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M Griffiths
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to the
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cc PST, PSNI, [illegible]

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SECRET

Patten Commission

19.1.2000

1. I had a discussion this afternoon with Bill Jeffrey on the Patten Commission and, in particular, the line the Secretary of State might decide to take on the badge for the revamped force.

2. Jeffrey said that the draft for Mandelson is changing from hour to hour and won't be finalised until the morning. However, very worryingly, he said that the Secretary of State's own view is that he doesn't accept Patten's analysis that the badge should be neutral between the British and Irish states. Clearly, what Mandelson seems to be thinking (though he is unlikely to say this publicly) is that a new configuration of the symbols of the badge, by placing the crown, harp and shamrock side by side (rather than, as at present, the crown being on top), would strike a balance between the two traditions.

3. I made it absolutely clear that any modification of the Patten recommendation would be disastrous. I simply could not see any nationalist, not to mention republican, joining a police force which carried the crown on its badge. It was necessary to come from a nationalist background to appreciate that the crown was a very different symbol from the harp and the shamrock, neither of which had particularly strong symbolism for Irish people, and indeed in many ways were shared by both traditions. Any sense that the crown might be kept, and that the Patten recommendation on this was being rejected, would defeat our whole objective - that of making the police force representative and acceptable in Northern Ireland.

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4. I found Jeffrey to be very appreciative of the force and logic of the above points.

DMG.

Dermot Gallagher

18 January 2000

P.S. ***Patten Commission recommendation on the badge of new force***

The Northern Ireland Police Service should adopt a new badge and symbols which are entirely free from any association with either the British or Irish states.

(Paragraph 151, page 121 of Commission's Report)

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S/s noted + Filed

19 JAN 2000

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To: Mr. Teahon

From: Dermot Gallagher

Date: **18 January 2000**

Pages: 1 + 3

Belfast Report

-- Patten

21 P, 3a.

Mr Griffin

Not passed on to the Taoiseach – overtaken by events.

19. 1. 2000

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cc PSNI
Mr Todd, Mr Dodds, Mr
Mr L. Pratt
Mr Rutherford W & L
C-in-C (FS)
Col Mr A.

Secure Fax: 48

18 January 2000 **No of pages including this one: 3**

To: HQ **From: Belfast**
For: Secretary Gallagher **From: Joint Secretary**

Subj: Patten

1. We had detailed consultation with the NIO this morning with regard to the form and content of the proposed statement by Secretary of State Peter Mandelson in relation to the implementation of the Patten Report, due to be presented in the House of Commons on Wednesday, 19 January, 3.30 p.m. I am hoping to receive the text of the Mandelson statement (which I understand is currently in its fifth draft) tomorrow morning.

2. I have confirmed my understanding that Prime Minister Blair hopes to speak to the Taoiseach by telephone, and that the respective Private Offices may well already have been in touch by now.

Substance

3. Following, in very summary form, are the key operational elements which we understand will be announced in the Secretary of State's statement:

- Title

The name will be changed to "Police Service of Northern Ireland", the change to take place following the Royal Assent, after restructuring has begun and when recruitment on the new basis has been initiated.

- Badge

The badge will change following consultation with the Policing Board to be appointed (or the Secretary of State might simply decide to remit the issue for decision to the Policing Board). Mandelson does not accept that there should be complete neutrality of symbols. We contested this point, quoting the Patten Report and pointing to the fundamental need for a complete new beginning.

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- Flags

No final decision on flags - Mandelson to discuss further with Chief Constable.

- Declaration

The new oath or declaration will be applied to new recruits only but the NIO were keen to stress that they saw a different way of achieving the same aim, involving a change in the law requiring police officers "uphold and protect human rights" in addition to protecting life and property. In addition, there would be a statutory requirement for a code of ethics in line with international practice and generally in line with the code annexed to the Patten Report. In summary, the NIO held out the prospect of a complete programme of action relating to human rights, such as set out in the report (including special human rights training).

- District Police Partnership

This proposal will be agreed with safeguards. They will initially have only a consultative role and the 3p levy will be held back pending the outcome of the Criminal Justice Review process currently under way. This will help the authorities see how they operate in practice. There will also be some background checks to prevent serious criminal or vigilante involvement. Mandelson not convinced of the need for four sub-DPP's in Belfast.

- Policing Board

The Patten recommendations seem to be largely accepted but requiring coordination with the Criminal Justice Review and with the Secretary of State retaining the financial overview powers. The Police Authority tenure ends on 31 July. We suggested one possibility as being the potential for the Secretary of State to appoint to the Police Authority, as an interim measure, the nine community representatives to be appointed to the Policing Board. The NIO don't expect the Policing Board to be up and running before December at the earliest.

- Size

Future size of RUC to reduce to 7,500 over ten years and to be reorganised as recommended (with some proviso re security situation)

- Recruitment

50/50 recruitment plus new recruiting agency, to be reviewed on a triennial basis.

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- North-South Cooperation

  NIO keen on Government to Government agreement as an umbrella for operational cooperation. They also stress EU dimension.

- Oversight Commissioner

  Mandelson will announce decision to appoint Oversight Commissioner to oversee implementation of the Government's decisions on Patten and generally in line with Patten. He will say the search is now beginning. The OC will report to Parliament and his report will be published. An overall project plan will be prepared by Government, Police and Policing Board for the Oversight Commissioner setting out objectives and timetables.

Comment

This very summary note will be followed as soon as possible by a full report. In the interim, however, this note may be helpful. The British side are hopeful that we will respond positively and constructively to what is proposed, to indicate that this is the beginning of the implementation of Patten, that now is the time to get behind the process to make the new beginning promised in it a reality and to encourage all concerned to look at the overall project in a positive and comprehensive way, taking in the whole range of the decisions contained therein. As indicated, I feel that the consultation this morning was constructive and generally quite open. However, I have said that we would need to see the text of the Secretary of State's proposed statement before I could make any more definitive rejoinder, other than the specific comments made sequentially by Gary Ansbro, Val O'Donnell and myself in relation to each of the points made in the course of our consultation.

As indicated, I hope to have the draft tomorrow morning and shall forward it immediately on receipt. It would similarly be helpful if any statement on our side could be forwarded to me as early as possible for sharing with the other side on a reciprocal basis.

not checked

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