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PLENARY MEETING BETWEEN IRISH AND BRITISH DELEGATIONS,
10, DOWNING STREET, LONDON, 5th SEPTEMBER, 1979.

SUMMARY NOTE

*Taoiseach
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1. Following the private meeting between the Taoiseach and the Prime Minister, the plenary session with the full delegations from both sides commenced about 3.55 p.m. Discussion continued until about 5.30 p.m., following which a small drafting group drew up the joint communique. Discussion and agreement on this took some further time and the meeting finally finished about 6.05 p.m.

2. Following some preliminary remarks on aspects of security co-operation, the Prime Minister outlined a number of areas in which she had suggested to the Taoiseach, during their private meeting, that action should be taken, on a basis of reciprocity. These were:-

- (1) Direct participation by both police forces in the questioning of persons suspected of committing offences in the other jurisdiction;
- (2) General or blanket permission for surveillance over flights by helicopters of either party for a distance of up to 15 Kms. on either side of the border;
- (3) The Irish Security Authorities to consider again the deployment of the special unit which had been deployed in the Monaghan area for a time but which had since been withdrawn;
- (4) Appointment of an RUC liaison officer with the Garda Siochana and vice versa with the RUC; and
- (5) An early meeting between the Ministers responsible for security with the participation of the two Chiefs of Police, and appropriate advisors, within a period of about a fortnight.

She also conveyed an offer that the British authorities would be ready to provide any further assistance requested in relation to police training and allied matters. She said that she had made one or two points to the Taoiseach about extradition. She knew we had problems in this respect but hoped that the matter could be looked at again. She mentioned that the British Government had now reached agreement with the West German Government for bi-lateral extradition arrangements for terrorists which included the extradition of their nationals by both countries.

3. She said that the British Government were ready to take a political initiative in relation to Northern Ireland at the appropriate time. "We shall take it", she said. However, she believed that no political initiative would have an effect on those who were planning and perpetrating the continuing violence and that it was essential that there be positive results from the meeting in relation to improved security. We must not fall into the trap of coming up, not with action but only words. Otherwise, she could not hold her public opinion.

4. The Taoiseach, reviewing the points he had made to the Prime Minister in their private meeting, said he had agreed that it was in the interests of both sides to stamp out the particularly evil form of terrorism with which both Governments were confronted. It was particularly in the interest of the Irish Government to stamp out the terrorism of the IRA which posed a political and economic threat. Irish Governments had been dealing with the problem far longer than those in Britain, going back to passage of the 1939 Offences against the State Act. He had stressed that the horror of the Irish people at the murder of Lord Mountbatten was equal to that of the British people. He had indicated the constraint imposed on the Government in relation to extradition by our written Constitution and recalled our intention to sign the Agreement applying the European Convention on the Suppression of Terrorism within the Member states of the European Community. He had pointed out that the preponderance of terrorist incidents in Northern Ireland were deep within the territory of Northern Ireland. He had referred to the position in relation to "hot pursuit" under international law and indicated that on our information, "hot pursuit" by the security forces in Northern Ireland and their being compelled to cease pursuit at the border arose scarcely at all. He had referred to possible problems in relation to the admissibility of statements in Court in cases where RUC officers participated in

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the questioning of suspects. In relation to helicopter over-flights, facilities were extended on application but it was possible that the Prime Minister's idea of over-flights at will might present problems. He was not specifically aware of the position in relation to the special unit previously stationed in the Monaghan area but it had been necessary because of the incidence of bank robberies throughout the State to withdraw a very small proportion of the Garda forces in border areas to other areas of the country. In doing this, the Government had satisfied themselves that there would be no adverse effects on security along the border. Liaison between the RUC and the Garda was well established, including the special arrangements which had flowed from the 1974 Conference on security co-operation but if there was a need for additional contact, this could be examined. He had agreed that a further meeting on this subject would be useful but had indicated that there might be difficulties in holding it within two weeks because of the heavy commitments of the Minister for Foreign Affairs who would be the Minister primarily involved on the Irish side. He fully agreed with the Prime Minister that there must be positive results from the meeting. However, he suggested that, in answer to the Press questions which could be expected, it would be essential that details of any arrangements made should not be revealed. Security was most effective when the measures in pursuit of it were not announced in advance.

5. In answer to a question from Lord Carrington as to suggestions for improved security which the Irish side might wish to put forward, the Taoiseach said that, in this area, the Government had to be advised by the professional experts. In relation to direct communication between the two armies, he referred to the differing role of the Irish Defence Forces in aid of the civil power. However, he would not object to such contact on occasions when the British army thought it urgently necessary. This would have to relate to genuinely serious cases and not to alleged incidents which turned out to be "false alarms". The Taoiseach also said that we had reason to believe that the security activity of the security forces in Northern Ireland was not as intense on the Northern side of the border in certain areas, as was our corresponding activity on the Southern side. He referred in particular to the South Armagh area where there was some evidence that the British Army, as a matter of policy, operated in a less intense way in a

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corridor with a span of up to 5-10 miles back from the border.

6. Following further exchanges on this question and on possible difficulties in our legislation dealing with helicopter over-flights, during which the Tanaiste made the point that it was important to get effective action rather than words and to eschew gestures made for the sake of appearances but which would not contribute to improving the effectiveness of security, the Taoiseach indicated that, in relation to over-flights, the Irish side would look at the legislation and consider whether it would be possible to give general permission for over-flights during specific periods, subject to renewal. He and the Tanaiste indicated that they had no basic objection to the idea put forward by the Prime Minister in this respect.

7. The Prime Minister indicated that, in the British view, the most important improvement that might be made was to convert intelligence into evidence that could be brought forward in Court by having the police from the jurisdiction in which offences had been committed and who had the necessary local knowledge to permit successful questioning, participate in the interrogation of suspects. In this way, it might be possible to improve the operation of the mutual extra-territorial legislation, given that we resisted extradition for reasons she understood. This reference led to exchanges on extradition which ended when the Prime Minister said that the British side were not pursuing this matter at the present time. The Taoiseach, the Tanaiste and the Minister for Foreign Affairs made a variety of points, in relation to difficulties and dangers foreseen by the Irish side in the operation of such an innovation as that suggested. These were responded to by the British side and one point they made was that while, under existing arrangements the RUC could be present in an adjacent room when interrogation was being conducted by the Garda and could "feed" suggested lines of enquiry, this was not fully effective because no police officer could fully foresee all the aspects from his unique and encyclopaedic knowledge of the associations, past movements, etc. of suspects, in such a way that a Garda officer could follow up instantaneously, as the RUC officer could, an opening given by a suspect under questioning which would enable him to be "tripped up". The Taoiseach indicated that the Irish side would certainly consider the suggestion. He felt, however, that it was something that would have to be examined very fully by the two Commissioners

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of Police. The Prime Minister replied that, indeed, it was an example of the type of matter which she had envisaged being discussed at the meeting of Ministers, accompanied by the Police Commissioners. Following further exchanges in relation to British and Irish practice and experience in relation to the admissibility of statements in Court in the circumstances in question, the Tanaiste commented that if the suggestion could be made to work effectively, it would be acceptable but that if, on examination, it emerged that the effect would be negative in terms of the effectiveness of security, the situation would be different.

8. In relation to the presence for a time of the special Garda unit in the Monaghan area, the Secretary of the Department of Justice indicated that the Garda's view had been that the unit had been ineffective, in comparison with the local forces, and needs elsewhere and it was for this reason that it had been re-deployed elsewhere. The Prime Minister said that she was advised that there had been considerably less trouble on the Northern side of the border opposite the area in question while the unit had been there. The Taoiseach accepted that the matter could perhaps be looked at again. This also applied in relation to the suggested appointment of police officers responsible for liaison between the Garda and the RUC.

9. In relation to the proposed Ministerial meeting on security, the Irish side referred to certain difficulties that might arise in holding the meeting as quickly as proposed but said that they would seek to overcome these.

10. The question of how to deal with Press queries was discussed. It was agreed that in answer to questions about what specific suggestions had been put forward for improved security co-operation, both sides would simply indicate that a number of matters had been suggested and that these were being considered and that they would not enter into detail or specifics in any way. It was agreed that this applied to the Press Spokesmen on both sides.

11. Following a summary by the Prime Minister of the points on which there appeared to be agreement, a drafting group of officials withdrew and prepared a draft Joint Statement. In further discussion of this draft, some amendments were agreed. The agreed Joint Statement is attached to this report. Following an exchange of courtesy, including an expression of regret by the Taoiseach that the meeting was taking place on the occasion of Earl Mountbatten's funeral, the meeting concluded.