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AN RÚNAÍOCHT ANGLA-ÉIREANNACH

ANGLO-IRISH SECRETARIAT

BÉAL FEIRSTE

BELFAST

8 December, 1994

Mr Sean O hUiginn
Assistant Secretary
Anglo-Irish Division
Dept of Foreign Affairs
Dublin 2

Dear Assistant Secretary

Lunch with Ronnie Flanagan, Assistant Chief Constable (ACC)

The Joint Secretary and I had lunch here on Tuesday with Mr Flanagan. This was the second such occasion on which Mr Flanagan called to the Secretariat (see my letter to you of 23rd June, 1994). In my previous letter I gave an assessment of Mr Flanagan in which I referred to the significant role he plays within the RUC. There is, as you know, a vacancy for a Deputy Chief Constable in the RUC at present - that is the vacancy created by the death of Ken Masterson. Flanagan has his hat in the ring for this post but the competition is held up because of the action currently being pursued in the High Court here in Belfast by Chief Superintendent Willis against the Chief Constable and the Police Authority seeking a Judicial Review of the Authority's decision to exclude the Chief Constable from a previous competition. Consequently, the Deputy post is unlikely to be filled until around Easter.

The Joint Secretary has already written to you covering a number of the points which came up in our discussion with the ACC. The following further points may be of interest.

Changes in the RUC

The ACC recently accompanied the Chief Constable on a trip to the United States and Canada. From comments made at one stage during our discussion, I got the impression that the trip was used to collect information which might be relevant to future changes in the RUC. In this context, he said he was involved in the preparation of a Bill of Rights; it was not clear whether he was involved with a group or whether he was doing this on his own for the RUC. In any event, he said that these trips abroad with the Chief Constable gave him an opportunity to get an insight into the way in which the Chief Constable was thinking. In a sense, he considered that the Chief was a victim of his own past when it came to implementing change in the RUC. When leaving the London Metropolitan Police for Northern Ireland the Chief had been advised that if he followed the advice of the Special Branch he would not go far wrong. Over the years, the Chief had accepted advice given to

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him, not least by the Special Branch, that any loosening up of control or procedures could result in very serious consequences, including deaths both in the community and in the RUC: an example was his opposition to the introduction of video-recording of interviews of suspects (see below). However, Flanagan believes that the Chief's attitude is now changing. There was a determination among the higher echelons of the RUC to influence any future debate on changing the policing of Northern Ireland. Indeed, the recent address by the Chief Constable to a passing-out parade of new Constables was an attempt to start this process. His own personal view on the future policing of Northern Ireland was that there should be a single force. However, he would see the force being organised on a community basis. In the context of Seamus Mallon's suggestion that there should be a number of police forces, he said "I could give Mr Mallon forty police forces" provided they were all segments of one force. Each segment could be identified with the community it served, distinctive uniform, structure, etc. He believes that a force organised in this way would, to a degree, be "dysfunctional" (which I took to mean not wholly efficient) but this was something that would have to be lived with in the context of the particular circumstances of Northern Ireland. He believed that the Chief Constable and other senior officers of the force would be open to further changes in the RUC generally including a possible change of name and uniform.

Downsizing of RUC

Their most immediate problem, if the peace initiative holds, will be the downsizing of the force. They would be talking of a reduction of about 50%. Even at present, savings in overtime alone are projected at over £80 million a year.

Ordinary Crime

On the question of ordinary crime, he said he never accepted that there would be a huge increase in it. The facts as they were emerging tended to prove him right as there was, in fact, a decrease in the crime figures.

Use of Informants

He totally justifies the use of informants. He sees no difficulty in paying for information. He would not, however, tolerate situations where people were being blackmailed or threatened with the object of obtaining information from them. We mentioned a couple of cases which we had raised through the log system involving allegations of this kind of behaviour on the part of the security forces and asked if the RUC actually interviewed the people involved in these allegations from the point of view of bringing either criminal or disciplinary proceedings. We asked if it was possible to

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where any member of his staff, i.e. members of the Special Branch were at any particular time. He said it wasn't possible at present to trace staff in this way and would not be possible without the introduction of sophisticated technology. The problem in relation to this type of allegations was that it invariably ended up with one person's word against that of another. He would look again at the issue of interviewing those involved and said there may be scope for more openness on this whole issue.

Law and Courts

He thought that the RUC should now be relying more on the ordinary criminal law and that certain provisions of the EPA should be allowed to lapse, for example, the provisions relating to stop and search. Also, there should be more trials by judge and jury. The DPP should have to certify cases into rather than out of the Diplock Courts as at present: the reason this provision was framed in this way in the first instance was because of physical security considerations appertaining to the DPP and his office. Furthermore, the Diplock Courts often worked against the police in obtaining convictions. He explained this by saying that it was not possible, as it was in Britain, to make ex-parte applications to the Judge in relation to evidence obtained in a "sensitive" way. Such applications in Britain would be made to the Judge in the absence of the jury.

Video-taping of interviews with suspects

He said he was in favour of video-taping of interviews with suspects and had been since 1978 when he served at Castlereagh. He believed then that it would be a logical consequence of the introduction of close-circuit television in the Holding Centres. This was one area where the Chief Constable was a hostage to the past because of the advice given to him by the Special Branch that the use of video-taping could have the effect of lives being lost. Suspects would not be prepared to give information if they thought it was being recorded in this way. He, as head of the Special Branch now, did not accept this argument. It would always be possible for a suspect to pass such information to the RUC if he wished to do so.

Paramilitary Weapons

In regard to paramilitary weapons, he took the same line as the GOC did when he was with us some time ago. He was not overly concerned about existing stockpiles of weapons. The great concern of the RUC had always been the expertise within the paramilitary organisations - particularly in the PIRA - which enables them to manufacture weapons themselves and to manufacture explosives. He did not see any great benefit in

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forensically testing any weapons handed up by the paramilitaries: such testing would be unlikely to produce any evidence which could be used in Court.

Recent Robberies

We discussed briefly the recent robberies at the Post Office in Newry and at the filling station on Kennedy Way. The Newry robbery had been authorised by an individual who was on the PIRA Army Council. The Kennedy Way robbery was also authorised. He thought it was significant that, in the latter robbery, it was a replica revolver that had been used. Nobody had been disciplined or removed by the PIRA as a result of either of those two robberies but those involved in the Newry one had been spoken to. Further similar robberies could be expected simply because the organisation was short of money. Adams would, no doubt, be making the case to the British that if Sinn Fein were not allowed to fund-raise, particularly in the United States, then elements in the "black dog" would resort to further robberies.

Information Flow

We complained again about the difficulties we were having in getting information via the NIO in relation to actions being taken by the security forces in response to the ceasefires. We did not succeed in getting a commitment to any improvement in the flow of information through the formal channels. However, he undertook to look at this problem again.

Meanscoil Feirste

Flanagan indicated some dissatisfaction at the official response to the ceasefires to date. The Joint Secretary referred to a meeting which he had attended earlier in the day on the financing of Meanscoil Feirste and dealt with DENI's refusal to finance it. Flanagan asked if we detected any element in DENI's response which might be prompted by a fear that any finance given might end-up with paramilitary organisations. If there were, he would be quite willing to reassure DENI that this was not so in the case of Meanscoil, although there were other organisations about which he could be less emphatic. We said our understanding was that DENI's objections were based on financial and accounting considerations alone.

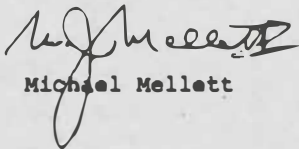
Allegations of Paedophilia

Flanagan expressed concern about the spate of paedophilia. At present. He thought some of them might be prompted by the prospect of compensation. He mentioned a case

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O'Donnell (80 years of age) formerly of the Clonard monastery. The allegations which date back over a period of time were made by a family from Beechmount. The allegations amount to the priest sitting little girls and boys on his knee and rubbing their backs during sports activities. The RUC were fully satisfied that there was nothing sexual in the behaviour of the priest, yet he was sent to Portglenone monastery as a consequence. Some people were suffering unjustifiably as a result of those allegations!

Yours sincerely



Michael Mellett