



An Chartlann Náisiúnta National Archives

Reference Code:	2017/10/76
Creation Dates:	21 October 1987
Extent and medium:	5 pages
Creator(s):	Department of the Taoiseach
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*Mr B K. Cleary reference
MOC 87-1
23.10 →/10*

INTERGOVERNMENTAL CONFERENCE - 21st OCTOBER, 1987

TETE-A-TETE MEETING



Talks about Talks

We deliberately did not want to embarrass you in any way by asking you before this about the talks about talks. However, now that they have been underway for some four months, we would appreciate your assessment.

International Fund for Ireland

I think we are both worried about the Fund and its lack of a political impact. We urgently need some creative thinking at Board level if the Fund is not to continue to be seen as a damp squib. I suggest, therefore, that we give a clear mandate to the Advisory Committee (jointly chaired by Mr. Gallagher and Dr. Quigley, the Permanent Secretary at the Northern Ireland Ministry of Finance) to prepare an imaginative paper for the December meeting of the Board. We have already suggested that this meeting should be a reflective one and should have a long, hard and creative look at the Fund and the direction it might go in over the remaining two years of the present Board's mandate.

*Taoiseach
To see please - if possible
before your conversation this
afternoon with the Taoiseach.
20/10*

MEETING OF THE CONFERENCE

Cross-Border Security Cooperation

The likely issues here are joint threat assessment, direct contact between the British Army and the Gardai and the questioning by the RUC of suspects in Garda custody. These matters will be dealt with by the Minister for Justice.

Extradition and Administration of Justice

We had a long discussion on this on Saturday and I am not sure if we can take it any further. The stark reality is that, in both the Agreement and the Communique, there is a clear relationship between extradition and the administration of justice in Northern Ireland. Moreover, and most importantly, there is a clear public perception of this relationship. Dail Deputies, likewise, are particularly aware of it and all the political parties have placed the strongest emphasis on it. We are on both sides therefore, given the 1st December deadline, faced with an impossible political situation. Neither of us can deliver by that date. I quite frankly think, therefore, that it would be in all our interests to defer the implementation of the Act and allow for a period of reflection. Deferral, coupled with your suggested study of the courts system, could give both sides the breathing space we need.

In deferring, it is vital that we ensure that we avoid an open rift. In the Dail, in Parliament and outside, we should do everything possible to minimise the potential damage. Ideally, I would like to see each side ^{continuing to} having an input into the other's statements and briefings. Our officials should maintain the closest contact on this.

NB
In the
communique,
other things
were in the
relationship
as well e.g.
relations between
the security forces
and the
minority
community,
security
co-operation
etc. Options
may be
narrowed if
the relationship
is tied in the
public mind
only to the
adm. of
justice.
on
20/11/00

RUC Code of Conduct

We welcome the introduction of the Code and will be happy to say this formally in the Communiqué. We are, however, disappointed that we have not been officially given a copy to date and we hope that this can be put right as soon as possible.

(Sean O Huiginn was, however, given a sight of the relevant part of the text yesterday). We also look forward to the principles of the Code being incorporated into the Disciplinary Regulations of the police.

Accompaniment of the UDR

In the past few months, we have been getting the strongest possible messages about the absence of accompaniment of the UDR. This is one of the most important issues for nationalists and one in which, in a practical way, they can judge whether the Agreement is working on the ground or not. From our own soundings, it seems that the level of accompaniment has, if anything, decreased. It may now be as low as 20% in some areas. This creates a major political and credibility problem for us if we remember that the December 1985 Conference effectively promised that accompaniment would take place, "save in the most exceptional circumstances", at the earliest possible date. We appreciate, of course, that the initial loyalist reaction to the Agreement tied up considerable numbers of RUC personnel. This is no longer the case. We would urge, in the strongest possible terms, that an all-out effort be made to improve the situation in the coming weeks.

In order to be able to assess the level of accompaniment we need regular statistical information. The last statistics we got were in October of last year. I appreciate that this may be somewhat difficult but I believe that it is politically imperative that we have regular statistics - say on a three monthly basis.

Prison Issues

As with accompaniment, the whole prison question is a most sensitive one. We receive a very considerable number of approaches on the issue. A particular problem seems to arise where prisoners are transferred, to serve the last year or so of their sentence, from the segregated situation at the Maze to the integrated regime at Magilligan. If this causes so much trouble and damage on all sides, I quite frankly do not see the point of continuing the system.

We are grateful for your openness on the question of early releases and compassionate parole. This - and Fr. Faul is right here - has a major impact on the families of prisoners and on nationalist opinion in general and could have a major part to play in undermining support for the Provos in the minority community. As we are approaching Christmas, we would also urge you to adopt a generous approach to Christmas parole.

We are worried also about the continuation of systematic strip searching at Maghaberry, where there are only a handful of female prisoners. This, as I know you appreciate fully, is a most emotive issue. It is something that the Secretariat might look at in more detail in the near future. In the meantime, there would seem to be a case for reducing the number of occasions of strip searching - for example, for remand hearings and inter-prison visits.

Stalker/Sampson

I keep being asked about the status of this issue and I would be grateful, therefore, if you could fill me in on it.

Violence Declaration

We do not want to make a big issue of the discussion paper on non-support for proscribed organisations. I would be wrong, however, if I did not say that I believe it is an unwise move. The proposal is almost certainly unenforceable, as we can indeed see from the Provo statements about it. Secondly, it gives the Provos a propaganda issue at a time when they have been losing ground to the SDLP. The best way to marginalise the Provos is to actively implement and develop the Agreement.

Fair Employment

I do not think we need to say anything here except perhaps to welcome the Guide and to emphasise the priority we both attach to early and effective legislation in this area.

Cross-Border Cooperation

Again, I think we have an agreed position on this issue. The Communique will note the meetings of Ministers which have taken place and will announce our decision to initiate a study of the North-West region.

Next Meeting

It is very important that, whatever happens on 1 December, both of us should adopt a "business as usual" approach. I suggest, therefore, that we think in terms of a further Conference in Mid-December.

DAG

Dermot Gallagher,
19 October, 1987.

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