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To: HQ **From:** Belfast

For: Secretary Gallagher **From:** Joint Secretary

Subj: Meeting with RUC Chief Constable, 11 January, 2000

1. I called last evening on RUC Chief Constable Ronnie Flanagan at RUC Headquarters. Flanagan had just returned from briefing the Secretary of State. In the course of the two-hour discussion, much of which centred on the Patten Report, he said that his own clear view from the outset has been that it is for officers "as professionals", to act in accordance with what the Government ("and, indeed, the Governments") will decide in relation to Patten. In summary, Flanagan said that he is of the view that the changes set out in the Patten report are inevitable and has argued consistently (within the organisation) for realism in that regard. Flanagan also believes that, when the Secretary of State makes his proposed statement on Patten later this month, it will be important to ensure that details of the severance package are included as an integral part of the presentation. He is assuming that legislative proposals will be put to Parliament in February and will have been cleared for enactment by the end of July. In that context, he estimated that a reduction of some 700 members of the police service - all ranks - would be achievable by November, 2000. We also discussed normalisation, the Rosemary Nelson case and the murder of Richard Jameson, as set out below.

Patten - General

2. At a meeting with members of the Police Federation on Sunday last, 9 January, Flanagan said that he was somewhat surprised to encounter rather more opposition than he had previously encountered in respect of Patten's proposals for changes to the RUC name and symbols. He attributed this increased opposition to the cynical

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activities of certain individuals who should know better - he was bitterly critical of his predecessor, Jack Herman, in particular. For his own part, he said, he counselled caution, common-sense and realism. He said members were quite taken aback when he said that he believed that the Government - "and, indeed, the Governments", as he put it - will decide to implement Patten as recommended as a whole, including the proposed changes to name and symbols. He thought this was inevitable. It was therefore important that the Federation should not allow itself to be left out on a limb when (if) the Governments so decide, as it will be for the members of the Federation, as professionals, to set out to implement those decisions. If the Federation adopts a position now which could subsequently be construed as being incompatible with implementing the Governments' decisions, he said, this would clearly not be in the interests of its members.

3. In the course of our meeting, Flanagan enquired (and returned to the general topic more than once) whether there was any way to open up a dialogue with Sinn Fein. He said himself that the response to this issue appeared to be - "when the process of implementing Patten is under way". I generally concurred with that assessment.

Name Change

4. We had a general discussion on the rationale for the proposed name change and were able to agree on the need for the new beginning promised by Patten, with the aim of winning the support of the entire community for the new policing service. In that context, I said, the name change was vital. I mentioned that - while Chris Patten and Maurice Hayes were profoundly impressive on the issue - I had personally been deeply impressed by the particular strength and impact of Peter Smyth's analysis of the changes which were required.

5. Flanagan's view is that, at the end of the day, the name change and related proposals on badge and other symbols will be accepted. His advice to the Federation has been to the effect that it is understandable that they should not be seen to let this issue go unchallenged, that they should let it be known how they feel about the proposed changes. At the same time, however, he counselled balance and restraint in order not

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to be wrong-footed later on. Similarly, Flanagan sees the Police Federation's signature campaign in support of the RUC as a useful safety-valve "to let off steam". The wording of the petition, notably, does not involve any actual rejection of the Patten proposals. Instead, the petition acknowledges and supports "the need for constructive change in policing in Northern Ireland". Flanagan assured me that the Federation would adopt a responsible and measured approach in presenting to No. 10 today the 300,000 signatures gathered in the campaign (as indeed appears to have been the case).

6. As a measure of how sensitively and carefully the whole issue is being handled, Flanagan told me that he had been approached the other day by the Federation complaining that their proposal to present the signatures to No. 10 was being blocked by the NIO. When he enquired, he discovered that the NIO had understood that Ken Maginnis (who represents the Federation at Westminster) was proposing to lead the delegation to No 10 - and that it was to this the NIO was opposed. Flanagan went back to the Federation explaining that he fully agreed with the NIO's approach, as the initiative could be presented as politically motivated and representing a Unionist viewpoint. Allegedly, the Federation was quite unaware of the proposed involvement by Maginnis and, in line with the advice from Flanagan and the NIO, decided to present the signatures on their own authority, without Maginnis being present. Indeed, Flanagan went a step further and suggested that they might reasonably seek out a more independent representative at Westminster for the future. (He instanced that Tom Dalyell had represented the Police Federation in England.)

Severance Package

7. Interestingly, Flanagan also raised a question mark over the central remit of the Federation, saying that the core duty of the Federation's officers was to protect and promote the interests of its members. The severance package for retiring officers would obviously be a key concern and Flanagan felt, as indicated above, that details of the severance package should be included as part of the statement on Patten to be made later this month. It had been put to him that the Treasury would not simply

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agree notional figures - it would be necessary to detail, in a reasonably precise way, what expenditure would be necessary in the coming year. In response, Flanagan has said that he could envisage that some 700 officers could be let go by November, provided the legislative package proceeded as planned and subject to a satisfactory severance deal. While he did not go into further detail on the actual deal put forward, he envisages that the number will involve a range of senior ranks and that (at least) one grade will likely be suppressed as part of the rationalisation required.

8. In what was presented almost as an aside, Flanagan confessed to having an "almost childish" problem with the acronym for proposed new service: NIPS. He wondered whether there was any possibility of changing the proposed title - to "The Police Service of Northern Ireland", perhaps, or simply "Police Service". This would prevent silly comments about "nips" and "nippers", he suggested. (He seemed almost embarrassed about making the point, for obvious reasons.) I did not comment, one way or the other.

Normalisation

9. In relation to the strategy paper issued by the Secretary of State on 21 December, Flanagan wondered why the paper was not held over until the promised security review - when it would provide a rationale for specific actions on normalisation. I indicated that the Irish authorities were primarily concerned lest the paper - which contained little in the way of substantive action and no timetable - might fuel support for dissident elements opposed to the peace process.

Rosemary Nelson

10. Flanagan was not at all surprised at the DPP's decision not to proceed with any prosecutions in relation to the death threat complaints against her. He also held out no hope that there would be any disciplinary changes brought against any of the officers concerned. As he put it, the allegations were made by individual clients of Rosemary Nelson against different sets of RUC officers - so it was a case of the word of two

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RUC officers against that of an accused person in custody. He believes that the word of the police officers would be expected to prevail in every case - in the absence of additional video or other evidence. The same will apply to any judicial review, it would appear. Flanagan again mentioned his regret that relations with the Nelsons had deteriorated so much. Noting that Brid Rogers had now come out publicly calling for an independent public enquiry into the murder of Rosemary Nelson, I said that the Irish Government were under increasing pressure to do likewise. He responded that any public enquiry was unlikely to proceed until the disciplinary had been completed.

11. I have arranged separately to meet on Tuesday next with Deputy Chief Constable Colin Port, the officer in charge of the Rosemary Nelson murder investigation.

Richard Jameson

12. In response to my enquiry about the murder of Richard Jameson, Flanagan described it as "sheer territoriality". In line with news reports, he linked it directly to the power struggle between the local UVF and Billy Wright's LVF group. He said that four suspects had been arrested, including a member of the Fulton family, which was associated closely with Billy Wright. (He is quite satisfied that they have the actual culprits but he stressed that that is obviously not the same as evidence which will stand up in court.) He did not speculate as to the possible repercussions of Jameson's murder.

Oversight Commissioner

13. As you are aware from previous reports Flanagan is very interested in the Oversight Commissioner post and was keen to know the present position - and in particular whether any names were being actively canvassed. I outlined our approach in general terms without going into detail, indicating that we hoped to be able to agree on suitable candidates for the posts of Oversight Commissioner and Assistants in line with the needs identified in the Patten Report. Flanagan supported the appointment of a senior and heavyweight candidate for the Commissioner post in particular (making

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an oblique, critical reference to the Police Ombudsman designate).

Comment

In the course of our two-hour meeting, discussion ranged far and wide - covering much of Flanagan's own career in the RUC and some impressions gained along the way. He recalled his initial sense of hurt and incomprehension when, very shortly after he joined the RUC back in 1970, a (nationalist) friend refused to speak to him on the street. He mentioned at one point that he was head of the Special Branch for only six or eight months before he was appointed Assistant Chief Constable. He also stated that he has consistently been opposed to forcing a march down the Garvaghy Road - and, in fact, had opposed the decision by then RUC Chief Constable Hugh Annesley in 1996 to reverse an earlier decision and to force a march down against the wishes of the local community. (I recalled the deep sense of personal betrayal experienced by Cardinal Daly and local community representatives at that time). In general, Flanagan presented his personal role in these and in other respects as concerned and thoroughly constructive throughout.

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