

C O N F I D E N T I A L

APW/615/JT

412/10

From Austin Wilson
US (Law and Order)
10 October 1989

Mr A Stephens

cc PS/SofS (B&L)
PS/MofS (B&L)
PS/PUS (B&L)
① PS/Sir K Bloomfield
Mr Burns
Mr Miles
Mr J McConnell
Mr Bell
Mr Blackwell

② SEC 5

STEVENS' INQUIRY: ARRESTS OF UDR MEN: HQNI/RUC RELATIONS

I have had three conversations with the CLF today. They took place respectively, after the discussion which he, Commander 8 Brigade, and Commander UDR had with Mr John Stevens yesterday evening and before and after his discussion today with Mr Denis Faulkner, Representative Colonel Commandant UDR. It may be useful if I briefly recall what he has had to say to me.

2. First, he confirmed the understanding which I had already received from my conversation with CIVAD last night about the positive nature of the discussion with Mr Stevens. There is no bad feeling there. HQNI fully accept the need for a vigorous impartial inquiry into allegations of misbehaviour or worse, by any member of the security forces (including the regular army as well as the RUC and the UDR). They want Mr Stevens' team to get to the bottom of the problem and expose it for what it is, whatever that turns out to be. Mr Stevens had told the CLF and his colleagues that his inquiries so far suggested that a comparatively small number of UDR members in one particular brigade had been guilty of a range of actions, varying from

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the extremely foolish to the seriously criminal, but that there was no evidence so far any central co-ordination of their activities. But he emphasised that his enquiries were ongoing and that more information might put a different light on things. Mr Stevens also explained the background to the arrests last Sunday, of which HQNI had had some advance warning. The CLF had told Mr Stevens that early reports of the way in which the house searches and arrests had been carried out had caused some concern to him and to other senior officers. Earlier in the day (Monday) he (CLF) had spoken to the Deputy Chief Constable to express concern about reports of damage to property and of ill-treatment or abuse, of some of those being questioned or arrested. But the CLF had accepted that no hard evidence was available for any of these reports; and he had accepted also the Deputy Chief Constable's assurance that any complaints made would be thoroughly and impartially investigated. For the moment, therefore, HQNI were not proposing to make any more of this issue. Indeed, on the events of Sunday taken as a whole, the HQNI line would be to "to take a deep breath and decide that nothing at all need be said about it, either publicly or to the RUC - at least for the moment". In other words, HQNI were going to wait for the dust to settle and for the whole picture to become a great deal clearer than it is now, before taking up any firm position.

3. I reported to the CLF on Mr Faulkner's visit to Minister on the lines of the de-brief which the Secretary of State and Mr Cope gave us last night. At his meeting with CLF, Mr Faulkner began with his own account of that meeting in terms which seem to imply that he (Mr Faulkner) had ready access to and great influence over Ministers. It was evident that Mr Faulkner still felt very strongly about the issues which he had raised with the Secretary of State. He did not apparently, raise anything new; but he did emphasise to the CLF his firm belief that the Colonel Commandant of the UDR, General Sir David Young wholly shared his concerns

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about the events of Sunday. However, the CLF went to some length to emphasise to me his belief that Mr Faulkner did not doubt the need for the UDR to be purged of any "rotten apples" who might remain within it. He accepted that certain members of the Regiment had already been made the subject of very serious charges and that there might be others who would eventually also be arraigned. But Mr Faulkner was much more inclined than any one at HQNI to reach a quick conclusion on the events of Sunday. He seemed convinced not only that real physical damage had been done to the homes of UDR members, but also that their lives had been put in danger by the searches and the arrests. He had indicated an intention to write to the Secretary of State with a list of questions about the way in which the search and arrest operation had been carried out. The CLF told me that he thought it would have been pointless to try to talk Mr Faulkner out of this idea!

5. The CLF concluded our discussion with a personal remark, with which I very much agreed. That was to the effect that, when the Stevens' enquiry is complete, it would be absolutely essential that the first public statement, whether made by Mr Stevens himself, the Chief Constable or an NIO Minister must be such as to satisfy all reasonable critics and get its "tone" exactly right.

(signed APW)

A P WILSON
(Ext SH 218)

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FROM: PS/SECRETARY OF STATE
10 OCTOBER 1989

cc PS/SofS (B&L) - B
PS/MofS (B&L) - B
PS/PUS (B&L) - B
PS/Sir K Bloomfield - B
Mr Stephens - B
Mr Burns - B
Mr A Wilson - B
Mr Miles - B
Mr J McConnell - B
Mr Bell - B
Mr Blackwell - B

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NOTE FOR THE RECORD

CONVERSATION WITH MR DENNIS FAULKNER: 10 OCTOBER 1989

1. Mr Dennis Faulkner (Colonel Commandant of the UDR) rang the Private Office on 9 October to ask to speak to the Secretary of State. When Mr Faulkner was told that this would not be immediately possible, he indicated that he would come to Stormont Castle in the hope of seeing the Secretary of State. He arrived at approximately 4.00 pm and the Secretary of State saw him at 5.20 pm during an interval in the programme of meetings scheduled for the afternoon. The Minister of State was also present. (Before the meeting, the Secretary of State asked whether the Army knew in advance of the operation to arrest UDR men on 8 October, and also whether the establishment of the new HQNI dedicated vetting unit was known to the UDR. Chief Superintendent Lewis confirmed that HQNI and Cdr 39 Brigade had been alerted to the forthcoming arrests (though without specific details) on 6/7 October. Mr Wilson separately confirmed that the UDR were aware in confidence, at senior command level, of the establishment of the special vetting unit, although it would be advisable not to disclose this information to Mr Faulkner.)

2. Mr Faulkner began the meeting by expressing his anger at the way the arrests of the 28 UDR men had been handled. It had always been his view that if there were malefactors in the Regiment they should be rigorously weeded out, and he therefore had no objection per se to the arrests provided they were based on substantive evidence. However, the handling of the arrests had been little short of disgraceful. It was unprecedented in Northern Ireland for a major arrest operation like this to be carried out on a Sunday, and the RUC news handout underlining that 300 policemen had been

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used in the operation was highly provocative. Not only was it unnecessary to have used so many (since the UDR men could have been expected to co-operate with the security forces), but to emphasise to the press the very large resources employed carried the implication that UDR soldiers were on a par with terrorists, which was scarcely borne out by the fact that most of the 28 had now been released, and that the 4 who had appeared in court had only had minor charges laid against them). People were drawing the conclusion that the operation had been mounted for political reasons to impress Dublin: a rapid public explanation would be needed if this impression was not to take root. He feared that many would leave the UDR: already, 7 Permanent Cadre soldiers had resigned that afternoon.

3. The Secretary of State said that he appreciated the candour with which Mr Faulkner had spoken. The basic reality was that the Chief Constable and the Stevens Inquiry were responsible to the law, not to the Secretary of State, and it was for them to carry out their responsibilities as they saw fit without political input or direction. The arrests had happened when and how they did because the police had reached the judgement - without any influence being exerted by Ministers - that this was operationally the right way to proceed. It was certainly not the case that the arrests were designed to have an effect on Anglo-Irish relations. He had made clear to the Irish at the Intergovernmental Conferences on 15 September and 5 October that the UDR was an integral part of the Regular Army and there was no question of its disbandment, and they had accepted this. However, where there was evidence of individual UDR soldiers committing crimes, these must be rigorously pursued.

4. After some further discussion the Secretary of State said that his programme did not permit him to talk further to Mr Faulkner at the moment, however he would reflect on the points which Mr Faulkner had made and have a word with him on the phone later in the evening. Mr Faulkner said that he was grateful to the Secretary of State for seeing him at very short notice. As a final point, he would like to mention that many of the 28 soldiers arrested believed that their personal security had been seriously compromised by the

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manner of the arrest and they would probably have to move house. This would be an expensive business and he was concerned to know who would pay. As he left the Castle, Mr Faulkner mentioned to the Minister of State that he believed that the UDR arrests had set back police/Army relations by 10 years.

5. Later on in the evening the Secretary of State spoke to the Minister of State, PUS, Mr Stephens and Mr Wilson. Mr Wilson reported that Deputy Chief Constable Stevens had met the CLF, Brigadier Dutton and others at HQNI that afternoon to discuss the arrests, and he understood that following the meeting police/Army relations were on a good footing. Mr Stevens had indicated at the meeting that although the initial charges laid against the UDR soldiers were minor, more serious ones might well follow. On the specific points raised by Mr Faulkner, Mr Wilson commented that it was correct that in background briefing the police had indicated that 300 uniformed and plain clothes officers had taken part in the arrests. This worked out at about 10 officers per house (some 30 were raided), which the police believed was the level which was operationally necessary. As for moving on a Sunday, this was simply the time they were ready since the operation had come to a head at that point. In respect of possible house moves by the arrested UDR men, Mr Wilson indicated that this was not yet perceived as a serious problem in HQNI and it had not been raised by CLF.

6. After some further discussion, the Secretary of State said that he believed the best way forward would be for Mr Faulkner to discuss his concerns with the senior officers in HQNI who had now had the benefit of police briefings. He accordingly rang Mr Faulkner yesterday evening to ask him to have a discussion with his colleagues in HQNI. If he was still dissatisfied the Secretary of State would be willing to talk to him again.

7. Mr Faulkner rang again this afternoon (10 October) on Brinton from HQNI. He said that after talking to senior Army officers he was prepared to reserve judgement on the 8 October arrests until all police inquiries had been completed and charges laid. But if by

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that stage no serious changes had been laid, he believed that it would be necessary for someone (possibly the Chief Constable) to "draw a line" under the affair and to express full public confidence in the UDR. The Secretary of State noted this suggestion.

8. Mr Faulkner has now written to the Secretary of State (delivered by hand this afternoon) repeating most of points mentioned to the Secretary of State. That letter has been circulated separately with a request to SPOB for advice and a draft reply.

Signed

S J LEACH
Private Secretary

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