

E. R.

WI/86/4129/RE

CONFIDENTIAL

PS/MR SCOTT (L&B) M

cc: PS/S of S (L&B) M
PS/PUS (L&B) M
Mr Stephens
Mr Blackwell

CROSS-BORDER SECURITY CO-OPERATION

1. As you are aware, I have been attempting to co-ordinate information from RUC border divisions on RUC/Garda co-operation following Mr Scott's recent series of visits. To that end, I had written to the divisional commanders concerned seeking precise details, and also to RUC HQ; I had emphasised that we would not be seeking to resolve individual instances, but to demonstrate how far attitudes still had to change before practical cross-border co-operation became a reality.

2. In the light of this, Ministers will wish to see the attached letter which I have just received from the Head of Command Secretariat at RUC HQ. First, it makes it clear that the necessary information will not be forthcoming, and appears to assume that Ministers have no role to play in cross-border security unless the RUC think it justified. Second, it threatens guidelines for the "conduct" of Ministerial visits to RUC stations. Third, it is deliberately cast in the most distant of styles; and from my knowledge of Chief Superintendent Henry and his style, it was clearly written by a much more senior officer. It does, of course, present us with real problems now in dealing with the Irish. This is not to say that the Chief Constable does not have a valid point of view; but it might have been expressed earlier, more courteously, and with at least some recognition that the final word is not necessarily his.

3. I assume that there is no question of tamely accepting what is surely a calculated affront to Ministers. Mr Stephens will therefore raise the matter with the Chief Constable when he sees him on 15 August he will be making the points that the letter is unacceptable both in tone and substance, and seems to reflect a misunderstanding of governmental and Ministerial responsibilities. Mr Stephens will report on the outcome of his demarche, and Mr Scott may wish to discuss the position with us next week in the light of this.

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4. I think myself that the Chief Constable is unlikely to shift his basic stance in the short term, however and by whomever he is approached. On this assumption, I put forward the following advice on a contingency basis.

5. I believe the least unsatisfactory alternative would be to respond along the lines that Ministers accept his advice for the moment, given the close proximity of discussions on the RUC/Garda working party on cross-border operational co-operation. We would, however, make the points that cross-border co-operation is an integral part of the agreement between the governments; the RUC and Garda have a vital role to play, but the ultimate responsibility is not theirs; that pressure must be kept up at all levels, and the political one is exceptionally powerful (eg Clady VCF, where movement was only obtained when NIO initiated action through the Secretariat); and that political action and timing is for Ministers. As to visits, we might make the point that the recent series was reactive rather than preplanned - ie it was the concern and frustration expressed by RUC officers at the outset which led to the remaining visits; and that Ministerial visits are in all cases intended to see what is happening on the ground. Any question of guidelines for the force seems to us to be exclusively a matter for the Chief Constable. (I would myself be tempted to continue that Ministerial visits are certainly more frequent in Northern Ireland; for the same reasons, the Chief Constable's access to Ministers is very much greater here than for any other Chief Constable in the UK.)

6. This would leave open the question of who should reply. My inclination - if it proves necessary to do so - is that I might do so, responding at the same level with a letter previously cleared in draft.

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