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Security Co-operation - Briefing Document, June 1987

1. Article 9 of the Anglo-Irish Agreement provides as follows: senior officials of the Department of Justice and the Northern Ireland Office (a) With a view to enhancing cross-border co-operation on established to security matters, the Conference shall set in hand a support programme of work to be undertaken by the Commissioner of the Garda Siochana and the Chief Constable of the Royal Ulster Constabulary and, where appropriate, groups of officials, in such areas as threat assessments, exchange of information, liaison structures, technical co-operation, training of personnel, and operational resources.
- (b) The Conference shall have no operational responsibilities; responsibility for police operations shall remain with the heads of the respective police forces, the Commissioner of the Garda Siochana maintaining his links with the Minister for Justice and the Chief Constable of the Royal Ulster Constabulary his links with the Secretary of State for Northern Ireland.
2. The Garda Commissioner and the RUC Chief Constable met in December 1985 and reached agreement on the range of items that should make up the Programme of Work. These items are listed in Appendix I. (Tab 4)
3. The agreed Programme of Work was formally endorsed by Conference at its first meeting in December 1985.

4. On the initiation of the Irish Side, a group comprising the two chief police officers (with other police officers or appropriate), senior officials of the Department of Justice and the Northern Ireland Office and one representative from each side of the Secretariat was established to assist in getting the Programme of Work underway, to support progress in relation to it and to consider and discuss findings and recommendations in advance of their presentation to Conference. This group, which has come to be known as the "Quadripartite Group" is co-chaired by an Assistant Secretary from the Department of Justice and a Deputy Secretary from the N.I. Office. Apart from its role in monitoring progress on recommendations which emerged from the Programme of Work, the Quadripartite Group has, since the special security meeting of the Conference in Belfast on 22 April 1987, been given a wider role in considering problems in the area of security co-operation which cannot be solved at police level.

5. At the first meeting of the Quadripartite Group in February 1986 it was agreed that the detailed work on the Programme of Work would be performed by joint working groups of senior Garda and RUC officers. The work of these groups would be "steered" by more senior officers (of Assistant or Deputy Commissioner rank on the Garda side and of equivalent ranks on the RUC side) and their final agreed reports would be submitted to the Commissioner and to the RUC Chief Constable. These reports would then be considered by the Quadripartite Group as a preliminary to presentation of a general report to the Conference on how the Programme of Work was progressing.

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6. In the ensuing months the following reports of the joint working groups were presented to the Commissioner and the Chief Constable and came before the Quadripartite Group for consideration:

- (i) Report on Intelligence matters
- (ii) Report on Computerisation
- (iii) Report on Operational Planning in Border Areas
- (iv) Report on C.I.O. Operations of crime services
- (v) Report on Legislation, Procedure and Related Matters.

7. General agreement was reached between the two sides on a broad range of recommendations that arose from these reports. There was less than total agreement in a number of cases on the precise manner in which they would be implemented and this has provoked a good deal of criticism from the British Side. In response to criticism of this type we consistently take the line (which is specifically upheld in (b) of Article 9 quoted above) that the Commissioner's judgement in matters affecting the operations of his Force must be accepted; that the Garda Siochana, by reason of their acceptability to the community in the State, can operate in a manner that is not open to the RUC, and that co-operation between the two Forces does not demand that one Force should be the mirror image of the other in terms of organisation, procedures etc. The recommendations agreed, with a brief comment where appropriate, are set out in the following paragraphs.

8. A joint threat assessment covering the paramilitary organisations operating on both sides of the border would be produced. This was done. At the Belfast Conference meeting on 22 April 1987 it was

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agreed that this joint assessment would be updated and this is being done - the new assessment is expected to be ready in the next week or two. The document will of course be highly confidential and will be given only very restricted circulation.

areas used and the training provided by the Garda authorities for these units, which apparently

9. Garda Special Detective Units in Border Divisions to be increased:

The increase recommended was 80 additional detectives and these have been appointed. The British Side has however been critical of the way these detectives were selected, of the training they received and of the lack of "hard intelligence" being produced by them. The Commissioner has rejected this criticism stating that he deliberately chose the new detectives from Gardai already serving in Border areas - they were already familiar with their localities, had local knowledge and contacts and for these reasons were better qualified for the new detective duties than would personnel who would be newly transferred to border areas. As regards training, they have already been provided with some instructions in general detective surveillance etc. duties and may get more.

10. Special Surveillance Units in the Garda Siochana to be increased from one to three :

The R.U.C. perform much of their intelligence gathering through the use of a number of highly expert covert surveillance units, the members of which undergo a very demanding and intensive selection and training programme. The Garda Siochana had one unit, based in Dublin, engaged on special surveillance work related to drugs etc. The recommendation was to the effect that the Garda Siochana would set up two further units of this type to concentrate on anti-subversive surveillance - one to operate in Dublin, one to operate along the border and one to be 'on call' to go

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where most needed. Each unit would comprise one Inspector, three Sergeants and fifteen Gardai. The Gardai have only recently completed implementation of this recommendation. The British side is sceptical about the selection procedures used and the training provided by the Garda authorities for these units, which apparently are not comparable to their R.U.C. counterparts in terms of covert surveillance expertise and techniques or in terms of sophistication of equipment available to them. The Garda Units have been given some formal instruction in surveillance techniques and otherwise get what the Commissioner describes as 'on-the-job' training i.e. working with more experienced men.

11. A number of detectives (143) from the Dublin-based Special Detective Unit to be assigned exclusively to deal with subversive organisations: This has been put into effect. What is at issue is their exclusive assignment - they are not diverted to miscellaneous duties such as cash escorts etc.
12. Appointment of four additional Detective Inspectors and three additional Detective Superintendents to co-ordinate the activities of the Garda Special Detective Units in border areas: This has been put into effect. The British side is critical however, maintaining that the Superintendents were previously ordinary Superintendents serving in border areas who were simply re-designated as Detectives, without any special selection, aptitude or training.

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- responsibility, as needed, for any particular operation. It was not
13. Regular and Frequent meetings between various Gardai and RUC officers: Meetings at four different levels were recommended:
13. (i) Security Heads (Asst. Commissioner and RUC Asst. Chief Constable) to meet bi-monthly.
- (ii) Heads of Intelligence (H.Q. Chief Superintendent level) to meet monthly.
- (iii) Garda/RUC Border Divisional Officers (Chief Superintendent level) to meet monthly.
- (iv) Garda/RUC Border Superintendents to meet in groups and also each Superintendent to meet his opposite number each month.
- The 'Irish' position was that meetings should take place as often as necessary - not according to a formal schedule irrespective of need. In deference to strong British pressure however, it was agreed to have the meetings as detailed above for an initial period of 6 months (due to end at end of June 1987) in order to establish good working relationships between the officers of both Forces. The matter is now due for review and it is thought that both Forces will now agree to a scaling down of meetings.
14. Operational Planning Officers (Inspectors) to be appointed in each Garda Division (for liaison with RUC "opposite numbers"): Agreed that a particular officer in each Division will be designated as a contact point - he will identify the officer to be given planning

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responsibility, as needed, for any particular operation. It was not agreed that this need always be an Inspector. It is envisaged that these units would work direct with one another, without reference to

15. Where appropriate, operations to be planned jointly in advance: This is put into effect as necessary - e.g. cover may be provided by one side while the other is engaged in say a particular search on its side of the border. The Forces remain in contact during the operation. Also, the two Forces would co-operate in the preparation of joint major incident plans - e.g. major funeral, major disaster etc.

16. Co-operation by either side in case of major event affecting the other: This comes into effect when the police on one side are under particular pressure (e.g. the Robinson Court appearance in Dundalk; major demonstrations or parades in N.I.). On such occasions the other Force relieves the pressure by undertaking some extra security duties on the border.

17. Co-operation in relation to Computer Facilities: The computer equipment in use by the two Forces is not compatible. The British side would favour a system whereby each Force could have access to the computer records of the other. It has been made clear to them that this cannot be countenanced, apart altogether from the problem of incompatibility of systems. Computer specialists from each Force however meet in a working group for discussions of mutual benefit.

18. Provision of Secure Communications Systems between the two Forces (telephone, radio and 'Fax): These facilities are in operation. The British side is pressing for the Gardai to acquire a particularly sophisticated and secure (and expensive) Radio system to provide for direct communication between RUC special covert surveillance units

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and counterpart units on the Garda side. What is envisaged is that these units would work direct with one another, without reference to the normal command structure. It is considered that the role of the Garda Special units and the way they are to be tasked and controlled, and the ways, if any, in which they would inter-relate with R.U.C. special covert units, needs to be precisely defined before that very procurement of this ultra-secure communications systems is proceeded with.

19. In addition to the above recommendations, which have been implemented in whole or in part, two other recommendations, which have not been agreed, emerged from the joint working group reports prepared under the Programme of Work. These are referred to in the following two paragraphs:

20. Recommendation that additional manpower be appointed to Garda H.Q. Intelligence Section: The Commissioner (who has first-hand experience of the operation of this section) rejects this recommendation, on the grounds that extra staff is not needed there at present. He has undertaken to keep the position under review.

21. Recommendation that an additional Assistant Commissioner be appointed to co-ordinate all Garda security activities in border areas: The Commissioner, despite very persistent and strong pressure from the British side, has consistently refused to agree to this recommendation basically because he sees no merit in it. In border Garda Divisions, as in all Garda Divisions, the Divisional Officer (Chief Superintendent) is responsible for all Garda resources and activity within his Division. The appointment of an Assistant Commissioner with responsibility for border security would undermine

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and divide the Divisional Officer's responsibility and answerability. In addition it is not seen that the proposed Border Assistant Commissioner could be expected to control and co-ordinate all security operations along the 300 mile border.

22. While, on the basis of what is stated above, it can be held that very considerable progress has been made in relation to security co-operation, there is little doubt that the British side is far from satisfied. Serious dissatisfaction was expressed in a very critical document presented in advance of the Special meeting of the Conference to consider security matters in London in October 1986. A similarly critical document was transmitted by the British side a few days in advance of the Belfast Conference Meeting on Security on 22 April last.
23. At that meeting it was decided that the police professionals on each side would get together to prepare an up-dated threat assessment covering the subversive/paramilitary organisations on each side of the border, to review how the measures put into effect were operating and to propose any new additional measures that they considered to be necessary. Work by both Forces on the revised threat assessment is well advanced (although the Commissioner is personally conducting an examination of the numbers being categorised as subversive "activists" on this side of the border). A meeting of the Quadripartite Group was held in Dublin on 9 June 1987 to review the present state of play in relation to the implementation and working of the various recommendation referred to above and to consider possible ways by which security co-operation might be further

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improved. These matters were discussed but no final conclusions were reached as it was stated that talks between Garda and RUC officers on a number of matters were still in progress. It was agreed that there would be a further Quadripartite Group meeting in early July '87. A joint record of the meeting on 9 June 1987 is at Appendix 2.

24. Throughout all the discussions on cross-border security that have taken place over the past 18 months, there has been, coming from the British side, an underlying current of impatience and criticism bordering on scepticism, at the rate at which progress is being made. While meetings between the most senior officers of the two Forces are reported to be cordial and helpful and to be useful in enabling each side to appreciate the problems and viewpoints of the other, criticisms and complaints from the British side tend to emerge at Quadripartite Group meetings. They surface also in contacts between our Secretariat officials and RUC and NIO officials and in the critical documents, already referred to, that the British side have on two occasions presented in advance of Conference meetings called to discuss security. Documents dated 18 June 1987 by Mr Lillis and Mr Ryan of the Secretariat refer to the serious misgivings of the British side which they tend not to fully express at meetings (Appendices 3 and 4).

25. In general terms, the British criticism of Garda performance relates to the Garda approach to intelligence gathering which the RUC regard as the basic vital weapon for combatting subversive activity or terrorism. The RUC claim that the gathering of useful hard 'pre-emptive' intelligence requires extremely sophisticated covert

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surveillance work by people who are totally dedicated and expert in this field. They claim to have greater experience and expertise in this field than any other police force in Europe and probably in the world. They say that they came to their present state of expertise by trial and error and hard experience and their view, stated without any intention of being offensive or paternalistic, is that the Gardai, where the gathering of intelligence is concerned, are at present at the stage where the RUC was ten years ago. Specifically the criticism is of the way the security service is organised within the Garda Siochana where all Garda units and resources working within a Division come under the control of the Divisional Officer. The RUC view is that the organisation of Garda security resources should be a mirror image of the RUC system where security units have their own separate command structure. They maintain that this is essential in order to concentrate and co-ordinate anti-subversive activity and to make the best use of specialist units. This is the thinking that lies behind continuous British pressure for the appointment of an Assistant Commissioner (Security) to take charge of the whole Garda security effort along the border and for a command structure below him to cater separately for all security personnel. The other main area of pressure is for the Gardai to make greater use of sophisticated covert surveillance techniques by specially trained expert units.

26. The Commissioner's view is that the security personnel and special units within the Garda Siochana should come under the normal management structure e.g. that in a border Division the Divisional Officer should have control and responsibility for all Garda activity

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within his Division. In relation to intelligence gathering, while the Commission has agreed to set up three special surveillance units, he does not rely on this type of unit to the same extent as does the RUC. It is seen that to a large extent the RUC operate in a particular way because no other way is open to them. In border areas in particular the RUC must often operate (when they can operate at all) in an environment that can range from the unfriendly to the clearly hostile. Their lives are constantly at risk and they cannot adopt what would elsewhere be regarded as ordinary police methods of operation. On the other hand the Garda Siochana enjoy acceptability throughout the State, they can and do police right up to the border and they can and do gather intelligence without resort to the very specialised measures found necessary by the RUC.

27. In relation to this whole question of differences between the structures and approaches of the two Forces, it is relevant to mention that Sampson has yet to produce the final part of his report which will relate to the implications of his investigations for the structures of the RUC. In particular it is expected that the role of the Special Branch within the RUC, and specifically matters relating to the "chain of command", will be the focus of attention. In these circumstances pressure on the Garda Siochana to change over to the RUC model seems to be particularly inappropriate.
28. Throughout discussions with the British side, when criticism about the different approach of the Garda Siochana has been expressed, the British side has accepted the Irish side position with reluctance - their attitude has been that in the final analysis "its results that

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count" and that "time will tell". What they now claim is that the Garda way has now been tried for about 12 months and that results are disappointing - that only "low grade" intelligence is being unearthed and exchanged and that "hard pre-emptive intelligence" is not forthcoming. This is what lies behind the criticism voiced at the Belfast Security Conference meeting on 22 April 1987 and the agreement reached that progress to date in relation to cross-border security co-operation is to be reviewed and that means of further developing this co-operation are to be examined. As stated above talks on these matters are taking place between police from the two Forces, there has been discussions on them at a Quadripartite Group meeting on 9 June 1987 and there is to be a further meeting of this Group early in July '87.

Dhr.

CLADY BRIDGE

28. The Nationalist village of Clady in Co. Tyrone is connected to Donegal by two roads. One, over Clady Bridge, leads to Castlefin and the other leads past Doonaloob Church, which is the church used by the majority of the population of the village. In May, 1986 the IRA drove a car-bomb down the Doonaloob road and destroyed the British permanent vehicle checkpoint in the village of Clady. [See map at 'K'].
29. There has been a Garda vehicle checkpoint on the Castlefin/Clady road for 11 years. After the bombing last May the British blocked that road at the bridge on the border, and also requested the Gardai to

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provide a vehicle checkpoint on the Doonaloob road, to protect those involved in re-building the British post at Clady. Prior to that time there was no checkpoint on that road. When the post was re-built late last year the British asked for the continued maintenance of the two Garda checkpoints. The Garda view is that the two checkpoints could be kept in position if the British would remove their own Clady presence, and guard the border crossing at Alt Upper, thus freeing the Gardai from maintaining a checkpoint there. The British have not accepted this as they say that the post is required to enable them to patrol the dangerous territory of West Tyrone.

30. The British post is manned by Army personnel. They say that the area is too dangerous for it to be manned by the R.U.C., who would have to be airlifted in and out at every shift change. The British do not have line-of-sight vision from their post to the Garda checkpoint, and they have requested the installation of a field-telephone between their post and the Gardai so that they can confirm that a particular vehicle approaching them has been checked. This has been resisted on the grounds that (a) police-to-police is the only acceptable contact and (b) acceptance would imply that (i) the Gardai do not check all vehicles and (ii) the British have a right to check or supervise Garda operations.

HACKBALLSCROSS

31. The British have requested a permanent Army/Garda patrol on the border in front of the observation tower in Hackballscross, to

prevent it being attacked. This has been resisted on the ground that a permanent static patrol is viewed as a wasteful deployment of scarce resources which could be much better employed in searching, setting up mobile checkpoints and patrolling generally. If the British side will insist on erecting towers unilaterally, without any consultation, then they must do so in terrain which they can protect. Our view is that these towers cause resentment and bitterness amongst the local population and also provide tempting targets for paramilitaries.

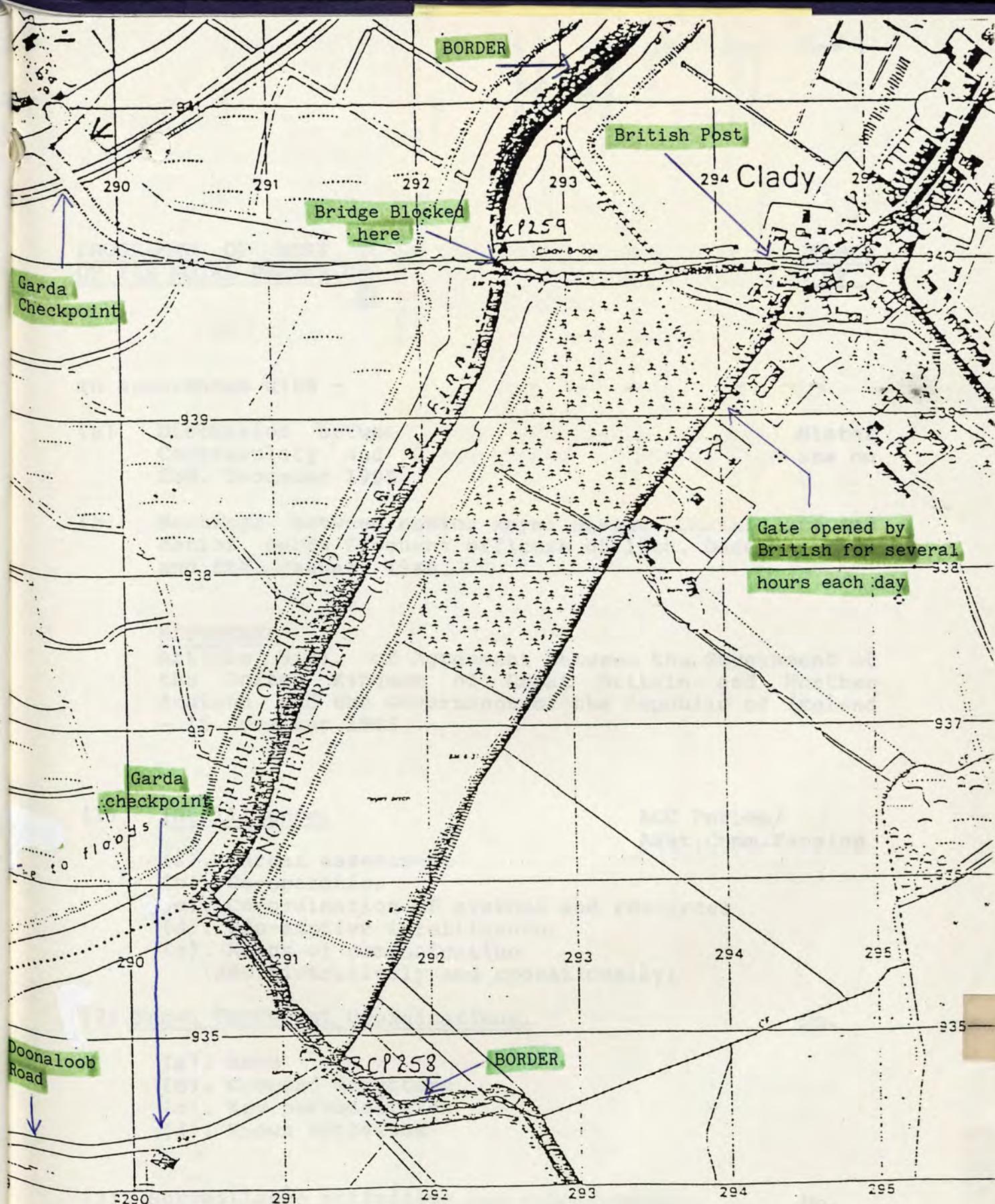
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BORDER

British Post

Bridge Blocked here

Garda Checkpoint

Gate opened by British for several hours each day

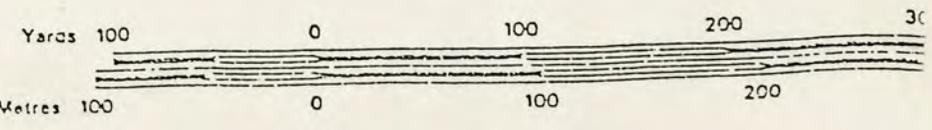
Garda checkpoint

Doonaloob Road

BORDER

ELEVATIONS IN METRES

Scale 1:2,5



- TELEPHONE CALL BOX
- RUINED BUILDING (shown as table, no roof)
- DEAFEST BUILDING (shown as table, no roof)
- ARCHWAY
- ROYAL ULSTER CONSTABULARY STATION

This map does NOT show the current administrative boundaries.

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PROGRAMME OF WORK TO BE UNDERTAKEN BY THE CHIEF CONSTABLE
OF THE ROYAL ULSTER CONSTABULULARY AND THE COMMISSIONER OF
AN GARDA SIOCHANA.

In accordance with -

- (a) Discussion between Chief Constable of Royal Ulster Constabulary and Commissioner of Garda Siochana on 2nd. December 1985.
- (b) Meetings between senior Royal Ulster Constabulary and senior Garda Siochana officers on 19th. December 1985 and 8th. January 1986.

REFERENCE

Article 9(a). of Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Ireland - 15 November 1985.

- (1) Intelligence. ACC Forbes/
Asst. Comm. Fanning
 - (a). Threat assessment
 - (b). Co-operation
 - (c). Co-ordination of systems and resources
 - (d). Pre-emptive intelligence.
 - (e). Means of communication
(administratively and operationally)
- (2). Known Terrorist Organisations. Do.
 - (a). Name
 - (b). Command structure
 - (c). Key personalities
 - (d). Known activists
- (3). Surveillance activities and requirements. Do.
- (4). Intelligence on weapons and explosives. Do.

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(5). Interviewing of Criminals (Terrorist and Ordinary) in other force area - period of detention. ACC Mellor D/Cr. McMahon

(6). Joint Incident Rooms to cope with Border crime Do.

(7). RUC/Garda CID case conferences in particular incidents where this would be beneficial. Do.

(8). Extra-Territorial Legislation and Procedures -use of and problems arising. Do.

(9). Studies of legislation North and South as it relates to police efficiency and effectiveness. Do.

(10).CID - Establishment of close communications and exchange of information on all serious crime where either Force may assist the other. Do

(11).Extradition - Law and Procedures. Do.

- (a) Terrorist crime
(b) Ordinary crime.

(12).Operational planning in border areas with reference to- ACC Wallace D/Cr. McMahon

- (i) Advance planning
(ii) Major incidents
(iii) Methods
(iv) Resources
(v) Briefing }
(vi) Intelligence } tasking of resources

(13).Specialist resources and facilities available to each Force. e.g. Ballistics, WERC, Technical equipment - with a view to maximum effective use by sharing and to avoid duplication and expense. D/Cr.McMahon ACC Mellor

(14).Training of personnel - identified as being necessary in areas under (1) - (13) above. Officers named above

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SECRET

JOINT RECORD OF A QUADRIPARTITE MEETING
HELD IN GARDA HQ, PHOENIX PARK, DUBLIN ON 9 JUNE 1987

Introduction

1. A quadripartite meeting, chaired jointly by Mr. Stephens (NIO) and Mr. Mathews (DOJ), was held in Dublin on Tuesday 9 June. The meeting was attended by the Chief Constable of the RUC and the Commissioner of the Garda Siochana as well as other senior representatives of both police forces, the NIO, the DOJ and the Secretariat. The purpose of the meeting was to prepare a report for the Anglo-Irish Conference on the progress made in developing cross-border security co-operation and to consider proposals for accelerating it.

Intelligence

2. The quadripartite group noted that the joint threat assessment was being updated by the two police forces and that a special study had begun on the structure and personnel of the Provisional IRA. This study would form an annex to the threat assessment and would seek to identify all the main terrorist activists in the Provisional IRA. It would demonstrate the size and nature of the threat they posed. It was intended that the study, which would be presented to the two Co-Chairmen of the Conference, would be used by the two police forces to plan appropriate action to deal with the threat. A draft prepared by the RUC had been handed to the Garda Siochana for their comments. The intention was that further papers, of a similar kind, would be prepared in relation to other terrorist organisations.

3. The Chief Constable said that, although most of the agreed recommendations in the joint Intelligence report had been implemented, there had still not been any great improvement in the rate of terrorist arrests or arms seizures. There was a need for pre-emptive intelligence which would lead to the arrest and conviction of the leading terrorist activists. This would require a dedicated intelligence effort by the Garda Siochana backed up by high-grade surveillance work. To carry this through there was a need for secure means of communication. The RUC were still of the view that changes

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in the structure of the Garda Siochana, including the appointment of an additional Assistant Commissioner to take responsibility for operations and intelligence matters on a full-time basis and a Chief Superintendent to supervise special branch operations in the border divisions, were required.

4. The Garda Commissioner said that it had already been made clear to the British side why it had not been possible to agree to the RUC recommendation about the appointment of an Assistant Commissioner and a Chief Superintendent (Special Branch) for the border. To meet the need, however, he had redesignated the four border Superintendents as members of the Detective branch. As regards pre-emptive intelligence, the Garda Siochana had made a number of significant arms seizures during the previous 12 months and terrorist suspects had been arrested and charged in the South.

Communications

5. The quadripartite group noted the progress made on communications. The Aroflex link, which would provide a secure telex line between the two police forces, had been obtained by the Garda and the RUC would be installing similar equipment shortly. Secure telephones between the two HQs had been installed. Secure facsimile equipment was also being obtained. A working party was still examining the question of secure radio links between border stations (to replace the old Goliath system). They were also considering the question of secure cross-border communications between the SDUs and the surveillance units on both sides.

Operational Planning

6. The quadripartite group noted that a number of joint operations had already taken place and that others were planned. Joint contingency plans were being prepared. A review of all Permanent VCPs was due to be undertaken.

Clady Checkpoint

7. There was a full discussion of the Clady checkpoint problem. The Irish side said that, if the British Army checkpoint were re-located out of mortar range of the border, the need for two VCPs on the Southern side would be

removed. Gardai could then be released for more productive operations in the area.. The British side said that the Clady checkpoint could not be moved without leaving other routes open to the terrorists. It would remain vulnerable to mortar attack unless the Garda Síochána maintained both VCPs on a permanent basis. They were prepared to reopen Clady bridge, which the Irish side had been seeking, on condition that the installation of a field telephone link between the British Army checkpoint and the Cloughfin Garda/Army checkpoint on the Castlefin Road would be agreed. The Irish side said that such a development conflicted with the principle that communications should be between the RUC and the Garda Síochána. The discussion was inconclusive and it was agreed to return to the issue at the next meeting.

Other Matters

8. The quadripartite group noted that the matter of compatible computers was being examined by a joint working group. It was further noted that the new standard operational procedure for dealing with explosive devices on the border was working well.

Next Meeting

9. The quadripartite group agreed that a further meeting would be held before the next Conference so that a joint report could be prepared.

SECRETARIAT

17 JUNE 1987

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SECRET

18 June 1987

Mr. D. Matthews
Secretary
Department of Justice

Dear Des

As you know we have been getting some worrying vibes here from the other side about the question of security co-operation and specifically their assessment of the commitment of our side to certain aspects of it.

These problems began to appear some weeks after the last meeting of the Conference. Our interlocutors here have several times referred to what they see as a disparity between actual performance since then and public statements on our side after the Conference which implied (a) an increased commitment to security co-operation and (b) criticism of the outgoing administration in Dublin for allegedly insufficient commitment in the earlier period since the Agreement.

We find this particular issue to be quite difficult to handle. When we report what is said to us, this can give rise to accusations of either insufficient awareness of the position on our own side, or even of a degree of "going native" etc.

May I say, first of all, that on all occasions that these issues are raised, all of us here reply to what is alleged as strongly and as clearly as we can and with total loyalty to the position of the Garda Commissioner. I made this point directly to Commissioner Wren when I met him by chance in Iveagh House a fortnight ago and he fully accepted it.

It is almost inevitable that, on an issue as sensitive as this, people who report what may be unwelcome statements from the other side would be in danger of incurring a part of the same resentment as those reported statements themselves provoke.

Yet it is our duty here to report what is said to us and it would be a dereliction of our duty to our own authorities to fail to do this.

There is another important reason, aside from duty, why this office must pass on what is said to us, critically or otherwise, about security co-operation. This has to do with the overall implementation of the Agreement by the British authorities. Security co-operation cannot be treated in isolation by the British Government and we for our part must remind them - literally every day - that they must, if the Agreement is to succeed, attend seriously to the grievances of nationalists in Northern Ireland and promote social and economic co-operation between North and South. We would argue that the record so far shows a number of successes in this area, although there clearly remains a very great deal to be done. A similar argument holds vis-a-vis our own Government: the inescapable political reality is that if we want continuing progress in improving the lot of nationalists and in developing economic co-operation, the Irish Government must take seriously (i.e. for political as well as for security reasons) the need to convince the other side constantly of our commitment to developing security co-operation.

It seems to me that one of the most difficult problems that the Department of Justice and the Garda Siochana in particular face in the discussion on security co-operation is a lack of clarity and candour on the part of the other side when they face you across the table: perhaps this is partly due to the fact that so many sensitivities are involved that candour is difficult to achieve even within administrations, let alone between

administrations. Stormont officials are themselves critical of the fact that the Chief Constable seems to be inhibited from saying to the Garda Commissioner the more critical things that he says to them. The same point could be made about Stormont officials themselves to some extent.

I am concerned about the fact that the NIO have already begun to prepare a brief for the British Prime Minister for her meeting with the Taoiseach on 29 June. It has been said to me that she will be briefed to raise issues in the area of security co-operation and that she is likely to be critical of the position of the Irish authorities. From my own experience of Mrs. Thatcher, I would think that she would probably raise such issues and such criticisms even if she were briefed not to do so.

It would be unfortunate if the British Prime Minister raised this question, including specific aspects of it, in a way which would take our Taoiseach by surprise. Should that happen, there would be no doubt but that this office had failed to prepare the Taoiseach's advisers for what we knew was almost certain to come up.

Having thought about this for some weeks, I asked our colleague Noel Ryan about a week ago to prepare for me an unvarnished statement of his assessment, based on his formal and informal contacts here, of how the British authorities and the RUC view the problems on our side of the border. He has now completed a note on the subject and I am sending it to you for appropriate use. In doing this I hardly think it is necessary to stress again that we here feel an obligation to ensure that the Taoiseach and our Ministers are properly briefed about attitudes on the other side as they come to our attention and especially that we must take pains to ensure that our Ministers are not walked unsuspectingly into firestorms set by the other side.

Appendix 4

I am confident that you will fully understand and support my reasons for asking Noel to do this.

I would ask that the enclosed report should only be circulated under cover of a copy of this letter.

Yours sincerely

Michael Lillis
M.J. Lillis

1. You asked as recently for an assessment of how matters stand at this time from the perspective of the Belfast security authorities, on cooperation. This is now submitted.
2. I should like to say that the information contained in this note has been gleaned by me from contacts I have had generally over the past months and particularly in recent weeks. As you know, it is a regular feature of our work here, whether in dealing with security co-operation, legal issues or issues involving, for example, the relations between the minority community and the police (which are raised here frequently) that we - and myself in particular on a number of these issues - have dealings with people who are either involved directly with security co-operation or concerned about it, at the level of Ministers, officials or police. These matters also come up in the fairly intensive pattern of social contact that exists and which covers the whole range of the Agreement and in which attitudes are expressed in a very frank way.
3. I should like to emphasize that the assessment I am reporting is what I believe to be the views of the authorities here, including Ministers, senior NIO officials and senior RUC officers, including the Chief Constable; they are not put forward as, nor should they be taken to be, my own. In all discussions that I have had on this subject with the authorities here I have always strongly supported the position adopted by our own side.
4. There are essentially two main areas of continuing concern to the authorities here. The first relates to the Special Detective Units (SDUs) in the border areas and the second relates to the question of covert surveillance, including the question of communications. This note also touches on one or two other issues.

SECRET

Cross-Border Security Co-operation

Mr. Lillis

1. You asked me recently for an assessment of how matters stand at this juncture, from the perspective of the Belfast security authorities, on cross-border security cooperation. This is now submitted.
2. I should like to say that the information contained in this note has been gleaned by me from contacts I have had generally over the past months and particularly in recent weeks. As you know, it is a regular feature of our work here, whether in dealing with security co-operation, legal issues or issues involving, for example, the relations between the minority community and the police (which are raised here frequently) that we - and myself in particular on a number of these issues - have dealings with people who are either involved directly with security co-operation or concerned about it, at the level of Ministers, officials or police. These matters also come up in the fairly intensive pattern of social contact that arises and which covers the whole range of the Agreement and in which attitudes are expressed in a very frank way.
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4. There are essentially two main areas of continuing concern to the authorities here. The first relates to the Special Detective Units (SDUs) in the border areas and the second relates to the question of covert surveillance, including the question of communications. This note also touches on one or two other issues.

Special Detective Units

5. The security authorities here are critical of the way we have approached the recommendation about augmenting the strength of the SDUs in border areas. As they see it, the SDUs play a key role in anti-subversive work. Although they operate openly as plainclothes policemen, they are the main 'eyes and ears' of the police in this area of work. It is their job to point the special surveillance units at their targets. The security authorities here say that the main task of the SDUs is to engage and maintain sources of information, which is a highly delicate and skilled activity. According to the security authorities, these detectives need to have a special aptitude for the job, require a high level of training and need to be dedicated to this kind of work in the sense of being exclusively engaged in it. The understanding here is that the increased manpower recommended in the Intelligence Report for the SDUs in border areas (an extra 4 four Inspectors, 15 Sergeants, and 72 Gardai) has been deployed - though they mention a shortfall of about 6 Gardai - but that these people have been drawn mainly from the uniformed force stationed around the border divisions. They have had no previous SB experience and have received very little formal training and none from any outside agency. The security authorities understand that, in the past, Garda personnel assigned to this work were sent on courses to Britain but this seems to have stopped. They say that all of this weakens the SDU capacity to make an effective contribution in their main role, i.e. intelligence gathering. They say that a man who was formerly a uniformed Sergeant in Dundalk (for example) cannot be effective in recruiting 'sources' in the town of Dundalk.

6. The RUC believe that Garda SDU personnel in border areas are also engaged in other work and that they effect arrests of subversives and engage in prosecutions in court. They regard this as undesirable. They say that court work is dangerous in the sense that a man under cross-examination can be put in a position where sources can be exposed. They say that the IRA are frequently more concerned about getting information on sources than they are about defending an individual accused. For instance, the IRA have a solicitor in Belfast (Finucane) who specialises in cross-examining policemen in order primarily to pinpoint sources. Therefore, it is essential, according

to the authorities here, that policemen giving evidence should not be aware of source intelligence which should only be communicated on a 'need to know' basis. In the RUC, the Divisional Commander will know what is going on only in general terms and he will not usually be given very sensitive information because of the dangers involved.

7. The authorities here say that the tasking of the SDUs, which is itself based on intelligence, can only be done effectively by senior SB officers who are 'in' on everything and know what they are about. The RUC wanted the Garda originally to mirror their Tasking Coordinating Groups who perform this task. These are headed by SB Chief Superintendents. However, they were prepared to live with the 'lesser' solution of a Chief Superintendent (SB) and a Superintendent (SB) located in Monaghan. The Assistant Commissioner (SB) in the Garda cannot do this job, they say, because he is in Dublin and presence on the scene to monitor and control what is happening is vital. The solution our side proposed of redesignating the uniformed Border Superintendents as detectives and giving them this role is not, they say, working well. These people have no Special Branch background and are not dedicated exclusively to intelligence work. Moreover, the RUC Chief Superintendent may have to liaise with up to four different people on our side which the RUC find inhibiting. As well, the Border Superintendents are liable to be cross-examined in court and the position is that the RUC do not wish to deal with them on very sensitive tasks. Control of information, which is highly sensitive and which, if revealed, can seriously jeopardise sources, thereby putting lives at risk, is such on the RUC side that the RUC Assistant Chief Constable (Special Branch) will not even tell the Chief Constable everything unless it is necessary and will never give him information in front of other senior people who do not need to know.
8. The authorities here continue to regard the appointment of an Assistant Commissioner for the border as essential. This person would coordinate operations and intelligence gathering. The view here is that the importance of the anti-subversive drive, in the overall context of policing in the South, merits such an appointment. In the RUC there are two Assistant Chief Constables full-time on the border.

Covert Surveillance

9. The authorities here say that it is the RUC view that the approach adopted to the selection and training of the two new covert surveillance units to be deployed by the Garda raises the question as to whether we are really serious about what we are doing. They say that covert surveillance, the need for which 'flows' from the work of the SDUs, requires particular skills and a great deal of training. The RUC personnel are specially selected (only about 4% of those who apply are picked) and are given a five months training course. Originally the security services in London trained RUC personnel but now they do their own with the help of outside agencies, including the security services, who 'validate' their courses. They believe that, as a result of experience over the past 10 years or so, they have become very professional at the job and they say that now British security services are sending men over to them for training. They believe that the Garda approach to selection and training of the new personnel is defective. They find it hard to understand why the Garda will not agree to send men to them for training.

8. The authorities here say that the RUC have succeeded, to a very considerable extent, in penetrating the PIRA in West Belfast and that they have done so mainly as a result of information supplied by sources who pinpoint targets. This is followed up by covert surveillance, which is the method used to enable the police to monitor what is happening. This enables them in turn to take preemptive action. They use special non-descript cars specially fitted out (with equipment like cameras in headlights etc.) which can enable a man lying in the boot, for example, to monitor what is going on. The range of equipment required to do this kind of work is considerable and it is expensive. The RUC, I am told, have frequently pre-empted IRA action using these methods. What happens in practice, I believe, is that the SDUs recruit agents and informants, these in turn give information about planned action, this is monitored using covert surveillance to a point at which an interception can be made catching the subversives red-handed. It is very delicate work requiring the police to take the long view so as to achieve best results. The RUC say that the Garda have a good surveillance unit in

Dublin in the sense that they are at it a long time and are experienced - though they say they are not 'into' anything like what the RUC can do. The task is easier in urban areas where maintaining cover does not present the same problems as in more isolated rural areas.

9. The RUC describe the intelligence that they receive from the Garda as "low grade" and of the "street level" variety. They say it is the kind of information that you get from CID (Criminal Investigation Division) and is reactive and retrospective in nature. The Garda are good at telling the RUC who is meeting whom, giving car descriptions and numbers involved etc. but they will rarely get beyond this because they haven't the information and they are not as experienced as the RUC at covert surveillance, in the view of the authorities here.

Communications

10. The view here is that very secure communications between the Garda and RUC at all levels are essential if operations involving the two forces are to be carried out properly. It is also the view that the Garda must acquire secure radio communications between their own SDUs and surveillance units and between these and their control bases and back-up units if operations are to be mounted effectively. The so called 'X-ray' sets, that I understand we have in police cars etc., are not, in their view, secure. The PIRA have, they say, monitoring bases "all over the place" and they are picking up every 'open' transmission as between Garda units and as between the Garda and the RUC. An open transmission can not only 'blow' cover on a particular operation, the authorities say, but it can lead to the identification of sources and, therefore, place lives at risk. It is not just a question, they say, of getting to a point where covert units can talk to one another across the border - though this would be necessary in circumstances where suspects who are moving from one jurisdiction to another are being 'handed over' - but there is a myriad of situations in which communications to and from operations in the field arise. The RUC seem to sense reluctance on the part of the Garda to go fully down this road. I was told that the introduction of secure radio communications would not result in greater demands being placed on the Garda than present resources can handle. The RUC view is that, in terms of

resources, the numbers recommended in the report, both of the SDUs and surveillance units, would, if deployed properly, be adequate to meet the situation.

General

11. From my contacts here I am satisfied that the RUC are not in the business of simply 'knocking' the Garda or engaging in destructive criticism for the sake of it. They have frequently and repeatedly stressed to me the admiration they have for many of the people with whom there are dealing at all levels. They acknowledge that these are people of a high standard who are well motivated and they say that all of the people involved in putting together the Intelligence report in particular had a clear idea of the problem. They have praised the work of the Dublin surveillance unit. They have had people up from the Garda to look at equipment required and have given them full details of it. There is an enthusiasm, they say, certainly amongst those whom they have met, to get on with it.

12. Neither have I sensed any great desire to portray the RUC as superior to the Garda. The RUC admit that the business of getting sources in particular is "dirty" police work that can and does go wrong and rebounds on them. They see it as a necessary evil and regard the resultant bad publicity that sometimes occurs as an occupational hazard. They admit that sometimes pressure is applied when it should not and the thing goes 'wrong'; they admit that the approach they have to adopt may occasionally involve presenting an opportunity to a person, who is in debt or who has drink or other problems and who is involved with subversives, of putting himself in the way of very large sums of money. They say that no other approach will work with an organisation such as the PIRA who are dedicated and sophisticated operators.

13. I am told that there is a clear distinction between the RUC role and that of other security personnel in Northern Ireland, particularly the SAS. Recruitment of informants and the exploitation of intelligence by means of covert surveillance is now, the authorities here believe, a recognised part of the armoury of every police force in the world dealing with 'ordinary', though organised, professional criminals

especially those engaged in drug-related crime. It is very different from what the SAS - who are a military unit - do. They tell me that when the SAS are needed, for example, in cases where it is anticipated that large-scale firepower will be needed (Loughall is the most recent example), they are brought in to protect RUC lives - but what the RUC themselves are engaged in are internationally accepted policing methods. It is the RUC who task the SAS and it is done only when they believe it to be necessary. I am told that any idea there may be that there are SAS units out in the field 'day and night' is erroneous. They are deployed only for specific tasks. The SAS are not involved in surveillance, I am told. There is, however, another detachment of military involved in Northern Ireland in surveillance (not the SAS) and these are brought in by the RUC when their own units are stretched.

14. I am told that, given that there are at the root of the Stalker/Sampson affair questions about the organisation and deployment of the RUC Special Branch, the authorities here would understand any reluctance on the part of the Garda to adopt certain RUC structures until, at the very least, the Stalker/Sampson affair has been finally cleared up. The view here is that what was wrong in Stalker was not the structures themselves but the command and control exercised by senior SB officers over what was happening, especially in terms of 'cover-up' in the aftermath of the shootings.. This, they say, cannot happen again because control has now been strengthened principally by the assignment on a regional basis of Chief Superintendents to the Special Branch. These are new (post Stalker), appointments.
15. The security authorities have said to me that they bemoan the fact that the Garda appear to have discontinued availing of Bramshill in England for training purposes, as, apart from other considerations, it is also used by the RUC. They believe the Garda could benefit from more widespread contacts with other police forces. A great deal more interchange takes place between the RUC and British police forces and the authorities here would like to develop this even further.
16. The general message that I get is that the subversives are remarkably skilful and that only the most sophisticated approach on the part of the

police can successfully counter them. The PIRA know no border - it means nothing to them. In fact, the Northern Command of PIRA includes all the counties of Ulster, Sligo/Leitrim and Louth. The Northern Command supplies the active service units while the Southern Command looks after logistics and provides general support. The document recently drawn up by the RUC and given to the Garda lists over 300 key 'players' on the Northern side and I gather that it is likely that the Garda will be adding a similar number.

16. The hope here is that the Garda/RUC joint document on the PIRA will underline in stark fashion the full extent of the problem and will thus lead to an acceleration on both sides of effort to find a solution. As matters stand, there is, I have been told, a sense of frustration in the RUC at what they perceive to be a "watering down" of the agreed recommendations in the reports.

17. Finally, there is the issue of Clady which came up at the last quadripartite meeting. The authorities here find it difficult to understand why we will not agree to a field telephone between the British Army post and the Garda checkpoint which they believe is essential to enable them to reopen the road which is what we have been pressing for. The reconstruction of the BA post, following its destruction by an IRA bomb, was a necessary first step in this process. They think it is unrealistic of us to be suggesting at this stage that the post be moved.



Noel Ryan

18 June 1987