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FROM: I M BURNS, DUS(L)
4 October 1989

cc: PS/Minister of State (L)
PS/PUS (L)
Mr Stephens
Mr Miles
Mr Thomas
Mr A P Wilson - B
Mr Wood
Mr Masefield
Mr Blackwell
HM Ambassador Dublin

PS/SECRETARY OF STATE (L)

INTERGOVERNMENTAL CONFERENCE, LONDON, 5 OCTOBER: STEERING BRIEF

Introduction

I submit briefing for the Conference. This consists of the revised opening statement drafted by Mr A Wilson, contingency briefs on the specific topics which are likely to feature in the discussions, and appropriate supporting documents. An Index of Briefs is attached. Mr Masefield has submitted separately a note on the detailed arrangements and proposed timetable for the meeting, which will include a list of the Irish participants.

General UK Objectives

2. Our general objectives will be to reaffirm the seriousness with which we view the recent developments, outline the measures we intend to take to meet the shared concerns of the two Governments, and, hopefully, to secure Irish acceptance that it is not possible for us to go further in the present situation.

Irish Objectives

3. The Irish are looking to get "something" on the UDR and confidence. In the light of the discussion on 15 September, the Irish know that disbandment or fundamental reform of the UDR is not on offer, but will still hope that they have persuaded you that there should be some such change. Even if this hope does not materialise (as it wil not), they probably think it realistic to expect you to agree to:

- (i) measures to tighten up UDR vetting and to prevent further leaks of information;

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- (ii) pursuit of the Stevens investigation;
- (iii) further (unspecified) progress on accompaniment;
- (iv) indication of willingness to make some (future?) movement on redeployment.

4. In practice, we are proposing to offer them only (i) and (ii) above. But we see more value and importance in (i) and (ii) than the Irish (they will assume that measures at (i) will be largely ritual; and they are already conditioning themselves to think that Stevens will go the way of Stalker). We will therefore need to convince the Irish that these are substantive measures, and not purely presentational ones, as the Irish will claim. We will need in particular to discount their fears that the Stevens investigation will run into the sand.

Specific Objectives

5. The Secretary of State will wish to convince the Irish that
- (a) we share their Irish concern at the importance of confidence in the security forces;
 - (b) we see confidence as an essential component of security policy, not as an issue which is separate from, or in some sense contradictory to, our efforts on the security front. The Irish are extremely ready to assume that we are insincere about our concern on confidence issues. They see confidence issues as a nationalist grievance about the security forces and the system of justice: because they see it as a nationalist grievance, they believe that we do not understand it, and that we are instinctively opposed to any measures that would help to alleviate it. When, therefore, we say that the sort of confidence issues they have raised about the UDR need to be looked at in the context of PIRA's terrorist campaign, or that we need to take into account the operational realities of our security policy, the Irish are tempted to think that we are trying to evade the issue, by claiming that terrorism, or our operational response to it, are regarded by us as being more important than confidence issues. We have made some headway in correcting this misapprehension during the last 18 months, but I think it remains important that at tomorrow's Conference we should emphasise time and again that we see confidence as an essential component of security policy, not as something that has to be set against security policy.

Precisely because confidence has to be looked at in the context of security policy as a whole it is

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important to give the Irish an outline of the realities of that policy and the security situation.

But it will be important for us to adopt the right manner in explaining these realities to them: within limits, the Irish will welcome the explanation if it takes the form of sharing confidences with them; but they will unreservedly resent it if it appears to them to take the form of a lecture by insensitive Englishmen.

- (c) To explain to the Irish, and to get them to understand the determination on our part which underlies, the measures which are now in hand to tackle the problems so far revealed about the handling of information and membership of the UDR. The measures are:
- (i) enhanced screening procedures for new recruits, including a signed declaration of non-membership of undesirable and proscribed organisations;
 - (ii) the establishment of a new dedicated unit to conduct vetting;
 - (iii) routine vetting of serving members, not just on suspicion;
 - (iv) vetting to be extended to transferees from the regular army;
 - (v) enhanced welfare procedures to allow identification of those under stress or potentially subject to pressures from undesirable elements;
 - (vi) procedures for tightening up access to and distribution of recognition aids, including;
 - (vii) enhanced accountability and recall of historical products where possible, and ...;
 - (viii) a commitment to act upon any recommendations resulting from the Stevens investigation.
- (d) Make it (pleasantly but firmly) clear that no other measures are presently on offer. Irish Ministers will say that this is not enough to meet the needs of the situation (by which they mean in part their domestic political needs). The defensive/supplementary notes in the folder offer extra material on the issues they seem most likely to press. The note on accompaniment is new and takes account of yesterday's discussion with the Chief Constable: it includes a speaking note.

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- (e) We will wish to agree with the Irish the public handling of the outcome of the meeting: this means not only agreeing on the communique, but also on the line to be taken on tricky points in the press conference.
- (f) Emphasise the importance we attach to the early resumption of normal Conference business and the discussion of the full range of items currently on the agenda, notably the follow up to the Article 11 Review. This normal business will of course include continued discussion of confidence issues in the light of any further developments, including the outcome of the Stevens Inquiry.

The Outcome

6. The Irish are unlikely to find this a sufficient response to the concerns they expressed so volubly at the last meeting. There is, however, nothing more than we can or should seek to give them. Our best chance of reaching an amicable end to the meeting rests on a successful combination of the elements outlined above: convincing them that we are serious and sincere; convincing them that the measures we are taking are no mere smoke screen, but are proper and effective responses to the problems so far identified; convincing them that it is not practical to be looking at more fundamental measures in present circumstances; convincing them that our commitment to accompaniment is a sincere and evolving one, not merely a disregarded piece of paper; and convincing them that we do not regard what is said today as being an end to the matter - the situation will of course evolve as more becomes known about the various incidents that have come to light in the last few weeks, and we shall obviously want to consider with the Irish what conclusions should be drawn from that further information, and in particular to discuss with them the outcome of the Stevens Inquiry. In short, we are not going to brush things under the carpet, but nor are we going to race to take rash measures that would be likely to benefit only the terrorists.

7. Even after all this argument, the Irish will still want more. Mr Collins may stamp his feet again and say that the very foundations of the Anglo-Irish Agreement are being rocked. If that is so, it is only because Irish Ministers are doing the rocking. Given Mr Collins's performance on the question of

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attendance at the Conference, it may not now be impossible to get him to agree that despite his higher hopes, he should settle for what is on offer - plus the fact that we will be returning to relevant issues as new information comes to light.

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4 October 1989
OAB 6447
DUSL/KR/11980

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(i) ACCOMPANIMENT

DRAFT SPEAKING NOTE

The Chief Constable [and the GOC] have explained to you the background against which Ministers and security force commanders have to consider the issue of deployment and accompaniment in relation to the UDR. The message I take from their remarks is this. Any major shift towards greater police accompaniment on military patrols (even if it was concentrated on the UDR) could be achieved only with great difficulty and at some real cost to the overall effectiveness of our anti-terrorist effort. This last point weighs very heavily with me. I am not willing to see any weakening of what, especially in recent months, has been a notably successful containing action by the security forces.

2. I emphasise that this does not mean that there can be no movement in the direction pointed by the Agreement Communique and the Report of the Review of the Working Conference. We have been reminded that it is already the case that the UDR does not operate at all in those areas which, because of their predominantly Nationalist population, might be considered the most sensitive - viz West Belfast, Londonderry West of the Foyle and South Armagh. Accompaniment here does not, therefore, arise. And

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in much of the border region the terrorist threat prevents the RUC from patrolling without Army support. In these circumstances it is the Regular Army, or the UDR, which accompanies the police.

3. Increased RUC accompaniment of army patrols (and, particularly, the UDR patrols) is still regarded as a highly desirable objective. It remains our aim to provide this wherever possible. Patrols which are likely to have significant contact with the public will, therefore, always be accompanied whenever manpower availability permits. Before, "tasking" takes place, the function of the patrol, the area in which it will operate and the availability of resources are all taken into account before a decision is taken on accompaniment. Priority will always go to accompaniment in "sensitive" area (ie Nationalist areas).
As soon as operationally possible
we will do all that we can to increase the level of accompaniment because we take the view that an accompanied patrol is likely to be more effective patrol and because, quite as much as you do, we regard this as the right way for military support to the civil power to be provided.

4. *We have recognized the importance of some specially sensitive areas that you have brought to our attention and all VCPs on arterial roads into West Belfast have an RUC presence and all but a few minor border P/CPS have either an RUC or an RMP presence.*
FOR USE ONLY IF NECESSARY

5. But I fully understand, why you are asking me to look again at the language in the communiqué issued with the 1985

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Agreement, and why you remind me that very much the same language appeared in this year's Conference Review Document. As you press me, I will, of course, do so. I note that paragraph 8(a) of the joint communiqué states that:

"The Conference at its first meeting will consider the application of the principle that the Armed Forces (which include the Ulster Defence Regiment) operate only in support of the civil power, with the particular objective of ensuring as rapidly as possible, that, save in the most exceptional circumstances, there is a police presence in all operations which involve direct contact with the community".

5. I am doubtful whether that language can properly be said to represent any commitment properly so called. What it does represent, I suggest, is an earnest desire on the part of both signatory Governments to consider how to apply, in practice, a principle (that of 'accompaniment') which both support. In fact, that principle proved to be, and still is, very difficult to put into practice. I believe that a recognition that practical realities could not be ignored in the consideration which was to take place must be seen as implicit in the phrase "as rapidly as possible". These words have to be construed in the light of both of the security situation at the particular time and the availability of resources.

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6. As I understand it, when the Agreement was being signed the level of so called political violence in the province appeared to be declining and the opportunities for movement in the direction of achieving greater police accompaniment of Army (including UDR) patrols were correspondingly greater. Unfortunately, as you will know better than I, that situation did not last long. The years since the Agreement was signed have seen both an increase in the level of political violence (notably from the PIRA) and, perhaps even more significantly an increase in the resources available to PIRA. The graph which I have already shown you illustrates this very well. Accordingly, the profile of the security forces has also had to be raised as a response to this increased threat.

7. One result of this increase in security force effort, particularly notable perhaps in this year, has been that much planned terrorist activity has been successfully interdicted or otherwise prevented. I would like to think that another element in the success of the security forces in this most recent period has been the extra attention which I know that both the police and the Army have been giving to the need to obtain and maintain community support for their work. They recognise - as I do - that positive action to build confidence in the community will make a substantial contribution to an effective security policy.

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8. Let me say that what we have achieved since 1985. It is not inconsiderable.

(i) 100% accompaniment of UDR patrols on main arterial roads into West Belfast (The Irish dispute our definition of arterial roads, but we have delivered on the major routes).

(ii) Greatly increased accompaniment at Border PVCs. The vast majority of PVCs are either accompanied by the RUC or have military policemen in attendance. The ^{few} ~~four~~ that do not, have a very low level of traffic.

(iii) Increased levels of accompaniment in Nationalist areas. The figures in the table below show that there has been a steady rise in accompaniment since 1985. Moreover this has been achieved against a background of a rising level of threat which has necessitated an increased level of patrolling. The total number of Army (including UDR) patrols undertaken has risen dramatically since 1985. If one examines the attached figures you will see there has been a rise of 1/3rd since 1987. You will also note that there has been an increase in the number of regular Army soldiers deployed in the

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province of over 2,000 since 1985. (Incidentally this is, in line with a wish expressed by the Irish that HMG's response to a worsening security situation should not be to increase the numbers of the locally based security forces). This increase in Army numbers has added to the strain on the RUC as they are required to accompany regular Army patrols also. We could not foresee this in 1985: we have not since then moved away from the regarding increased accompaniment as highly desirable. However you must recognise that our first responsibility is to blunt the terrorist threat.

[Defensive. The UDR have patrolled in the (Nationalist) Short Strand and market areas of Belfast since 1987, but they are accompanied by the RUC in all such patrols]

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changes phoned
to Peter Ray.

ACCOMPANIMENT OF UDR PATROLS

Area	% Accompanied Patrols				'Snapshot'
	May 1985	July 1986	Nov 1987	Aug 1988	
Belfast	36	57	77	49	(100% in nationalist areas)
Rural East	24	58	35	27	(70% in nationalist areas)
Rural West	28	30	28	48	(57% in nationalist areas)
Average weekly No. of UDR Patrols	N/A	543	615	925	
RUC No's (Full Time)	8274	8250	8255	8245	
UDR, F/time	2765	2731	2871	2940	
P/time	3728	3840	3548	3348	
Total UDR	6493	6571	6419	6288	
Regular Army	9084	10,284	9907	11,193	10,800

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SUPPLEMENTARY QUESTIONS:

Q. Why cannot more priority on accompaniment be given to

- the UDR generally?
- the UDR at PVCs?
- the UDR in Nationalist areas

A. These options may look attractive but they are unrealistic for practical reasons. For the most part the UDR are required to operate in areas in which police manpower is already stretched. Taking policemen from other duties would not make sense in terms of ensuring that the security forces are deployed as effectively as possible against the terrorist threat. Nor would such a move sit well with current policing/security priorities. These put more emphasis on establishing a normal police presence in an area rather than on achieving accompaniment.

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ii) Deployment

When you said at the last conference that it had been agreed in the negotiations that the UDR would not patrol in areas they would not be accepted, I think there must have been some misunderstanding. What was said was that in practice the UDR did not patrol in West Belfast or Londonderry, West of the Foyle. That is still the case. We made no other commitment - nor were we in a position to do so. We still could not make such a commitment. Regular troops still undertake the military tasks in Southern County Armagh where the threat level is very high, and in Eastern Fermanagh and South-East Tyrone. Operational requirements continue to necessitate the use of the UDR elsewhere - although we continue to seek accompaniment in predominantly Nationalist areas where there is the likelihood of contact with the public and where the availability of police manpower permits

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(iii) ULSTER DEFENCE REGIMENT

1. The UDR was set up in late 1969 following the report of the Hunt Committee, "to assist the regular Army in protecting the border and the State against armed attack and sabotage".

It was to do this by undertaking guard duties at key points, carrying out patrols and establishing check points and road blocks, especially in rural areas. It was not intended to be used for riot or crowd control duties in cities; and it never has been; and no change in this respect is intended.

2. The UDR now provides first line support to the police in 85% of NI, except for West Belfast, Londonderry West of the Foyle, and Armagh. It is under the operational command of the three Infantry Brigades. It is a vital element in the security network, and its role is not in question.

3. Its current strength is 2,900 full time, and 3,400 part time members forming 15 full time and 33 part time companies in 9 battalions. Each battalion is commanded by a Regular Army officer, with Regular Army officers and NCO's in support. All full time officers are now trained at Sandhurst, and training for other ranks is increasingly integrated with that of the Regular Army. The part time element is in decline, (8,711 in 1972, 3754 in 1985) and is increasingly female rather than male. This releases men (largely the Regular Army) from administrative duties.

By comparison, the Regular Army in NI consists of more than 11,000 men, in about 40 companies from 10 infantry battalions.

4. On formation, 18% of the Regiment came from the minority community, but following a sectarian assassination campaign

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by PIRA in the early 1970s the current minority community membership is 3%. This is not good for the Regiment; but it is not a deliberately sectarian force; it attacks loyalist terrorists as well as republican as evidenced by some recent successes (tab A)* and the case of Gerry Adams' would be assassins, arrested by an off duty UDR man (tab B)*.

5. The UDR does not accept those who belong to any extreme political party or movement, or those attitudes whow them to be inclined to extremism. The Queen's Regulations specifically prohibit any member of Crowd forces from taking an active part in any political party, organisation or movement; UDR policy is against even membership or sympathy with organisations such ast he UDA for any UDR member. Such attitudes or membership would not be acceptable on initial screening; and of developed or discovered later, would ultimately lead to discharge.

6. The UDR carries out essentially the same tasks as the Regular Army, except for riot and crowd control, and plain clothes operations. Like the rest of the Army these tasks are carried out on RUC instructions, and patrols are, whenever possible, accompanied by the RUC. The need for these tasks, and for the Army acting in support of the police, is undeniable. As is the increasing pressure on all arms of the security forces from increasingly well equipped terrorists. There is therefore a need for greater professionalism - only to be achieved by a higher proportion of full time UDR members, further, specialised training, and more officers.

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UDR MAN ARRESTS LOYALIST GANG

ATTEMPTED MURDER OF GERRY ADAMS

14 Mar 84

Three gunmen who claimed to be from a protestant paramilitary group had attempted to murder Gerry Adams in Belfast city centre. Adams and two of his colleagues were wounded.

At the time of the attack a JNCO of 10 UDR was off duty driving his private car through Belfast city centre along Howard Street when he heard a number of gunshots to his immediate rear. A rover car with three male occupants which had been travelling behind him then rapidly overtook him. He gave chase to the Rover in the belief that the three occupants were the gunmen.

He saw the car turn into Wellington Place where it pulled up on the left hand side of the road, two of the occupants began to get out so he pulled alongside the Rover to prevent it moving further, drew his PPW, got out of his car and called on the two men to stand still. At the same time he saw a third man, apparently wounded, attempted to leave the rear of the Rover. This man called out the JNCO's christian name and he then recognised all three men who lived in an area close to his home.

All three were subsequently charged and convicted.

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SUCCESSFUL UDR INCIDENTS AGAINST LOYALIST PARAMILITARIES, SEPT 1988 TO AUG 1989

Date	Find or Incident	Republican/Loyalist	Attribution
(a)	(b)	(c)	(d)
8 Sep 88	At the request of RUC, search teams were tasked to McCoubrey's, Ballynahinch where they discovered a 'Protestant Arms Factory'. The find included 30 home made SMGs complete, 80 home made SMG main bodies and a large quantity of home made weapon parts.	Loyalist	RUC/3 UDR operation with UDR search teams.
15-21 Nov 88	In the early hours of 13 Nov 88 a part time patrol apprehended a vehicle at the Gosford House Hotel. The vehicle had just been involved in an armed robbery. RUC requested the Battalion to carry out extension searches. As a result of searches in the Markethill area the following were recovered: RPG 7 Launcher 5 RPG Rockets 5 Propellant charges 16 RDG Grenades 18 RDG Fuses 5 58p Rifles 56 58p Magazines 2 9mm Browning Pistols 14 9mm Browning Pistols 14 9mm Magazines 18,000 approx assorted rounds of ammunition	Loyalist	2 UDR search teams at the request of RUC

(a)	(b)	(c)	(d)
25 Feb 89	<p>A brown Mazda taxi was hijacked in Frome St. It was then driven into the Markets where a number of rounds were fired from it at the Lagan Social Club. The taxi then drove across the Albertbridge into the Short Strand where B coy had set up a VCP/ The taxi attempted to avoid the VCP but failed and when three occupants tried to turn off they were detained. A search of the taxi revealed 2 home made SMGs, a holdall containing 3 hoods and 3 sets of gloves. The three males were arrested by the RUC.</p>	Loyalist	7/10 UDR
5 Aug 89	<p>A UDR patrol on duty in the Newtownards Rd/Albertbridge Rd area was informed by a member of the public of his suspicions in respect of a robbery which had just taken place. Acting on this information, the patrol searched for two youths. Driving down William St, the patrol spotted two youths wh fitted the description. The patrol gave chase and apprehended the youths in an entry. After the youths had been informed that they were being detained until the arrival of RUC, it was discovered that one was in possession of a hand gun and the other had a handful of bank notes. The youths were subsequently arrested and charged by the RUC</p>	Loyalist	7/10 UDR

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(iv) PBRs FOR THE UDR

1. It has been decided by NIO and MOD Ministers that the UDR, like the rest of the security forces, should have access to PBRs. This decision followed a series of close quarter attacks on isolated members of UDR patrols, by organised groups intent on stealing equipment (guns, electronic kit) or causing severe injury with petrol/acid bombs.

2. In the absence of support, and without PBRs, these attacks could not be dealt with unless live rounds were used, or the patrol withdrew from its necessary task. Neither of these options is acceptable.

3. There is no question of this limited access to PBRs in a close quarter attack situation representing a move to deploy the UDR in the other situation where this equipment is used - that of crowd control in urban areas.

The UDR is not trained for this role. In recent years even the Regular Army has been able to progressively withdraw as RUC primacy in this area has become established.

Any reversal of this trend would be a retrograde step.

4. UDR patrols will not be routinely issued with PBRs. The equipment may only be deployed by a battalion on the authority of the Brigade Commander. The Commanding Officer will authorise deployment to a specific patrol only if its particular task and other circumstances make it desirable to give that patrol access to the equipment. Only one gun will be carried by a patrol, for use only by a specially selected and trained individual under the direct orders of the senior

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officer present who must nominate the target. A round can only be fired if there is no other viable alternative course of action. Following any incident in which a PBR is loaded or fired, in addition to the normal return to HQNI, the patrol must be personally debriefed by the Battalion Ops Officer and written statements made.

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v) UDR PROFESSIONALISM/TRAINING

- Aim is to exploit and build on the trend of increasing Full-Time to Part-Time UDR ratio, thereby enhancing professionalism and supervision.

In 1985 we agreed that we would improve the training of the UDR in various areas. They were:

- (i) the initial training of UDR members would be increased from 8 to 14 days.
- (ii) the use of regular army non-commissioned officers serving with the UDR to strengthen the supervision of training.
- (iii) a new post for a regular Army Lieutenant Colonel in UDR HQ-established specifically to oversee training.
- (iv) eligible UDR officers of the Permanent Cadre to attend the standard military course at Sandhurst.
- v) increased opportunities for UDR NCO's to be attached on a voluntary basis to regular battalions in Great Britain for training.

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vi) a marked increase in involvement of RUC officers in UDR training.

I am glad to be able to inform you that we have honoured all these commitments. You welcomed our intentions in 1985 and I hope you welcome their implementation. We continue to seek to improve the training measures open to the UDR. We remain ready and willing to listen to any specific proposals you may have which will increase the professionalism of the UDR.

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(vi) SCREENING OF UDR

Existing screening procedures are largely paper based. They aim to remove those with undesirable attributes - and in fact almost 30% of applicants are rejected at this stage. Similarly, ongoing screening is conducted by Battalion officers getting to know individuals in the round (and by their colleagues, who do expose those whom they believe to be out of sympathy with the Regiment's fundamental ethos).

Active membership of any political party or organisation is prohibited by Queens Regulations. In the case of the UDR, any membership of any extremist organisation - or sympathy with the views of such organisations - is regarded as incompatible with membership of the UDR. This includes the UDA. Those having such view or membership are not accepted, and if discovered are expelled from the UDR as soon as practicably possible.

Improvements in screening are possible, for instance in initial applications by increasing use of interviews. This requires the establishment of a new, dedicated unit, with appropriate staffing, to undertake the work.

The new unit will aim to give more in depth consideration, on a consistent basis, to matters such as motivation, commitment, attitude, character and background, on the initial screening of applicants. These new measures will also be applied to all transferees from the Regular Army - who currently are not screened if they do not have NI connections.

The existing Battalion 'after care' system will also be enhanced and put on a more formal footing, to provide better welfare for soldiers and allow the identification of those

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under stress, or potentially subject to pressures from undesirable elements eg due to domestic problems. This will provide more effective internal supervision.

The Army has re-emphasised, in fresh instructions, the absolute need to ensure that the powers available to weed out unsatisfactory soldiers are used, rapidly and accurately, whenever it is appropriate. We are all conscious that great damage is done to the whole community by any failure to operate these provisions properly.

Of course before anyone is allowed to work in a sensitive area - armouries, information rooms - far more detailed vetting is carried out. And a close watch is kept on the conduct of individuals in these areas.

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Speaking note

At the last Conference you mentioned various aspects of the negotiations of the Agreement. Neither of us was present at that time, but our internal records show that you asked us to do a number of things, and we offered others. Among these are:

- i) Accompaniment (see separate brief)
- ii) Reinforcement of Security Forces.

You asked that should the reinforcement of security forces be necessary we would use mainland troops rather than calling out the part-time members of the UDR. We could not, and cannot, undertake that this would always be the case as we need the freedom to manoeuvre the UDR gives us - BUT we took note of your concern and since 1985 our record is impressive. In January 1986 and in May 1986 additional roulement battalions were introduced. Both are still here. Additionally, during Operation Tantalus, one major and one minor unit were brought over from the Mainland rather than using the UDR. The regular Army force is now over 2,000 men higher than in 1985.

The only occasion when there has been a major call out of the part-time UDR was for the purposes of static guard duty of Army married quarters in Londonderry and Lisburn for 6 weeks during 1988. (There was also a brief call out at the time of Lord Justice Gibson's murder.

- iii) Training Measures

We have done what we said we would on the following:

- a) Increase in initial UDR training from 8 to 14 days.

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- b) Regular Army NCOs are seconded for training purposes.
- c) Eligible UDR officers of the Permanent Cadre attend the standard six-month military course at Sandhurst.
- d) Increased opportunities for UDR NCOs to be attached on a voluntary basis to regular battalions in Great Britain for training.
- e) Establishment of a new post for a regular Army Lieutenant Colonel in UDR HQ to oversee training.
- f) A marked increase in the involvement of RUC officers in UDR training.

I hope you will agree that these are important new steps which show our determination to improve the training of the UDR.

[Defensive - The application of parts of the RUC Code of Conduct to the UDR has not been introduced, but could be considered.]

iv) Powers of arrest for new recruits to the UDR

We agreed that in the first six months new recruits to the UDR would not use their powers of arrest except in extreme physical emergency. This has been accomplished.

v) Part-Time Cadre of the UDR

You requested that the part-time element of the UDR be reduced. This we have been doing gradually. In 1985, the part-time cadre stood at 3754, it is now 3400. Furthermore the number of women in such positions has risen markedly in the period freeing others (mainly regular Army) from administrative and clerical duties to conduct patrols.

vi Deployment

You requested that the UDR should not patrol in predominantly Nationalist areas. We pointed out in 1985 that in practice the UDR did not patrol in West Belfast or Londonderry, West of the Foyle. In addition Southern County Armagh, Eastern Fermanagh and South-East Tyrone are patrolled by regular troops. We explained at the time that we could not extend these areas because of the operational necessities of the security situation. As I explained earlier we continue to seek accompaniment in predominantly Nationalist areas where there is the likelihood of contact with the public and where the availability of police manpower permits.

The fact remains that we gave no undertaking in 1985 that the patterns of deployment would be changed - and we cannot do so today.

Background

During the negotiations the UDR was a high profile issue on which the Irish pushed hard for changes. Some concessions were made and these have generally been met, notwithstanding the different perceptions of what was meant by paragraph 8(a) of the Hillsborough Communique on accompaniment. No secret deals were entered into during the negotiations.

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(viii) PLASTIC BATON ROUNDS (PBR's) - GENERAL

1. Baton rounds are used throughout the world to deal with unruly crowds. They can be selective in use and are generally not lethal. In Northern Ireland, they have two distinct uses - firstly, in keeping crowds at a safe distance from security forces seeking to control or disperse them, in order to prevent attacks on those of rival persuasions; and secondly, when isolated members of patrols come under organised attack by relatively small groups aiming to cause serious injury or steal equipment.

2. The Army in NI use the L67 firer, whilst the RUC use the Webley Shermuley. Both are fundamentally converted signal pistols, firing a plastic round; the old rubber round was phased out in 1973 as too inaccurate and indiscriminate..

3. There have been 14 fatal casualties as a result of PBRs in NI since 1973, (including Seamus Duffy, who died on 9 August 1989 following rioting in the New Lodge area). During this 17 year period 54,961 rounds have been fired. Without their use, there would have been far more serious injuries and deaths, some of them as a direct result of the destruction of homes and commercial and industrial property under attack from mobs against whom PBRs had to be used.

4. Alternatives are continually being sought, but so far nothing has been devised which is at once selective, effective, and less dangerous - most of the options advanced are more dangerous and indiscriminate..

5. The current equipment used by both Army and RUC is due for replacement. Programmes are in hand to test those new, purpose-built systems which seem to offer some advantages. Improved accuracy and consistency with no increase in lethality, are the primary criteria being applied during the

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testing process, which is expected to be completed within the next 18 months. [The prime contender currently appears to be the Arwen ACE system, but a Webley Shermuley design also seems to be a strong candidate.] No decision has yet been taken on the replacement of any equipment used in Northern Ireland.

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(ix) SECURITY OF RECOGNITION AIDS

1. Recognition aids are a vital tool in the battle against terrorism. They do not constitute "Intelligence" in the normal sense of the word. Analogous to the "wanted" posters displayed in post offices, etc.

All those whose details feature on such aids are suspected of some degree of involvement in terrorist activities. It is important that police and Army are able to recognise such individuals rapidly, wherever they may appear: for instance, in the current Howes and Wood trials, identification of those on the "heli tele" film is possible because of the knowledge built up by one witness largely from recognition cards.

2. Over the years, vast quantities of such material has been produced. This historical production is being recovered where possible. An instruction on this has been issued to all relevant personnel.

Strict accountability controls have been introduced. Presently, material is kept in secure briefing rooms where it is studied by all those likely to need to be able to identify individuals. Specific material is issued on an accountable basis to patrol commanders as necessary. All such material must be returned after the patrol has completed its tasking.

3. But it is in practice impossible to protect information from an individual with authorised access who is determined to steal or take an illegal copy.

4. The Chief Constable and the GOC have made it clear that any recommendations resulting from the Stevens enquiry will be acted upon immediately. Together with the RUC, the Army

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is investigating ways of further tightening existing procedures, for example, by centralising production and distribution, and formalising further the usage and destruction procedures.

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(~~viii~~) CORPORAL HASTIE [FOR USE ONLY IF RAISED]

DRAFT SPEAKING NOTE

I have talked to Tom King about this. It was not dealt with as it should have been. In consequence, it sent entirely the wrong signals about the British Government's attitude towards collusion. I will not comment on the Court's decision as to sentence. That was for the Court to decide in the light of all the information available to it. But I will say something about subsequent action. I fully understand why the decision to retain Hastie in the Army in any capacity (whether or not he was ever to return to the Province) was regarded with such concern. But I also understand better than I did when we last spoke why the decision was taken. More importantly, I am satisfied that the circumstances which allowed it to happen will not be repeated. Procedures have been changed. I have made it clear already, and both Tom King and I are ready to do so again, that we not only do not condone, we unequivocally condemn the action of any member of the security forces who gives aid of any description to any terrorist or paramilitary organisations. As I said, in a statement issued before we last met, there can be no place in the security forces for those who betray their trust. You and other Irish Ministers have already expressed yourselves in strong terms about the Hastie case. I hope that we can now agree that no more need be said about it publicly.

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XI

Speaking Note

Realise that allegations of collusion between security forces and loyalist paramilitaries give rise to very serious concern. But important to remember:-

A Security Forces Have Excellent Record In Responding to Loyalist Terrorism.

- in 1988, more loyalist terrorists were charged with murder (13) than were republicans (10)- despite the fact that there were, we believe, nearly 3 times as many republican - inspired murders as loyalist - inspired (62 as against 22).
- high rate of charges against loyalist terrorist has been consistent over many years. Between 1981 and 1988, number of murder charges was nearly equal - 158 republican, 143 loyalist - despite huge discrepancy in known activity. (448 known republican - inspired murders to 91 loyalist - inspired). [source: Chief Constables' Report 1988]
- there are for this reason at present approximately 360 prisoners of loyalist terrorist affiliation, as against 445 republicans.
- largest ever loyalist terrorist arms haul found in January/February 1988. In Portadown: 61 Czech P50 rifles, 30 browning pistols, 11,500 rounds, 150 fragmentation grenades, grenade launchers. In North Belfast: RPG7s, 38 AK47s, 15 handguns, 100 grenades and 40,500 rounds.
- further substantial hauls of loyalist terrorist arms in East Armagh, 14 - 17 November 1988; 24 February 1989; and in Donaghadee as recently as 20 September SMG parts and ammunition recovered.

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- since the last conference on 15 September, PIRA has killed [11].

C: We Need To Keep Up The Pressure On Paramilitaries On Both Sides. Public Quarrels Between The Two Governments Only Assist Them.

- security forces on both sides of the border have played major part in disrupting PIRA. Supply lines have been disrupted, arms caches found, and terrorists arrested. (Congratulations to Garda on Omeath find of massive car bomb)
- We have also been firm in our response to loyalist terrorism in Northern Ireland. (e.g 2 September loyalist gunmen caught escaping after sectarian murder of McKenna; 1 killed, 1 captured, three charged with murder of Maginn.)
- If we can keep this up and not be diverted in our efforts, the Provisionals may begin to question what they can really achieve.
- Cannot allow difficulties between us to detract from our efforts to defeat overriding threat of PIRA, or give encouragement to loyalist terrorists.

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(XII)

CONFIDENCE ISSUES (GENERAL)

Line to Take [If necessary]

While acknowledging the concern you feel at recent developments, I hope you will not allow this to obscure what we consider to be the positive progress which has been made in recent months in the wider field of confidence. You can be assured that, as the Article 11 Review Communique recorded, we continue to attach great importance to improving relations between the security forces and the community and enhancing respect for the rule of law and to ensuring that complaints against members of the security forces are promptly and fully addressed. We are continuing to consider what further work can be done to achieve these objectives and we will consider positively any specific proposals you wish to put forward.

2. We are under no illusions about the effects of recent developments in undermining the public perception of progress in this area but consider, nevertheless, that it is important to recognise that we have taken a number of concrete steps to improve matters in recent months. Examples of this in the prisons field include the recent Summer Home Leave Scheme for long-term prisoners reaching the end of their sentences, the recent review of life sentence and SOSP cases, the preparation of the guide to the use of Emergency Provisions, the introduction of the PANI scheme for lay visitors, and the PANI initiative to establish RUC/District Council liaison committees.

3. We have continued to stress to members of the security forces the need to be seen to be acting impartially and considerately and our perception is that there has been progress here. The Commander Land Forces wrote to Army Commanders in Northern Ireland prior to

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4. At a meeting of the Anglo-Irish Confidence group of officials on 4 September, the British side sought to point up areas where we considered that real progress had been made. The Irish side were determined, however, to register the extent of concern felt in Dublin over alleged collusion between the security process and loyalist paramilitaries and the use of plastic baton rounds (both the death of Seamus Duffy and their issue to the UDR).

5. The revised draft of the guide to the use of emergency provisions has been passed to the Irish. Many of the Irish comments on the previous draft were adopted. There are no plans at present to make the guide statutory but that position could be reviewed in the run-up to the new emergency provision legislation which has to be in place by March 1992.

6. The PANI scheme for lay visitors allows for suspects to be visited by members of the Complaints and Public Relations Committee of PANI. The scheme will start later this month at two of the police stations which were designated under the PACE Order (Newtownards and Antrim). The intention is that all 17 be covered by January.

7. The PANI initiative to establish police/District Council Liaison Committees was given a statutory basis by the PACE Order, and PANI will be visiting all the 26 district councils in Northern Ireland in turn to discuss the formation of liaison committees.

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EXCHANGES WITH THE IRISH OVER RUC ACCOMPANIMENT OF ARMY PATROLS

Line to take

The British side has taken seriously the joint commitment given in paragraph 8 (a) of the Agreement Communique to consider the application of the principle of RUC accompaniment of those patrols of the armed forces (including the UDR) which involve direct contact with the community;

The British paper handed over to the Irish side in October 1986 sought to meet specific Irish concerns by sharpening the focus of our policy to "RUC accompaniment of patrols which have significant contact with the public in sensitive areas. Sensitive areas are defined for this purpose as nationalist areas or nationalist parts of an area where patrols will have contact with the community through, for example, vehicle checkpoints, searches, and planned operations." The transit of a patrol through an area was not regarded as patrolling for this purpose.

The paper also made clear that it remained the long-standing policy of the Government and the Chief Constable that patrols should be accompanied whenever resources and circumstances permit, but pointed out that at that time demands on police resources -

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particularly in border Divisions where terrorist activity was at a very high level - were such that police officers had many other priorities to meet.

A further British paper in April 1988 showed that compared with 1986, in a 4 week period from the end of October 1987 there had been an increase in the percentage of accompanied patrols in every sensitive area despite a rise of 20% in the average numbers of patrols of this sort in a week; that in 3 out of the 4 weeks the percentage accompaniment figure for the UDR was higher than that for the Regular Army; and that in any single week almost 1000 policemen were accompanying patrols in sensitive areas.

Furthermore, as a result of concern expressed by Mr Lenihan at the Conference held on 14 December 1988, a policy was adopted of ensuring RUC accompaniment of all VCPs mounted on arterial roads into West Belfast, and a paper on Border PVCs was handed over by the British side which made clear that "police resource constraints and the exigencies of the security situation are preventing RUC accompaniment of all Army patrols likely to come into conflict with the public, even in predominantly nationalist areas"; despite this security force commanders had ensured that "at all Border PVCs where the RUC are not either present or readily available,...., there is available a Non-Commissioned Officer of the Royal Military Police..... The NCO will be present whenever Army personnel are carrying out duties involving contact with the public. NCOs in the RMP have training..... in relation to dealing with the public (which) is similar to that which is provided for police officers."

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The policy of the Government and the Chief Constable on accompaniment remains unchanged but the circumstances in Northern Ireland now [and for the foreseeable future] remain the same as when the Border PVCP paper was handed over, ie police resource constraints and the exigencies of the security situation are preventing RUC accompaniment of all Army patrols (including those mounted by the UDR) likely to come into contact with the police, even in predominantly nationalist areas.

Background

The three papers handed over to the Irish side with Ministerial approval are attached. A comparative table of the figures for accompaniment and for security force strengths is attached also. The Secretary of State may therefore wish to use these exchanges with the Irish as evidence that we have done and will continue to consider through the Conference the application of the principle of accompaniment and that so far as resources and operational priorities allow we are applying that principle to the maximum extent possible.

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