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From Austin Wilson  
US (Law and Order)  
19 January 1990

123/1.  
Mr Walker  
Mr [unclear]  
Neub

MR Spence  
You will be  
interested. I  
told you about  
this lunch

PUS (B&L)

cc Mr Ledlie  
Mr Burns  
Mr Fell  
Mr Miles  
Mr Bell  
Mr Blackwell  
Mr N Hamilton  
Mr K Donnelly

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MA  
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**MR NEEDHAM'S WORKING LUNCH WITH CONGRESSMAN DONNELLY AND OTHER REPRESENTATIVES OF THE FRIENDS OF IRELAND: 18 JANUARY 1990**

When we spoke this morning, I undertook to provide an account of that part of the discussion at yesterday's lunch in which I was involved.

2. Discussion of security policy issues took up the last forty minutes or so of the meeting. It began with an invitation from Mr Needham to Congressman Donnelly to comment on other matters not so far raised. (The previous discussion had been all about economic or social issues). Mr Donnelly immediately majored on the concerns, which I understand he had expressed earlier in the day, about the minority community's lack of confidence in the administration of justice generally and, in particular, in the impartiality of the security forces. The main thrust of his argument seemed to be that HMG's security policies in Northern Ireland would never be successful until there was a radical change in the way in which members of the security forces, especially but not exclusively the UDR, behaved towards members of the minority community. He evidently believed that there was, currently, a widespread abuse of power by the security forces and that they still appeared to many members of the minority community to be acting in a blatantly sectarian manner. Mr Needham made the first, though brief, response to this. He immediately acknowledged, as I did subsequently, the importance of raising and maintaining the level of confidence within the minority community in the impartiality of the actions of members of the security forces, and in the administration of justice generally. My first intervention in the discussion was, in effect, to supplement (and certainly not to contradict) Congressman Donnelly's remarks.

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3. I began by recognising the importance of the issue identified by the Congressman. It was certainly the case that our security policy could not be wholly effective unless the actions of those who had responsibility for carrying it out were recognised as fair and impartial by all sections of the community. I agreed that this was not yet the case; but that was a situation which we were trying to change. However, without denying the importance of the first factor, I thought that I should also record my belief that there was a second "confidence" factor that also had to be considered. In particular, it was necessary for the majority community to have confidence that HMG's policy of dealing with terrorism in Northern Ireland under the law was effective, both in preventing terrorist acts from taking place and ensuring that those who did perpetrate them were identified, tried and convicted. I indicated my belief that there was still substantial concern within the majority community about the alleged failure of current security policy to secure these objectives. There was, therefore, I suggested a need for both these factors to be weighed in the balance. I did not suggest one was more important than the other. But after acknowledging the importance of economic and social factors of the kind which had been the subject of the earlier discussion (improving employment opportunities, reducing discrimination etc), I made the point that the one indispensable ingredient in the process of bringing terrorism to an end would be successful security force action under the law. I recall saying also that not even the achievement of near total confidence in the security forces within the minority community would be sufficient in itself to bring terrorism to an end so long as a small minority of terrorists were still free to wage their war.

4. I regret to report that, following my first intervention, there was a perceptible increase in the heat generated by subsequent discussion. Mr Donnelly chose to interpret my initial remarks as a denial of the existence of any problem as regards confidence in the security forces by the minority community. He spoke with such vigour that Mr Needham immediately came in to "protect" me - declaring that Mr Donnelly could attack him as much as he liked but he would not tolerate on attack on a civil servant. In the subsequent discussion of security policy issues, Mr Needham spoke a great deal more than I did - continuing to recognise (as I would emphasise that I did also) the great importance of securing and maintaining minority confidence in all aspects of the administration of justice in Northern Ireland. He explicitly recognised that mistakes had been made, that behaviour of the kind alleged by Mr Donnelly did in fact take place and that it took place too frequently.

5. The principal issue discussed in the last part of the meeting was how, in Mr Donnelly's terms, to change the sectarian image of the security forces. There was general agreement on the importance of securing increased Catholic

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representation in the RUC. Congressman Donnelly and his colleagues recognised the substantial nature of the difficulties which were currently preventing this as they were explained to them, principally by Mr Needham and Mr Fell. Nevertheless, I do not think that he or his colleagues could have left the meeting with any doubt about our determination to do all that was practically possible to improve on the current figure of about 10%. We also agreed on the importance of getting responsible Catholic figures onto bodies like the Police Authority (I do not think that Mr Donnelly was previously aware that about a third of the total membership of PANI are, in fact, Catholics).

6. We did not spend the same time on discussing on how to get more Catholics into the UDR principally because Mr Donnelly seemed determined to see the Regiment (and particularly its part-time element) as so irredeemably sectarian as to be beyond help. Indeed, he put it to us that an important first step in our efforts to win the confidence of the minority community in our security policy should be to disband what he termed "a part-time militia". There was no substantive discussion of the value of the UDR as an element in the Government's overall anti-terrorist effort; but I made the points that Ministers had decided that the UDR provided essential support for that strategy and that it would therefore remain. I also emphasised that the decision to allow the UDR to have the PBR did not presage any change in its role. Mr Donnelly seemed determined to believe that it was to be used in riot control in nationalist areas. In his general attack on the UDR, Mr Donnelly referred somewhat sweepingly to the proven fact of collusion between the Regiment and Loyalist paramilitaries and, in so doing, made much reference to the leakage of recognition material. My intervention at this point was to deny that there was evidence of widespread collusion, as distinct from lack of care in the security of recognition aids. I made the point that media reporting and, indeed, the statements of some figures in authority, had given a wholly misleading impression. The sending of a photograph with personal particulars to a newspaper was not, in itself, evidence of collusion. There was an inquiry still going on and we should not prejudge its outcome. To put it mildly, this intervention did not impress Mr Donnelly. He repeated his first assertion and I made no further comment on this subject.

7. My brief encounter with Mr Donnelly, though at times stormy, ended cordially enough, with an expression of hope, on both our parts as we shook hands, that there would be an opportunity for us to resume our discussion of security policy issues at a later date.

8. Nevertheless, I left this meeting very concerned about two matters. First, I greatly regretted that my first

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intervention in the discussion had been the cause of what I thought had been a substantial deterioration in the atmosphere of an otherwise cordial occasion. I felt that, by speaking with some force on issues which seem to me important, I might have offended Mr Donnelly personally; and that had most certainly not been my intention. (Mr Archard, US Consul General, told me privately afterwards that he had never previously seen Mr Donnelly so incensed). Second, I was concerned because it seemed to me that, on the evidence of our lunchtime discussion, Mr Donnelly (if not his colleagues, who had said very little throughout the lunch) might be leaving Northern Ireland with some seriously mistaken impressions about our security policies.

9. I hope that no one in the US delegation is in any doubt about the importance attached, not only by HMG but also by security force commanders, to the "confidence" issue; but I was sorry that there was no time for reference to be made to any of the measures being taken to ameliorate a situation which it is fully recognised here could and should be improved. I would, for example, like them to have known more about

- a. improvements in the quality of training being provided for both the RUC and the UDR,
- b. substantially improved vetting and training for UDR recruits and regular monitoring of possible undesirable associations once initial training was completed,
- c. the range of "confidence" measures initiated by PANI (Police Liaison Committee, lay visiting etc)

This, of course, is far from an exhaustive list.

10. More generally, however, I think that it must a matter of concern that Mr Donnelly appears mistakenly to continue to believe

- a. that the UDR (or, at least, its part-time element) is an irredeemably sectarian force, whose deployment as part of the anti-terrorist effort is positively counter-productive: he thinks it can and should be disbanded.
- b. that the decision to allow the UDR to have PBRs available can only mean that it is to be used in sectarian riot control duties;
- c. that, in the administration of justice (in its broadest sense), there is one law for Protestants (and certainly for members of the security forces) and another for Catholics/nationalists;

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and most seriously -

- d. that HMG is less than wholehearted in its determination to deal with terrorism in Northern Ireland under the rule of law.

I very much hope that, during the Secretary of State's forthcoming visit to the United States, there will be some further opportunity to put him right on these and probably other matters.

(signed APW)

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