

13 DEC 1983 (2)

E

cc PS/PUS (L) - M  
PS/Secretary of State (B&L) - M  
PS/Mr Scott (B&L) - M  
PS/Sir Ewart Bell  
Mr Brennan - M  
Mr Angel - M  
Mr Buxton  
Mr Doyne-Ditmas  
Mr Merifield  
Mr Gilliland  
Mr Radcliffe ✓  
Mr Boys Smith - M  
Mr Bickham - M

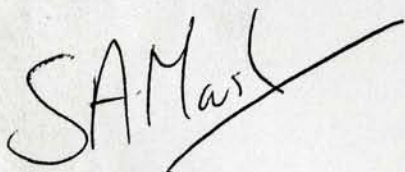
MR BOURN

Mr Andrew - M (B and L)

## SECURITY COOPERATION WITH THE REPUBLIC

You spoke with PUS this afternoon about your minute of 9 December. PUS agreed that the ideas you outlined in the second paragraph were well worth exploring and you agreed to get the necessary people together to discuss them.

I am copying this minute, together with yours, to Mr Andrew since we cannot realistically expect any conclusions to emerge before the turn of the year; we should, however, aim to have a concrete view before the Secretary of State sees Mr Noonan next month.



S A MARSH  
PS/PUS

12 December 1983



12 DEC 1983

①

CONFIDENTIAL

DUS(B)/83/5747/15.4

- 9 DEC 1983

E.R.

PS/PUS (L&B)

cc PS/Secretary of State (L&B)

PS/Mr Scott (L&B)

PS/Sir Ewart Bell

Mr Brennan

Mr Angel

Mr Buxton

Mr Doyne-Ditmas

Mr Merifield

Mr Gilliland

Mr Radcliffe

Mr Boys Smith

Mr Bickham

*a tape dream  
in cement 12/12*

*Mr [unclear]  
Mr [unclear]  
see*

*for info.  
there can  
hardly be any  
over where  
products for joint  
arrangements  
be less long*

*Mr Radcliffe  
Amazing. If the  
N.I. Assembly can't  
serve cross community  
involvement / consent  
what chance an all  
Ireland P.A.?!  
Best you retain  
these papers.*

*Jim in mine a*

*subtle file? 150/83.  
of 13/12*

SECURITY COOPERATION WITH THE REPUBLIC

We clearly need to think about the future of security cooperation with the Republic, both for the sake of the effective and efficient conduct of police operations and for the debates about security that may take place in the political context following the Forum Report. We have already had some indication of Irish thinking on these issues, which appears to raise more problems than it solves. So we need to think of ideas ourselves.

2. Every idea has snags. But one possible approach would be to build on the idea of a joint police authority. In brief:

*There is no police authority type body in the R.O.I.  
The subtitle is to the Police Act: wd members be willing to serve on such a body?  
I doubt it.  
Location?*

a. a police authority would be set up for Northern Ireland and the Republic;

b. the members, drawn from North and South, possibly in equal numbers, would be nominated by the Secretary of State and the Minister of Justice;

c. the authority's powers would be generally in line with those of the Police Authority for Northern Ireland;

d. the Chief Constable and the Commissioner would report to the police authority. While the authority would have no control of operations, the two Chief Police officers would naturally give accounts of their operational policies and plans to support their requirements for personnel,

*R.O.I. members exercising "control" over RUC resources & vice versa ?!*

buildings and equipment. This would promote a dialogue between the operational commanders and the authority, and a mutual understanding of each others' points of view, without derogating from the specific responsibilities of any of the parties;

/e.



ER

e. the RUC and the Garda would remain formally independent forces; the Chief Constable and the Commissioner could maintain their links with the Secretary of State and the Minister of Justice; the Garda would operate in the Republic and the RUC in the North, but there would be scope for closer cooperation eg our Mobile Support Units and the Garda Task Force might be merged into a jointly manned organisation for dealing with terrorist crime, and able, in the prosecution of this task, to operate in both jurisdictions;

Controlled by whom?  
responsible to which Force?  
financial control?

not likely to be acceptable either -  
No in the ROI if either re-verts to this idea one reliable  
Police and Criminal Evidence Bill // Criminal Law Amendment Bill?!

f. people arrested and charged would be tried in the relevant jurisdiction; the arrangements for extra territorial jurisdiction and extradition could continue. In the longer term there might be a criminal code applying in both jurisdictions, and with its own set of jointly manned courts;

g. the police authority would be financed by the NIO and the Ministry of Justice;

h. arrangements would be made for the investigation and settlement of complaints against the police.

There are no such provisions in the ROI

3. A system of this kind would enable a police service with a special concentration on terrorist crime to be provided throughout Northern Ireland and the Republic of Ireland without any derogation of sovereignty on the part of the United Kingdom or the Republic. At the same time, since the police would be seen as responsible to a body representing the full range of interests within Northern Ireland and the Republic, its activities in dealing with crime, particularly terrorist crime, would be seen as legitimate by all sides. In this way the terrorist might be truly distanced from the community.

4. This is, of course, only the briefest sketch. But it may be an idea worth further study and debate.

J. B. Bourn  
J B BOURN  
DUS(B)

9 December 1983