see early progress under the Agreement.

These included measures necessary to increase confidence in the administration of justice, improved relations between the community and the security forces and matters relating to fair employment.

It was agreed that further meetings would take place in the future as required.

10th September, 1987.