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Points on possible questions on specific British suggestions for improved security co-operation

(1) British Army presence or permission to pursue into our territory

There has been a good deal of comment in the British media in recent days relating to so-called "hot pursuit".

Points on this are:-

- such a practice is unknown anywhere in the world
- our security forces are perfectly capable of apprehending any fugitive offenders from Northern Ireland in cases where they are being pursued by the security forces in Northern Ireland and, so far as we are concerned, communications are so close to instantaneous that there should be no problem, on *our* side, in our security forces being apprised of the fugitive's flight
- there would be major constitutional complications in the event of persons being shot within our territory where the British Army opened fire, as they might be compelled to do, if only in self-defence
- "hot pursuit" is not a real issue. Instances where British troops in "hot pursuit" have had to halt at the Border are very rare. In relation to most terrorist incidents, such as bombings, the perpetrators depart the scene of activity before there is any indication that the criminal act is to be committed.

(2) Direct Army to Army contact. Points are

- such a link is unnecessary as a very efficient link already exists between the Garda and the R.U.C. and between the Garda and our Army; so far as we are concerned, any delays in communications do not arise on our side; there may be delays in communications between the British Army and the R.U.C.
- a multiplicity of communications links could only cause confusion and it is preferable that there be a single channel of communication between the police on both sides of the border who have the greatest body of knowledge in relation to localities and personalities; it is worth noting here that British Army Units rotate fairly frequently in Northern Ireland;
- the role of the Irish Army is the same as that of the Army in Britain itself i.e. it acts in aid of the Civil Power. Direct contact with the British Army would still not allow our army to act on their own initiative in response to British Army requests.

(3) Suggestions that the Garda establish a special mobile squad to match the similar body already in existence within Northern Ireland. Points are:-

- the professional assessment of our Gardaí is that it is preferable to leave anti-terrorist preventive and investigative action to the local forces in each area who have detailed local knowledge of locations, personalities, etc. Our police force and Army in border areas have, in any case, a high degree of mobility;
- forensic investigations of many terrorist crimes are undertaken by the same personnel who can bring the expertise gained in respect of previous crimes to bear;
- in ^{some} some, no particular advantage is seen in the establishment of a mobile squad on our side of the border. We do not dispute the assessment of the security forces in Northern Ireland that this may be a good innovation in their circumstances. The position here is somewhat different, as the Gardaí enjoy the full co-operation of the local population throughout the border area.

(4) Co-ordinated Patrolling

Points are:-

- The Department of Justice are aware that from time to time the R.U.C. do request the Gardaí to mount co-ordinated patrols, particularly when searches or other investigations are taking place on the Northern side of the border and any such requests have invariably been met.
- In principal, there is no objection to co-ordinated patrolling on both sides of the border, subject to the limitations imposed by topography which, at some points, might make a patrol particularly vulnerable to attack.

(5) Stronger Action by the Gardaí throughout the Twenty Six Counties to combat bank robberies and to clamp down on alleged training camps of the Provisional I.R.A.

Points are:-

- There is no lack of readiness on the part of the Government or of the Gardaí to take every step open to them to prevent bank robberies and to bring those responsible to justice. A variety of improved security measures have been taken and the Minister for Justice has recently held further talks with the Chairman of all the chief banking groups with a view to stepping up further the security precautions.

- A number of Gardaí have lost their lives in attempting to prevent bank robberies or to apprehend those responsible and the anxiety of the authorities to act firmly against bank robbers has recently been further re-inforced by the shooting dead of a young Dublin Civil Servant in the course of an armed bank robbery at Tramore, Co. Waterford, in connection with which charges have been preferred.
 - From time to time there have been suggestions in the British media, apparently emanating from the British Army that training camps have been held within the Republic with impunity. Whenever the Gardaí have checked any information received in this connection, they have been unable to confirm that any training camp have taken place recently in the areas in question, although in some cases there has been some evidence that they might have taken place at some time several months previously. In the course of their general anti-terrorist surveillance and prevention activities, the Gardaí maintain a close watch for training camps. However, there is considerable difficulty in preventing completely the holding of such camps in the many remote and very sparsely populated areas in the Republic, especially in comparison with England. The task of the Gardaí in this respect could be compared with an attempt by the police force in Scotland to prevent the holding of training camps in the Scottish Highlands north of Stirling, in a situation where the camps could be anywhere over that vast territory and could be held at any time of the year.
 - Despite these difficulties and the extent of remote and sparsely populated areas, the Gardaí are reasonably satisfied that there is no wide spread practice of holding training camps within the territory of the Twenty Six Counties.
- (6) Suggested direct participation of R.U.C. in questioning of suspects in the Twenty Six Counties, presumably in connection with crimes committed in Northern Ireland

Points are:-

- There would be grave legal and, probably, constitutional difficulties in implementing this suggestion.
- Given the record of some members of the R.U.C. in illtreatment in the course of interrogation of suspects, implementation of the suggestion could lead to a diminution of the co-operation afforded to the Gardaí by the ^{people of the} Republic in the detection and prevention of terrorist crime.
- There would be a grave danger that statements by accused persons obtained through questioning in which R.U.C. Officers had directly participated would be ruled inadmissible by the Courts, if there were

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allegations by the accused that there had been illtreatment in the course of questioning. It would not be completely outside previous experience that suspects would take steps that might lend credence to such allegations and the end result might be that action against terrorism might be adversely affected.