

E. R.

Mr Nagark
1 file
6

- 1. Mr Hill *David Hill* 9/10
- 2. PS/Mr Scott (b)

- cc PS/Mr Scott (L)
- Mr Chesterton
- Mr Innes
- Mr Bell
- Mr Blackwell
- Mr Shannon

7626
HEAD OF DIVISION
1 0 OCT 1986
POB-NIO BELFAST

in the text
10/10-

POLICE FEDERATION

The Minister has already agreed a letter to Alan Wright, Chairman of the Police Federation, dealing with the Anglo-Irish Agreement. I now attach a revised draft which takes account of Mr Wright's letter of 23 September concerning the role of the police vis-a-vis the Army. This was also raised at the Ministers meeting with representatives of the Federation on 2 September, with Mr Wright proposing that the police be replaced by the Army in border areas and that the Federation be represented on the Working Group which has been examining which tasks currently undertaken by the Army are more suitable for the police and vice versa. The Group is due to report to SPM on 3 November and as the draft response makes clear, it would not be appropriate for the Federation to be party to its deliberation.

SGB

S G BREARLEY
Law and Order Division
9 October 1986

DRAFT LETTER

FILE NUMBER

ADDRESSEE'S REFERENCE

To	Enclosures	Copies to be sent to
A Wright Esq Chairman Police Federation for Northern Ireland RUC Garnerville Garnerville Road BELFAST BT4 2NX		
(Full Postal Address)		(Full Address, if Necessary)

LETTER DRAFTED FOR SIGNATURE BY MR SCOTT

(Name of Signatory)

When I met you and other representatives of the Federation on 2 September, I promised to write to you about the Anglo-Irish Agreement.

One of the strongest reasons for entering into the Agreement was the article covering security cooperation. Unless we can prevent terrorists using the Border both to mount attacks and to re-supply, the efforts of the security forces elsewhere in Northern Ireland will not pay ^{paper} dividends. There is, as you know, already cooperation across the Border but we need to extend and intensify that cooperation and coordinate the operations of the two police forces against the common enemy. This will only come about through long and painstaking work between the two forces, and will need sustained political will in London, Belfast and Dublin. There is no better way than that afforded by the machinery established under the auspices of the Agreement for achieving the higher degree of coordination we need.

There is as I know from my own personal knowledge, commitment in the South to improve the effectiveness of cross-border co-ordination: The agreements reached between the two forces on the exchange of information and development of liaison structures hold great potential for the future and there is as a result of our work so far, a solid foundation on which to build.

The Agreement is, of course, not restricted to security matters. It is also the aim of the Agreement to provide reassurance (beyond gains in security) for both communities in Northern Ireland. As far as the Unionist community is concerned the Agreement offers a commitment, binding in international law on the part of the Irish Government that they will respect the decisions of a majority to stay in the United Kingdom. Previous Irish Governments have made similar statements but they have been political statements subject to the vagaries of party politics. The commitment in the Agreement will bind future governments.

From the Nationalist point of view the Agreement is reaffirmation on the Government's part that there will be no second-class citizens in Northern Ireland and that everyone's identity and aspirations can be expressed within the law. In this we are following and developing the policies of previous Governments. I believe that such policies are both right in themselves and common sense. Unless we can reduce the estrangement that exists in the Nationalist community the IRA will continue to find recruits.

I recognise that many law-abiding members of the community in Northern Ireland oppose the Agreement and that this causes

difficulties to your members. I think most of their opposition is based on misconceptions, which are not going to be easy to remove, if only because they are so widespread, ^{but I believe it worthwhile to} ~~I will therefore~~ set out precisely why these misconceptions are wrong:

- The Agreement does not in any sense amount to joint authority. The Government remains open to views from all sections of the community in Northern Ireland, as well as to those of the Irish Government. We pay careful attention to all of them. There has never been any doubt between us and the Irish Government who makes the final decisions: it is clear on the face of the Agreement. Our disagreements with the Irish, if nothing else, make that point absolutely clear. The Irish do not attempt to disguise it in their utterances, either: let me refer you to a speech made by Mrs Hussey, the Irish Minister for Social Welfare, last month: "decision-making rests finally in all cases with the sovereign power,..... the British Government".

- The Agreement gives the Irish Government no authority over the RUC. Mrs Hussey again: "the RUC do not take orders from the Irish Government, and it is outrageously irresponsible to suggest they do". Again the Agreement is clear on the point. In any event, the RUC operates according to law. There is no general authority to permit the Government to give orders to the RUC on the discharge of its functions, and even more clearly there is no authority that would permit the Inter-governmental Conference, or the Irish Government or any

other body associated with the Agreement to do so. The Agreement could not provide any such authority, even if it purported to: in fact, as I have said, it specifically disclaims (in Article 9) any operational responsibility for the Conference. You know as well as I do how jealously the RUC Senior Command guards its operational independence. That is a key feature of the British police tradition and now well-established in Northern Ireland. The Agreement has made no difference to it. The RUC cannot therefore be asked to enforce the Agreement.

- The Agreement diminishes no one's standing as a British subject. There is no infringement of British sovereignty in the agreement. The fact that the forms and institutions of Government are different in Northern Ireland to those in Great Britain is in no sense an attack on its standing as British, or that of those who live there. Different parts of the United Kingdom always have had different institutions: the administration of Scotland differs considerably from that of England, for example. Northern Ireland has always had different institutions in recognition of its different circumstances. There is no logic in the suggestion that identical forms of government are necessary to give equality of standing throughout the United Kingdom. As for the position of Northern Ireland within the UK, this Government adheres to the policy of all its recent predecessors, namely that Northern Ireland will not cease to be a part of United Kingdom without the consent of a majority of its people. The Agreement reinforces this commitment by making it clear that no change in the status of Northern Ireland would come about without the consent of a majority of the people in Northern Ireland.

Everyone is aware of the acutely difficult circumstances that you members have often had to contend with in recent months. It has been suggested at our meeting that the Irish Government only ever criticises the RUC. Perhaps I might therefore mention again Mrs Hussey's recent speech in which she said: "the television screens have shown night after night that the RUC has behaved fairly and courageously in protecting the minority the RUC deserve very considerable credit". I believe this reflects the views of the whole Irish Government. I mention this, as I say, because some of your members seem to be unaware of it. But more than this, I think the RUC has been widely admired throughout the United Kingdom for the calm and even handed way that it has carried out its duties, under the gravest provocation and under the intense personal stresses that you have discussed with me. This seems to me to be in the best traditions of British policing.

I was also glad to receive your letter of 23 September regarding the respective roles of the RUC and the Armed Forces.

As I explained at our meeting on 2 September the Government supports the Chief Constable in his determination effectively to police all of the Province, rather than replace policemen by soldiers in the more exposed areas. The latter course would only serve to give PIRA a propaganda coup and reinforce their claims to be fighting a war. Republican terrorists are not freedom fighters - they are criminals who seek to impose their wishes on the majority of the population by the use of violence, and as such the primary responsibility for enforcing the law against such criminals rests with the RUC. Naturally, not all the tasks that are necessary to defeat terrorism are

appropriate tasks for policeman and it is for the Chief Constable and the GOC to decide on the level of Army support for the RUC and which tasks would more appropriately be carried out by soldiers than by policemen. While the views of the Police Federation on this subject will no doubt be known to the relevant senior RUC officers and are clearly known to Ministers and officials of the NIO, it would not be appropriate for the Federation to participate directly in any discussions there may be on this subject, particularly as they touch on matters which lie within the operational competence of the Chief Constable and GOC.