

R.

P1358

- 1. Mr McVeigh 29/6
- 2. Miss Billings.

For file please.

JF 28/6

FROM: MISS L FOSTER
SIL
16 June 1989

Mr Blackwell
Mr Bell
Mr F G McConnell
Mr Hallett
Mr Stephens (PRB)
Mr Rickard
Mr McCaffrey

cc Dr Donnelly
Mr Bone o/r

Mr Gilmore JF 23/6

I see no problems with the Prisons section. If you agree, please tell Miss Foster so.

BULL POINTS

As you know the FCO has recently changed the format on the 'bull points' for Northern Ireland, a set of "lines to take" for our diplomats use abroad, but not for publication.

JAB 20/6

The format has been brought into line with that in operation for other topics on which the diplomats abroad require background briefing. Henceforth the bull points will consist of background/defensive briefing on matters which may be raised, replacing the emphasis on providing 'good news' stories. These bull points shall be revised every month.

Some of the bull points which Mr Bone has produced, using the briefing provided by divisions for recent visits as the source, have been approved by the FCO and shall be published this month, these are attached at Annex A. The others which have not yet been cleared by the FCO are attached at Annex B.

I would be grateful for any views on the bull points which recipients might have. I apologise that views on annex A are being sought retrospectively, however, due to an extremely tight deadline it was not possible for Mr Bone to seek views in advance.

L Foster

MISS LESLEY FOSTER
Security & International Division
16 June 1989
OAB ext 6594
6210

Mr Gilmore
Yes pl.

Mr. Stephens.
Do you want this filed?
JF 23/6

B/TYP/5

IR.

Annex A

Political development in Northern Ireland.

An independent Northern Ireland.

A united Ireland?

Colonial Situation.

Anglo Irish Relations.

Community Relations

Education

The MacBride Campaign.

Fair Employment.

Investment in Northern Ireland

Shorts Bros

Does the UK exploit the North?

Civil Rights in Northern Ireland

Broadcasting ban

Right to silence.

Causes Celebres.

Shoot to kill

International Fund for Ireland.

B/TYP/5

The MacBride Campaign

Government recognise vital need for fair employment in Northern Ireland; totally committed to ensuring equality of opportunity there.

Understand US concern about the issue and why the MacBride Principles seem attractive. But Principles are vague, ambiguous - they do not tell employers what to do in practice. Might also bring employers into conflict with Northern Ireland law. Campaign makes Northern Ireland a less attractive location for US investment.

Want more jobs, not less - our own fair employment legislation if it is to succeed, requires growing job market. MacBride campaign has not produced a single job in Northern Ireland.

Fair Employment Bill

Bill is strong, incisive and radical. Currently before the Lords and should receive Royal Assent shortly. Provides for compulsory monitoring, criminal penalties with large fines, economic sanctions, strong enforcement and affirmative action, including goals and time tables.

Increased resources for Fair Employment Commission will enable it to investigate complaints, review employers' practice, prescribe affirmative action, offer advice and help.

New Fair Employment Tribunal will hear individual cases, enforce Commissions' decision.

Investment in Northern Ireland

Northern Ireland has high quality, well-educated work force; best industrial relations record in UK. First class research facilities (2 universities). NI Industrial Development Board offer most flexible package of financial incentives in Europe.

Like rest of UK, Northern Ireland will be well placed in Single European Market after 1992.

Currently a total of 28 US companies operating in Northern Ireland. Recent investors (as at May 1989) include Daewo of South Korea (£30 million, 500 jobs) and Montupet (France, £175 million, 1,000 jobs). Ford have recently increased by £75 million their major investment in Northern Ireland.

Shorts Bros, Belfast

SSNI announced 7 June reaching of heads of agreement for acquisition by Bombardier, Montreal of Short Bros, Belfast, (subject to approval by Office of Fair Trading (UK) and clearance through European Commission). Serious trading position in past year. Bombardier represent interesting and

exciting potential fit with Shorts. With Government support, offers best possible chance of good future for the company.

Does the UK exploit the North?

Government spends more in Northern Ireland than it receives in taxes.

People there taxed no more heavily than people on the mainland, but receive same range of social programmes in health, social services, education, housing etc, even though Northern Ireland's weaker economy means that need is greater. On top of that, there is the security force presence.

In 1988/89, total Government subvention in Northern Ireland was £1.7 billion (provisional out-turn - excludes the cost of the Army).

Civil Rights in Northern Ireland

Since 1969, successive Governments have met virtually all the demands of the Northern Ireland Civil Rights Association.

Fair electoral practices. Public housing allocated equitably. Government has taken, and continues to take, vigorous measure to improve equality of opportunity. An independent Standing Advisory Committee on Human Rights to advise Government. Internment without trial no longer exists (since 1975). Is not, and never has been, "martial law". Security forces not immune from prosecution or from being sued in the courts by private citizens. Free speech. No political offences or political prisoners.

Government have to tackle a major terrorist problem in Northern Ireland. But civil rights on a par with those in rest of UK.

Broadcasting Ban

Restriction applies only to organisations which support or advocate use of violence in Northern Ireland. Their spokesman can still be quoted on TV and radio, but broadcasting of direct speech is ruled out. Press coverage is unaffected.

Restriction prevents PIRA's Sinn Fein surrogates, and other terrorist groups, from using TV and radio to gloat over terrorist attacks in public.

Ban is lifted during election periods.

The Irish also ban Sinn Fein from the air.

Right to Silence

Right to silence of an accused has not been abolished in Northern Ireland. Nobody obliged to make a statement or to incriminate himself. Change in the law merely enables the

Northern Ireland courts to draw inferences, in a few specified circumstances, from the silence of a suspect.

Justice was being undermined by the deliberate terrorist tactic of refusing to respond to police questioning. Provisional IRA train their terrorists to resist police interrogation in this way.

Change in the law redressed the balance; in part, it follows Irish law in this area.

Causes Celebres

Birmingham 6 and Guildford 4 both English cases - do not involve courts or police of Northern Ireland.

- Birmingham 6 - convicted by a jury in 1975 of the murder, in November 1974, of 21 completely innocent people in bombings of two public houses. One of the most serious criminal cases ever to come before the English courts. Court of Appeal undertook a long and careful review of the evidence at a public hearing in 1987. Confirmed the convictions as safe and satisfactory. Home Secretary remains ready to consider any new evidence.

- Guildford 4 - Convicted by a jury in 1975 of the murder of 5 people in two public house bombings in October 1974. Two also convicted of the murder of two people in a public house bombing in Woolwich in November 1974. Home Secretary has now referred their case to the Court of Appeal.

"Shoot to Kill" - Stalker/Sampson

The 1982 events (6 people were killed, and one seriously injured, when the RUC opened fire in 3 separate incidents) have been subject to a long, painstaking and thorough series of investigations. No "shoot to kill" policy.

Mistakes were made, lessons learned and appropriate action taken. Nineteen officers disciplined.

RUC is a highly professional^{ed} police force dedicated to serving all sections of the community impartially.

International Fund for Ireland

Set up by a treaty between the UK and Irish Governments in 1986. Aims to build up the economies of Northern Ireland and the 6 border counties of the Republic and to promote reconciliation. So far, the US, EC, Canada and New Zealand have made very generous contributions totalling around £100 million. In April US Congress recommended further contributions. Fund run by a Board of experienced figures from both sides of the border (and of the community), who are independent of the two Governments. Under a remit not to substitute their money for Government funding, but to come up with original and worthwhile projects which would otherwise not be carried out. Are using their money effectively and promptly.

Contact: Information Department
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June 1989

PR.

Annex B.

Security.

Prisons.

Withdraw the army from Northern Ireland.

The Provisional IRA.

Plastic Baton Rounds.

Diplock Courts.

Loyalist Terrorists.

Torture.

B/TYP/5

SECURITY

The level of terrorist violence is significantly lower than in the early 1970's. An increase over the last two years has been the direct result of the supply of arms and explosives by Libya. The terrorists are rejected by the vast majority of both communities on both sides of the border. But there is no quick and easy solution. The Government will always act within the rule of law.

CAM/TYP/825

PRISONS

There are no political prisons in Northern Ireland. And nobody is 'interned'. All prisoners are convicted of, or charged with, criminal offences. There is a humane and liberal regime, with daily exercise and association with other prisoners, and physical recreation. leisure activities and scope for education and training. There is generous home leave and little overcrowding. All fixed term prisoners get at least $\frac{1}{3}$ remission. Many get $\frac{1}{2}$. Violence is low. Prison officers do not carry firearms. No prisoner has ever been killed by a prison officer. But 25 prison staff have been killed by terrorists.

CAM/TYP/827

Withdraw the Army from Northern Ireland?

Northern Ireland is part of the United Kingdom and troops have always been stationed in barracks there just as they are in England, Scotland and Wales. But since 1969 the Army has been deployed on the streets to help the police (the RUC) to maintain law and order and combat terrorism. Over the years, the number of soldiers in Northern Ireland for this purpose has steadily fallen, from over 21,000 in 1972 to 10,500 now (1989). The troops are helping to prevent bloodshed. Numbers will be reduced to normal garrison levels and duties as soon as circumstances permit.

AGH/TYP/1741

The Provisional IRA

The Provisional IRA is a terrorist organisation, dealing in violence, whose aim - the creation of a unified socialist state in Ireland - has negligible support on either side of the border. It aims to bring down the Government of the Republic as well as drive HMG out of the north. Much of its passive support among northern Catholics results from intimidation. PIRA's funds are derived partly from crime (eg robbery, protection rackets, tax frauds) and partly from NORaid, its US fund raiser, which has been held by the US courts to be its 'agent'. PIRA has also benefitted from large shipments of arms smuggled in from Libya. Since its appearance in 1971, PIRA is estimated to have murdered some X people in Northern Ireland, and y in England. Many of these people were civilians who had no connection with the security forces. It has also committed murders and other crimes in the Irish Republic and on the continent.

IY/TYP/2342

Plastic baton rounds

Rioting in Northern Ireland can be intense and vicious. Rioters often try to kill or injure soldiers and police, or seek, under terrorist direction, to bring about a complete breakdown of law and order. They have been used as a cover for attacks by terrorists using firearms, blast bombs and hand grenades. Petrol bombs are also used. In these circumstances plastic baton rounds are the most effective method of riot control consistent with the use of minimum and reasonable force. They are used according to strict instructions. PBR's are not free from risk, and the Government continue to look for alternatives. But the main options currently available (CS gas and water cannon) both have important drawbacks. Plastic baton rounds replaced rubber ones in order to minimise the risk to innocent bystanders. Similar projectiles are also on issue to a number of other European police forces, including those of Portugal, Switzerland and Spain.

AGH/TYP/1743

Diplock Courts

'Diplock Courts' were introduced in Northern Ireland in 1973, after an independent Commission, chaired by Lord Diplock, had concluded that trial by jury was not practicable for terrorist offences because of the risk of jurors being intimidated. Cases are therefore heard by a single judge sitting without a jury. The system maintains all the other central principles of British justice, including trial in open court, cross-examination of witnesses, presumption of innocence, and the right to legal representation (and if necessary legal aid). Standards of justice are not inferior. There is an added protection in the unlimited right of appeal. The procedures conform in every respect with the European Convention on Human Rights and the UN Covenant. While this risk of intimidation continues, non-jury courts remain necessary in terrorist cases. Most European countries (including the Republic of Ireland) do not employ a jury system for such cases.

AGH/TYP/1744

Loyalist terrorists

The three 'Loyalist' terrorist groups, ostensibly formed to protect Protestants, have intimidated members of their own community and carried out random attacks against Roman Catholics. All of them - the Ulster Volunteer Force, Red Hand Commandos and Ulster Freedom Fighters - have been proscribed. Membership is therefore illegal. The Government is determined not to allow private armies to operate in Northern Ireland and the police pursue loyalist terrorists with vigour. They have had considerable success in bring them to justice and there have been numerous convictions. Loyalist terrorism, like its republican counterpart, only serves to delay the reconciliation of the two parts of the community.

IY/TYP/2343

Torture

The security forces in Northern Ireland do not use torture. The case brought by the Irish Government in 1971, alleging that they did, was dismissed by a large majority in the European Court of Human Rights (though the European Commission on Human Rights had earlier accepted it). The Irish case concerned 5 interrogation procedures (wall-standing, hooding, subjection to noise, deprivation of sleep, deprivation of food and drink). Use of these procedures has been prohibited since 1972, following two independent committees of inquiry which the Government set up on its own initiative within weeks of the original complaints being made. The Government considers the use of torture to be absolutely unacceptable under any circumstances. It has ratified the UN and EC Conventions on Torture.

AGH/TYP/1747

NORTHERN IRELAND: BULL POINTS

Political Development in Northern Ireland

Present system of direct rule never intended to be permanent. Offers little scope for decision-making by local politicians. Government's aim is to devolve power, but must be done on terms acceptable to both sides of the community.

Government seeks a dialogue between the constitutional parties to reach agreement on steps to or towards devolution. Has offered the parties talks without pre-conditions.

Duisburg Talks (autumn 1988 - between the two Unionist parties, the SDLP and the Alliance Party) encouraging. Government had no involvement but was pleased to see them taking place.

Absence of constructive dialogue helps to keep the tiny minority of terrorists in business.

An Independent Northern Ireland?

Independence (from both the UK and the Republic) a fringe notion, advocated only by a few. Most unionist politicians (including for instance Dr Paisley) and the nationalist community are opposed.

Many moderate people of both communities would oppose establishment of a separate, Protestant-dominated State. Overwhelming majority of people in Northern Ireland do not consider independence a sensible solution to Northern Ireland's problems.

An independent Northern Ireland would not necessarily enjoy the same rights and freedoms as it does today. Would not be viable economically without external assistance.

A United Ireland?

Ireland could only be united with freely given consent of majority of people of Northern Ireland. If such consent were expressed, the British and Irish Governments are pledged - by the Anglo-Irish Agreement - to promote legislation to give effect to it.

At present no such consent in the North, (evidence of repeated polls and surveys). Even among Catholic population, only 22 per cent (Cooper and Lybrand opinion poll, 1987) favoured a united Ireland as their first choice for government of the North.

Provisional IRA terrorism makes the prospect of unity by consent even more remote.

Colonial Situation?

Northern Ireland not a British colony: an integral part of the United Kingdom. This is what its inhabitants want - an absolute majority of those voting in the "border poll" (March 1973) wanted to remain in the UK, and this outcome is reflected again and again in local elections and in opinion polls.

Many of the majority population are the descendants of 17th century immigrants, and their families have lived there for centuries.

Anglo-Irish Relations

Good relations between the UK and the Republic are in the interest of both sides.

The Government fully committed to the Anglo-Irish Agreement (signed November 1985) as review of first 3 years of its operation has made clear.

Agreement has enhanced cooperation in a number of fields, including security. Helps to reassure the minority community in Northern Ireland that their interests are reflected in decision making.

Community Relations

Better community relations a major Government goal. Lack of contact and understanding between two sides of community causes distrust and hostility, fosters violence.

A Central Community Relations Unit operates at the heart of the Government in Northern Ireland; Government has provided around £3 million for new community relations projects in 1989/90.

Government has launched two major programmes, "Making Belfast Work" and the "Londonderry Initiative", aimed at stimulating inner city regeneration and alleviating the tension between the two communities.

Education

Education in Northern Ireland not segregated by law. State schools open to children of all denominations. But Roman Catholic parents generally prefer their children to attend schools run by their Church. (80 per cent of the running costs of Catholic schools are met by the State.)

Would be quite wrong for Government to integrate education in Northern Ireland against wishes of parents. It encourages integrated education projects wherever there is a local wish for them; forthcoming legislation will place statutory duty on Government to promote integrated education.