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**Reference Code:** 2021/95/28

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Confidential

Meeting on Confidence Issues

Stormont, 12 March 1993

Irish side

Mr. S. O hUiginn  
Mr. C. O hUiginn  
Mr. M. Mellett  
Mr. P. Hennessy  
Mr. S. Farrell  
Mr. D. Kelleher

British Side

Mr. J. Ledlie  
Mr. E. Jardine  
Mr. D. Watkins  
Mr. S. Marsh  
Mr. M. Dodds

Opening remarks

1. Mr. Ledlie introduced the meeting by noting that this was part of a series of meetings devoted to discussion of Confidence Issues in a broad sense. It would be useful to look at two or three main issues. There were, he said, other opportunities to look at specific cases e.g. at the stocktake meetings which take place every four months or so.
2. Mr. S. O hUiginn said that we would share some of Ledlie's analysis of the purpose of this meeting. This group was not intended as a central vehicle for detailed discussion of individual Confidence issues. Its purpose is two-fold: first, the institution of this group reflects the importance both sides attach to a central element in the Anglo-Irish Agreement i.e. the reduction of problems in the confidence area; second, while the Conference deals with specific issues, it would be useful from time to time to consider difficulties in a broader perspective.

I. SOCIAL ATTITUDES SURVEYS

3. (Note: This discussion took up issues raised at the previous Confidence meeting of 10 January 1992. At that meeting, the Irish side focussed attention on results of the 1990 Northern Ireland Social Attitudes Survey which revealed alarmingly low levels of nationalist confidence in the security forces, the Courts and the administration of justice generally. The British side implied in response, and despite their funding of and close official involvement in the 1990 Survey, that it was not an ideal means of mapping trends in Northern Ireland. We were informed that the NIO would commission its own Survey but had heard nothing of any value since.)
4. Mr. Jardine (an NIO statistician) gave a lengthy account of the official surveys in operation, essentially on the lines of a factual paper, which he circulated. It emerged from discussion that the new NIO Survey, which they see as an improvement on the Northern Ireland Social Attitudes Survey, is the Community Attitudes Survey (CAS) which focuses on perceptions of security policy and attitudes to the Security Forces. It is intended to include attitudes to the Courts within its remit. Unlike the Northern Ireland Social Attitudes Survey, which is an annual event, the CAS samples 200 households each month. The CAS was launched in November 1992 and has to date achieved a response rate in excess of 70%. Jardine said that no meaningful results would emerge until a year's operation of the Survey had elapsed.
5. Mr. S. O hUiginn enquired if the NIO are undertaking any preliminary sampling of trends. Jardine replied that they would undertake an evaluation after six months. As to the accuracy of the survey, he said that their yardstick is that, in a sample of 1,000, with a variable which effects 50% of the population the error is  $\pm 3\%$ . Mr. S. O hUiginn noted that the 1990 NISAS had a sample

of 900 and thus presumably must be judged reliable. Jardine (differing somewhat from the NIO's view) agreed. Mr. Ledlie asked if this kind of Survey was done in our jurisdiction. Mr. S. O hUiginn said the need for such a Survey did not exist as we did not have a divided community. There may be scope, however, for cooperation between the NIO statisticians and the CSO.

II. NATIONALIST ATTITUDES TO THE SECURITY FORCES

6. Mr. Ledlie said that he agreed with our analysis that the effectiveness of security policy should be built on an appreciation of the policy's effect on and acceptability to the community. The difficulty, he said, revolves around the need to move forward on the two fronts of, on the one hand, combatting terrorism; and on the other, the policy's acceptability to the community. There was a tension between these two objectives. He claimed that a "sea change" has taken place in the NIO's understanding of this interplay, not only at the level of the NIO's political and public relations officers.
  
7. Mr. S. OhUiginn said that aspects of Mr. Ledlie's exposition were helpful but that discussions between us should not be regarded as adversarial. The antithesis between the confidence dimension on the one hand, and security on the other, is a false one. Confidence is not a substitute for security: they complement each other. Ledlie said that he agreed with this analysis and claimed that the British authorities are addressing security issues on a broader base which takes account of the confidence dimension.
  
8. Mr. Marsh said that it is a priority for the RUC and the Army to act and to be perceived as acting evenhandedly "in the fight against terrorism". He pointed out two caveats. First, some resentment against the security forces is at their presence, regardless of their

behaviour. Second, it is imperative to ensure that Confidence measures do not impinge on the operational effectiveness of the security forces. He described the main element of confidence in the security forces as consisting in confidence in the ability of the security forces to do their jobs of "rooting out terrorists from the Republican and Loyalist sides". He remarked that house searches had recently been welcomed by local people in Strabane and Belfast. (Note: The latter reference is probably to a recent search of a school and surroundings in the Beechmount area of Belfast. The use by the IRA of the school caused considerable local unhappiness. Concerns at invasive house searches, however, remain). Marsh concluded that the overall level of confidence in the security forces is higher than it has been for some time. The Community Attitudes Survey had been commissioned to "get a better handle on the pressure points". Marsh referred to the recent refinements of military complaints procedures and also claimed as positive achievements the appointment of Louis Blom Cooper to the Independent Commission for the Holding Centres, David Hewitt to the post of Assessor of Military Complaints Procedures, and the drafting of new Codes of Practice for the Holding Centres.

9. Mr. S. O'Uginn accepted that in some nationalist areas of Northern Ireland there is indeed resentment at the presence of the British Army and to an extent the RUC, but even within and between these areas there are variations in attitudes to the behaviour of the security forces. Such curious distortions often are explained in terms of the different approaches of Army units and RUC officers. It is a matter for continuing concern that on matters central to the effectiveness of the Anglo - Irish Agreement variations in the attitudes of individual Army commanders should be crucial. Moreover, in nationalist areas the strong perception remains that the security

forces focus excessively on young nationalists. As for the complaints procedures, we are well aware of changes which have been made to the procedures. Procedural changes in themselves are not enough. It is clear to us that the British side view these problems largely in terms of process, hence the concentration on procedures. We, and the community most directly affected by them, wish to see results. The inescapable fact is that RUC complaints procedures are seen as inadequate both at home and internationally. The recent US State Department report on human rights in Northern Ireland notes that in its first two years of operation, the Independent Commission for Police Complaints failed to substitute any of the 840 claims of ill-treatment in police custody submitted to it.

10. Mr. Ledlie invoked what he described as a change in perceptions of the security forces in Derry, which was noticeable after the killing of the Catholic RUC Constable Ferguson. He referred also to the recent BBC Spotlight programme which focussed on local unhappiness at Provisional IRA bombings in Bangor, Lurgan, Bessbrook and Keady.
  
11. Mr. S. O hUiginn agreed that there had been widespread revulsion in nationalist circles at the murder of Constable Ferguson. As to the Spotlight programme, local antipathy at the activities of the IRA should not be a matter for surprise. If there is a message to be taken from the Spotlight programme, it is surely that the IRA are relying on the security forces to err in their conduct of security policy: that would be a bonus for the IRA. The difficulties and local concerns caused by the obtrusive refurbishment and additions to Rosemount RUC Barracks in Derry, for example, do not go in the direction of better relations between the security forces and the local community.



12. Mr. Hennessy said that the building of the Rosemount Observation Tower contributed to the perceptions of a ring of observation towers around the Bogside/Creggan at a time of serious threat from Loyalists. Mr. Kelleher referred to reports of obtrusive Army checkpoints outside the Catholic Church in Shantallow, which had only recently been removed, and a difficult situation which developed on the night of the 21st Anniversary of Bloody Sunday: three unaccompanied Army jeeps had cruised Shantallow and consequent tensions with local nationalists were defused only through the intervention of local clergy. Moreover, it would be recalled that members of the Royal Anglian Regiment were awaiting trial arising out of assaults on nationalists in Shantallow last year. In other areas e.g. Coalisland where there had been signs of some modest amelioration in which sensitive local policing had played a role, it was important that the British side not rest on any laurels to which they feel they may be entitled: while the situation in Coalisland following the removal of the Paras last year had improved somewhat, there have been recent indications of problems with the current Regiment in the area (the Royal Anglian Regiment).
13. Mr. Watkins said that efforts had been made to improve the appearance of Rosemount but that the tower was necessary. He instanced other examples of police outreach. Mr. Hennessy said that genuine steps by the local RUC to improve relations with the nationalist community were welcome, but the real issue is whether such steps are adequate to the specific difficulties faced by the community and whether they are commensurate with the dimensions of the problem. Mr. Watkins pointed to the Police Liaison Committees which involved low-level community cooperation with the RUC. He said that the Subdivisional Commander in D Division (North Belfast) had

indicated that nationalists had attended these committees. (Note: this may be a reference to Brian Feeney, who has in the past attended such meetings on an individual basis). Mr. Ledlie, concluding on Rosemount, said that in general local people found the operation working better (in terms of disruption to traffic) than previously. The priority would be to make the installation more user-friendly and useful to the community. He accepted that it was environmentally unfriendly.

14. Mr. S. O hUiginn reminded the British side that Rosemount was not the only problematic observation tower: people had to live under the shadow of Cloghogue also. Mr. Marsh said that the local Civ Reps were actively visiting Cloghogue residents to try and assuage their fears: a programme of landscaping was also under way.
  
15. Mr. Ledlie repeated his view that matters have improved in some areas. Moreover, stress on soldiers should not be forgotten when evaluating the confidence issue. Mr. S. O hUiginn agreed, noting that soldiers are not policemen and are trained essentially for battle. Specific problems remain. The GOC's unfortunate comments on the Brian Nelson case served only to exacerbate nationalist concerns at the lack of accountability of the security forces - a situation which is being exploited by Sinn Fein who are pushing a glossy brochure on the case aimed precisely at those fears. We do not minimise the dilemmas facing the security forces, but there need to be constant efforts to ensure that the conduct of security policy fully reflects the requirements of confidence-building.

### III LOYALIST ATTITUDES

16. Mr. Watkins, in introducing this topic, went over ground he had already covered in prior discussions with the



Secretariat: that there is a growing number of reports of Protestant unease emanating from politicians, commentators and community groups; and that the links between this unease and Loyalist violence are unclear. The situation in regard to Loyalist paramilitaries is exacerbated by releases of Loyalist prisoners, by the UDA's aping of IRA structures; and by the upsurge in interest in joining the UDA. Watkins pointed to two strands in this phenomenon - the political/constitutional and the socio/economic. He is not sure which has primacy but believes that the problem is primarily socio/economic, with a strong political/constitutional undercurrent. In his view, the Unionist community is reverting to a siege mentality. Programmes such as fair employment and Targetting Social Need are of great concern in the Unionist community. There is concern too at what is seen as nationalist domination of public appointments, not just at DUP level. The perception is that the nationalist community have the Irish Government on their side while the British Government are neutral. Watkins pointed to levels of 30% unemployment in Unionist parts of Belfast but admitted that Catholic unemployment is higher. He pointed to perceptions that areas west of the Bann are favoured by the Government. As to security, Watkins pointed to Unionist perceptions of a failure to "get a grip on violence". The bombings in Unionist areas such as Belvoir, Coleraine and Bangor had reinforced this point. In addition, there were, he said, significant degrees of RUC harassment now in Loyalist areas such as Glencairn and the Shankill.

17. As to what should be done, Watkins (who, interestingly, received no support for his views from Ledlie or any other NIO officials present) said that he thought the following path should be followed:

- TSN policies should be presented with a view to

addressing Loyalist concerns. The question of equal entitlements should be addressed;

- community leaders in Loyalist areas should be used and developed given the poor community and voluntary infrastructure in Loyalist areas;

- Loyalist concerns about security policy should be addressed. As for the Irish Government he felt that Loyalist unease should be seen as a threat by both Governments. He opined that the Irish Government should build on the Tánaiste's remarks at the Mansion House and "keep up the sympathetic line".

18. Mr. S. O hUiginn said that we would recognise some of Watkins's analysis. We are aware of developments in Loyalist attitudes from our own sources. While we are glad that the Tánaiste's remarks are seen as helpful, it is important to apply a clear-headed analysis to the various dimensions of Loyalist unease which may exist. References have been made to Loyalist alienation in an obvious effort to mirror nationalist alienation. But it should be recalled that nationalist alienation had a longstanding constitutional dimension and flowed from persistent and inbuilt disabilities. This has been supported by rigorous analysis and statistically. To seek to effect a direct comparison along the lines being attempted by some Loyalists is not in our view appropriate. Moreover, great care should be taken to avoid any socio-economic approach to Loyalist areas which is not based on fair and objectively justifiable treatment. The agenda of equal treatment should not be distorted. Certain Loyalist concerns are legitimate. Others, however, stem essentially from unhappiness at the dismantling of privilege. We believe that any analysis of these concerns should be clinical, distinguishing

areas of legitimate concern from simple resentment at the dismantling of social and economic privilege. The relationship between Loyalist paramilitary activity and Unionist unease is indeed a complex one. It is worth noting that certain Loyalist politicians are now less able to influence Loyalist paramilitaries, to turn the tap on and off so to speak, than they manifestly once were. In conclusion, Mr. O hUiginn said that we are aware of definitions of the problem and the threat, but these definitions should maintain certain necessary distinctions. We have played and will continue to play a helpful role.

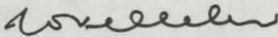
19. Mr. Watkins said that Targetting Social Need (TSN) will continue to focus on Catholic areas but that tactical care in the handling of Unionist sensitivities would be required in order to avoid serious risk to TSN.
20. Mr. S. O hUiginn reminded Mr. Watkins that TSN is effectively a presentation of existing programmes.

Conclusions:

21. At lunch, Mr. S. O hUiginn concluded that the meeting confirmed that there is agreement as to the seriousness of the confidence agenda and that there are opportunities for improvement. The meeting reviewed the general confidence situation as revealed by the Northern Ireland Social Attitudes Survey. We also considered developments on the ground where matters should be kept under close and continuing review. Variations of practice and outlook by individual Army units and by RUC areas should be investigated. As to the question of Loyalist attitudes we recognised and would share aspects of the definition of Loyalist concerns, but analysis of the components of these concerns should carefully and soberly determine their nature and scope, and distinguish between legitimate concerns and others which

may be ill-conceived and poorly motivated. We will be and are helpful where we can be.

22. Discussion over lunch on border roads and the use of lethal force was also noted. Mr. Ledlie referred to changes over the last six months and proposed that a further confidence group meeting be considered, even before the Summer. Mr. S. O hUiginn doubted that this was warranted. The confidence meeting could not be and should not be a substitute for the more focussed and concrete discussions that take place at the Conference and through the regular channel of the Secretariat.



Declan Kelleher  
18 March 1993

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