

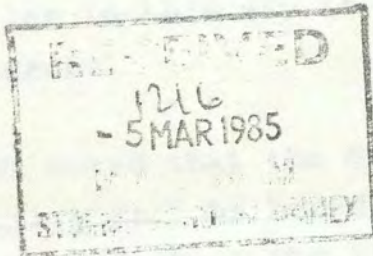
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R5-13

Mr Coulson - M

cc: Mr Brennan
Mr A W Stephens - M
Mr Chesterton
Mr Buxton - M
Mr Merifield - M
Mr ~~Carroll~~ - M *Coulson*
Mr Reeve - M
Mr Radcliffe - M
Mr G Hewitt - M
Mr S Hewitt - M
Mr Clark, RID, PCO



(9)

HANDLING OF REPRESENTATIONS FROM THE IRISH GOVERNMENT

We agreed at our meeting with the Foreign Office and the Dublin Embassy on 1 March, that we should seek the Secretary of State's agreement to providing Irish Government officials in confidence with background information about the Strabane shooting incident, and that we should look for further such opportunities for briefing in the future.

2. We were clear at our meeting that it would not be possible publicly to respond to representations about security incidents other than to say that enquiries were proceeding. But we recognised that this response was invariably ill-received, both by the minority in Northern Ireland, and by the Irish Government. The position was compounded when the Irish Government were tempted into making robust public statements about incidents before the full facts were known. We considered that it was possible on occasions to draw together some information at least on security incidents - particularly those which had attracted a good deal of public attention and criticism. In such cases it would help our relations with the Irish, and might encourage them to take a more responsible public

CONFIDENTIAL

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attitude if we were able to pass on such information to them in confidence. Mr Stimson from our Dublin Embassy was satisfied that he would be able to deploy it effectively, and make it clear that we could only act in this way if it was treated in the strictest confidence.

3. We noted that the Secretary of State had told the Foreign Secretary that he hoped that additional information might be provided about the Strabane shooting. We agreed that this might provide a suitable opportunity to clear our general approach with the Secretary of State.

4. Accordingly, I attach a draft submission. I should be grateful for views on it from you and copy recipients. I should be grateful too if you could prepare a draft of the sort of information we can provide on the Strabane incident, together with the caveats which will be necessary.

X | If this were in the form of a response to the recent telegram from the Dublin Ambassador, that would be very helpful. If you agree, I hope that we might receive any contributions to this submission by midday on 7 March. M

J. M. Lyon

J M LYON

4th March 1985

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- 2 -

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DRAFT SUBMISSION

PS/Secretary of State (L&B)

cc: PS/Mr Scott (L&B) - M
PS/PUS (L&B) - M
Mr Brennan
Mr A W Stephens - M
Mr Chesterton
Mr Buxton - M
Mr Merifield - M
Mr Coulson - M
Mr Radcliffe - M
Mr Reeve - M

REPRESENTATIONS FROM THE IRISH GOVERNMENT

Thank you for your note of February about the Secretary of State's wish that we should deploy with the Irish Government some further information about the incident in Strabane on February when the security forces shot and killed three terrorists. Our Ambassador in Dublin had suggested that information that the guns held by the terrorists were cocked and that they were no more than 10 metres from the security forces when shot could be effectively deployed.

2. We have considered these suggestions in the wider context of our handling of representations from the DFA in consultation with colleagues in Belfast, the PCO and our Embassy in Dublin.

3. The Irish Government, in the form of Mr Barry or on other occasions officials in the Department of Foreign Affairs, have made a number of representations to us in recent months about certain incidents involving the

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security forces. Some have attracted a good deal of press attention and Irish representations have been made in high key. For example, the death of John Downes on 12 August. Others, such as the Strabane shooting, have been handled rather more quietly by the Irish. There are other individual incidents allegedly involving the security forces which have not come to public notice: these include the representations generated as a result of Father Foyle's newspaper advertisement asking for cases to be passed to Dublin.

4. The UK Government have accepted that the Irish Government may make representations to us, and we have said that we will listen to their views and respond. The Secretary of State made this clear in his press briefing following the November summit, and repeated it in a number of subsequent speeches. Both he and the Foreign Secretary, however, told Mr Barry when they met him on 4 February that strident public representations only made more difficult the process of developing cooperation with the Republic. While Mr Barry made clear that he would continue to respond to security incidents, he promised to do so in future in a more level tone where possible. It is too early to say whether that commitment will be met, but there are some signs that the message may have been heeded. Also, we know that the DFA by no means pass on all the representations they receive.

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5. Where the Irish Government make representations on behalf of individuals about specific allegations involving the security forces, they must be dealt with through the normal complaints machinery. Other controversial incidents involving the security forces must also be investigated by the police in the normal way. These enquiries can inevitably take a very long time. The papers on the Downes enquiry, for example, are only now with the Director of Public Prosecutions. It would be unrealistic, however, to imagine that the complex enquiries which are often needed could be significantly speeded up and formal statements on cases on the basis of imperfect information would unacceptably jeopardise the conduct and ^{prejudice the} final conclusions of the enquiries, and might well prove politically embarrassing.

6. We consider, therefore, that our formal line on the receipt of representations about security incidents from the Irish Government must be that the relevant enquiries are being made by the police. But we need to do everything we can to encourage the Irish to take a responsible attitude. Their public comments can inflame opinion in Northern Ireland and make more difficult the task of improving relations with the Republic. We believe that the Irish would be receptive to receiving informally any additional early information we may have about an incident, and would be prepared to treat that information in confidence. If we were to act in this way, we believe that the Irish might be the more ready to temper their

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public statements, and we would have a better working relationship with them.

7.. We propose, therefore, that in appropriate cases, we should be prepared to pass on any suitable information we may have to the Dublin Embassy in confidence, and that they should have discretion to draw on this information if they judge it will be helpful and if they are satisfied that its confidentiality will be respected. We are unlikely to have useful information for all cases, but may be able to draw together published and informal information on some of the more controversial incidents.

8. If the Secretary of State agrees, therefore, we ... propose to send the attached telegram to Dublin about the Strabane shooting. That makes clear that the information is not for public use. It also advises the Embassy not to draw the conclusion that this necessarily justifies the action of the security forces, or that, where circumstances are different (for example where unarmed terrorists were shot or guns were uncocked) the security forces necessarily acted unreasonably.

9. I should be grateful to know whether the Secretary of State is content that we should send a telegram on the lines of the attached Annex; and that we should in

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future look for other opportunities where
we may be able to provide background briefing
to Irish Government representatives in confidence
on particular security incidents.

J M LYON

March 1985

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