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ANGLO-IRISH INTERGOVERNMENTAL CONFERENCE

NOTE OF A MEETING TO DISCUSS CROSS-BORDER SECURITY CO-OPERATION HELD IN LONDON
ON 31 OCTOBER 1986

Present

British Side

Mr King
Mr Scott
Sir Robert Andrew
Mr Stephens
Mr Innes
Mr Hewitt

Sir John Hermon (RUC)

Irish Side

Mr Dukes
Mr Ward
Mr Dorr
Mr Ryan
Mr O Tuathail
Mr Mathews
Mr Hughes
Mr Wren (Garda Siochana)

Introduction

Welcoming the Irish delegation, Mr King invited Mr Dukes to summarise the Irish Government's response to the British paper on cross-border security co-operation handed over on 2 October 1986.

Irish Views

2. Mr Dukes said that the Irish Government welcomed the tabling of the British paper and had carefully examined the arguments it contained. He hoped it would be possible, during the course of the meeting, to address the fundamental issues set out in the paper and to clear up any doubts or points of difference which remained. The Irish response, tabled on 29 October, listed all the steps taken by the Garda Siochana to implement the recommendations of the various reports submitted by the two police forces. In the view of the Irish Government, considerable progress had been achieved in the field of security co-operation but very little had been done under Article

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) to improve relations between the security forces and the nationalist community. Stability in Northern Ireland could only be achieved through a combination of closer security co-operation and political measures designed to reassure the minority community. The Irish Government believed that political progress was at least as important as security policy.

3. Mr Dukes continued by describing the different environment in which the two police forces operated. Because the pressures on the Garda Siochana were different from those faced by the RUC, different policing methods were needed. He said that the Irish Government fully recognised the importance of fostering the exchange of intelligence and establishing structures in the Garda Siochana which would be compatible with those in the RUC but an identical approach was not necessary. The Irish Government were determined to avoid enhancing the role of the Garda special branch to the point where it became a force within a force. This could only lead to a break down in co-ordination and communication.

4. Mr Dukes said that both Governments shared the same aims and were both fully committed to the development of security co-operation. He hoped the British side would provide details of any problems which arose so that improvements could be made. A list of such problems had been promised earlier in the year but had not yet been handed over. This made it difficult for the Irish side to respond as positively as they wanted. The Irish paper was not intended as the final word on security co-operation. The development of co-operation between the RUC and the Garda would continue and should be regularly reviewed in the light of experience.

British Views

5. Mr King thanked Mr Dukes for his presentation of the Irish Government's position. He explained that his concerns about security co-operation did not arise from any lack of goodwill or commitment from the Garda Siochana. The problem was more fundamental in that the Irish Government did not appear to understand the degree of effort and sophistication which was required to produce results in the intelligence field. Because of the threat posed by terrorists and the experience of nearly 20 years of violence, the RUC had developed structures and methods of working which were unique for any UK police force. A similar degree of sophistication was required from the Garda Siochana if security co-operation was to become really effective.

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Sir John Hermon said that it was important to differentiate between relationships on the one hand and effective co-operation on the other. At every level, relationships between the RUC and Garda Siochana had always been good. But this did not imply that co-operation of the kind which would produce results was necessarily satisfactory. The Anglo-Irish Agreement had provided the framework within which, for the first time, representatives of the two forces could sit down together and discuss the changes necessary to improve co-operation. The ground work had now been laid by the various working parties: what was needed was the speedy and thorough implementation of the joint recommendations.

Intelligence

7. The outstanding area of concern was co-operation on intelligence. Disagreements remained about the command structure within the Garda Siochana. It was a mistake to believe that the structure recommended by the RUC would lead to any lack of overall control or to the establishment of a force within the force. In the RUC, all the various disciplines co-ordinated their activities and met on a regular basis. Control of intelligence activities was tight and precise. He therefore hoped the Garda Commissioner would reconsider decisions taken about the structure of detective units within the Garda Siochana. In the meantime, it was important to press ahead with the measures already agreed. Difficulties between the two forces should be resolved, if possible, at ground level. If this could not be done more senior personnel should be involved and, where necessary, the matter referred to the two chief police officers. Ultimately, outstanding problems should be referred to the Conference.

8. Mr Wren replied that it was too early to expect the changes made in the Garda Siochana to produce dramatic results. But successes had been achieved. Even though no pre-emptive intelligence had yet been supplied to the RUC, the Garda Siochana had not been inactive. Since the beginning of the year, 490 terrorist suspects had been arrested in the border divisions and 37 of them had subsequently been charged with offences. In addition, a total of 65 arms and explosives seizures had been made. Such activity must have contributed to the saving of lives in Northern Ireland. If it would be helpful, the British side could quote these figures although the total number of arrests (490) should not be revealed.

9. Mr Scott said that there remained a number of outstanding problems as

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regards to detailed recommendations of the joint intelligence report. These related to the command structure of the Garda detective units and the quality and training of Garda personnel. Mr Stephens confirmed the importance of these points to the British side. It was essential that senior personnel were appointed to command the Garda detective units and that liaison across the border was carried on at a sufficiently senior level. Mr Wren replied that the structures established in the Garda Siochana would meet these criteria. Detective Superintendants would liaise direct with RUC Chief Superintendants but would remain under the control of individual border commanders.

10. Sir John Hermon recalled that the joint intelligence report had identified the most important members of the Provisional IRA. It was these people who had to be targetted and eliminated if any real improvement was to be made in the security situation. Police forces around the world knew that the drugs problem could only be solved by dealing with those who supplied and distributed drugs. Similarly, terrorism could only be defeated by removing those who planned and organised violence. The real challenge facing the two forces was to root out the key members of the Provisional IRA. This would require a considerable commitment of resources, manpower and training and both forces would have to match the increasing sophistication of the terrorists. Using a number of examples, he described the painstaking work required to achieve success in the intelligence field. In response, Mr Wren said that the degree of sophistication needed in Northern Ireland was unnecessary in the South because of the different environment in which the Garda Siochana operated. Information on terrorist suspects could be obtained in other ways.

11. Sir Robert Andrew emphasised that no-one was accusing the Garda Siochana of falling down on specific incidents. Nevertheless, the terrorist problem continued and greater efforts were required on both sides of the border. The techniques employed by the RUC had been developed over a number of years in the light of experience gained in combatting terrorist activity. These techniques were equally applicable in the South. The environment in which the Garda Siochana operated might well be different from that in Northern Ireland but the terrorist organisations were the same. The Provisional IRA were just as capable of using successful counter-surveillance measures in the South as they were in the North.

Summary

12. Summing up the Irish Government's position, Mr Dukes said that the measures adopted by the Garda Commissioner were regarded as adequate to produce results. These measures would be reviewed in the light of experience and their value would be judged by the results they achieved. Mr King replied that Mr Dukes' comments had been helpful. The important thing now was to fully implement the agreed recommendations and to develop effective co-operation between the two police forces.

Explosives on the border

13. Mr Dukes said that the Irish Government appreciated the need for a better understanding on procedures to deal with explosive devices found on or near the border. Such procedures should be reciprocal. The authorities in the South had studied the British proposals and put forward a number of detailed comments which were set out in an Annex to the Irish paper. The Irish side considered that problems would arise in allowing a British search team to cross the border: search operations should continue to be carried out on each side of the border by the security forces of that jurisdiction. Procedures would be improved if the bomb disposal experts on both sides got to know each other and exchanged information about terrorist techniques. Mr King welcomed what he saw as a positive response from the Irish side. He agreed that remaining points of difference should be thrashed out with the security forces with a view to introducing agreed procedures as quickly as possible. Further contact on this issue should be made through the Secretariat.

Questioning of suspects

14. Mr King said that the Irish response on questioning was extremely disappointing. Permission for the RUC to question suspects held by the Garda Siochana would make a valuable contribution to the fight against terrorism. It would also help to convince unionists that the Irish Government was serious about the need to co-operate on security matters and that positive results could be achieved through the Conference. The inability of the Irish side to deliver on this issue was difficult to understand given that most European police forces co-operated without any difficulty. It also seemed to be at odds with a recent Irish response to an Interpol questionnaire which said that members of other police forces could be present at the interview of suspects held in Garda custody.

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5. Mr Dukes said that he was unaware of the Interpol questionnaire. If such a statement had been made by the Irish authorities, it was wrong. The issue of questioning was deeply controversial in the South and it was almost certain that the presence of RUC officers during the interrogation of a suspect would lead to his subsequent acquittal by the Courts. It was only possible to question suspects held in custody if the person was arrested under Section 30 of the Offences Against the State Act and Section 30 could only be used in the case of persons suspected of a specific offence committed in the South. Mr Dukes said that allowing RUC officers to question suspects or be present at their interrogation would require new legislation and he saw no prospect of such legislation being passed by the Dail.

16. Mr King repeated his concern on this issue. He said that the legal requirement for questioning in the South seemed to be a serious handicap to the effectiveness of the Garda Siochana which raised doubts about their ability to deal with terrorism. That was a matter of great concern to the British side. It was agreed that this issue should be examined further in one of the Legal Working Groups established under Article 8.

Joint Statement

17. A joint statement (copy attached) was agreed and issued after the meeting.



NORTHERN IRELAND
Information Service

31 October 1986

ANGLO-IRISH INTERGOVERNMENTAL CONFERENCE 31 OCTOBER 1986

JOINT STATEMENT

1. A special meeting within the framework of the Anglo-Irish Intergovernmental Conference was held in London today (31 October 1986) to discuss cross-border security co-operation. The meeting was attended on the British side by Mr Tom King, MP, Secretary of State for Northern Ireland and Mr Nicholas Scott, MP, Minister of State and on the Irish side by Mr Alan Dukes, TD, Minister for Justice. The Chief Constable of the Royal Ulster Constabulary, the Commissioner of the Garda Siochana and officials were also present.
2. The meeting, which was arranged at the suggestion of the Irish side, reviewed progress made in implementing recommendations contained in joint RUC/Garda reports presented to the Conference on 17 June and 6 October 1986. Ministers reaffirmed their determination to continue to work together against those who use or support violence and their belief that the continued development of co-operation between the two police forces would contribute substantially towards this end.