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From: THE PRIVATE SECRETARY

PERSONAL



NORTHERN IRELAND OFFICE  
WHITEHALL  
LONDON SW1A 2AZ

Charles Powell Esq  
10 Downing Street  
LONDON  
SW1

18<sup>th</sup> January 1985

NB  
cm

Dear Charles,

ANGLO-IRISH RELATIONS : NORTHERN IRELAND

The Secretary of State has seen Sir Robert Armstrong's minute of 17 January (ref A085/166) to the Prime Minister and would be content for officials to proceed as proposed.

I am copying this letter to Len Appleyard (FCO) and Richard Hatfield (Cabinet Office)

Yours sincerely  
Neil Ward.

N D WARD

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KAMADK

cc: DC

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10 DOWNING STREET

*From the Private Secretary*

SIR ROBERT ARMSTRONG

ANGLO-IRISH RELATIONS: NORTHERN IRELAND

You minuted the Prime Minister on 17 January annexing a revised version of Model A in a form suitable for giving to the Irish.

The Prime Minister has approved the revised version with one amendment. She does not like the word "entitlement" in the second sentence of paragraph 2. The sentence should, therefore, be recast as follows "The British Government would accept that the Government of the Republic of Ireland could put forward views ... "

The Prime Minister also has reservations about the terms in which you propose to put our proposal to the Irish as set out in the first sentence of paragraph 4 of your covering minute. She feels that, put in this way, it is a positive invitation to the Irish to ask for more. It is of course explicit in the text of Model A that further topics could be added to the list of those to be considered by the joint body.

I am sending a copy of this minute to the Mr. Appleyard (Foreign and Commonwealth Office) and to Mr. Daniell (Northern Ireland Office).

(C.D. Powell)

18 January, 1985

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Prime Minister 6

Ref. A085/166

PRIME MINISTER

The revised version of Model A. Old one attached for comparative purposes, though I have undeline'd changes in the new version. It faithfully reflects discussion at the meeting on Wednesday and amounts to a substantial proposal.

Weekend

Baz

mb

As amended mb

Anglo-Irish Relations: Northern Ireland serious and

substantial proposal. Agree? CDP 17/i

--- In the light of the discussion at your meeting this morning I now submit a revised version of Model A (Annex A to my minute to Mr Powell of 11 January) in a form suitable for giving to the Irish. The revised text has been agreed with the FCO and NIO at official level.

2. The main changes are the omission of any title for the proposed joint body: ("Standing Committee" does not seem entirely appropriate, and it may be better to let the title emerge in the course of discussion); a new sentence in the middle of paragraph 2, inserted at the Foreign and Commonwealth Secretary's suggestion and based on a sentence in paragraph 4 of Model B; a reordering of the paragraphs on security and policing, with the introduction of new sub-headings; and the substitution of "Political Matters" for "Identity Matters" as the heading for paragraph 10. There is also a slightly different formula to describe informal consultation on appointments in paragraph 12. These changes are all designed to make the proposals more saleable to the Irish without affecting their substance.

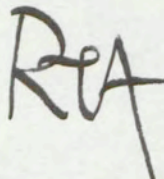
3. In presenting the paper to the Irish, I would propose (if you and the two Secretaries of State agree) to tell them that it reflected the outcome of careful Ministerial consideration here of the positions reached at Chequers, as well as in preparatory exchanges between Mr Nally and myself. I would make it clear that it had been drawn up in accordance with the principles set out in the Chequers communique; and I would say that, in putting it forward, we continued to have in mind the Taoiseach's

✓ willing to seek amendment to the territorial clauses of the Irish Constitution if agreement could be reached on proposals which would, in the Irish Government's view, be adequate for this purpose.

4. ( My aim would be to convey to the Irish that what we were putting on the table represented the furthest which British Ministers at present felt able to go, without creating the impression that it was a "take it or leave it" offer with no room at all for further development in the light of Irish comments and counter-proposals.) In deference to Irish susceptibility the words "consultative" and "consultation" do not appear in these proposals, but I should once again emphasise that joint authority in any shape or form was not on offer, and that there could be no question of an Irish veto in any of the areas covered by the proposed new arrangements.

5. I should be grateful for confirmation that you and the two Secretaries of State are content that we should proceed as proposed.

6. I am sending copies of this minute to the Foreign and Commonwealth Secretary, and the Secretary of State for Northern Ireland, Mr Robert Andrew and Mr David Goodall.



ROBERT ARMSTRONG

17 January 1985

BRITISH PROPOSAL

There would be established within the framework of the Anglo-Irish Intergovernmental Council a joint body to consider on a regular basis and in relation to Northern Ireland;

- a. legal matters;
- b. relations between the police and the community;
- c. prisons policy;
- d. security co-ordination;
- e. political and human rights questions

Other topics might be added by agreement.

2. Unlike the existing AIIC machine this body would be primarily concerned with North/South rather than East/West relationships and would meet on a regular rather than an ad hoc basis. The British Government would accept the entitlement of the Government of the Republic of Ireland <sup>could</sup> to put forward views on matters relating to Northern Ireland within the body's remit. *the*  
In accordance with the general practice of the AIIC, every effort would be made to resolve any differences rather than simply reporting them to the two Governments. Attention at the highest level would thus be given to the matters in question; but there would be no derogation of sovereignty on the part of either the United Kingdom or the Republic. The focus of the body's work would be mainly in Northern Ireland; but some of the matters under consideration would involve co-operative action in both parts of the island of Ireland, and possibly also in Great Britain. Some of the proposals considered in respect of Northern Ireland might also be found to have an application in the Republic.

3. The body would meet at Ministerial or official level, as required. There would be regular Ministerial meetings, say once every three months; and special meetings could be convened when necessary at the request of either side. Officials might meet in Sub-Committees more frequently. Membership would be small and flexible. There would be a small joint secretariat which could be located in Belfast. When the body met at Ministerial level the Secretary of State for Northern Ireland and the appropriate Minister from the Republic would be joint Chairmen. They would be accompanied by their Permanent Secretaries and by other officials and professional advisers.

4. The body (and its Sub-Committees of officials) could meet in separate modes for each of its main areas of interest, and additional members, appropriate to the subject matter, would attend; thus when it met in its legal mode the Attorneys General might attend.

#### Legal Matters

5. In this mode, the body would deal with issues of concern to both countries relating to the enforcement of the criminal law. A Sub-Committee could be established to examine whether there are areas of the criminal law applying in Northern Ireland and the Republic respectively which might be harmonised with advantage to both countries. Another Sub-Committee could consider whether there would be advantage in setting up any system of joint or mixed courts for terrorist crimes; and, if so, what form such a system might take. The body would also be concerned with the oversight and review of arrangements between the Republic and Northern Ireland for extradition and extra-territorial jurisdiction.

Relations between the Police and the Community

6. In this mode, the body would consider relations between the police and the community, with particular reference to the minority community in Northern Ireland. A programme of action might be put in hand which would include:

- i. the establishment of local consultative machinery;
- ii. training in community relations;
- iii. crime prevention schemes involving the community;
- iv. improvements in arrangements for handling complaints;
- v. action to increase the proportion of Catholics joining the RUC.

It would be accepted by both sides that these measures would be directed primarily towards Northern Ireland, with the object of making the police more readily accepted by the nationalist community there, but that some of them might be developed in ways which might also have an application in the Republic.

Prisons Policy

7. The body would also be able to discuss policy issues in the prisons. Individual cases could be raised as appropriate, so that explanations could be given or inquiries instituted.

Security Co-ordination

8. The body would consider at its regular meetings the security situation, with the Chief Constable and the Commissioner in attendance. This would provide an opportunity to discuss serious incidents, and forthcoming events (eg parades

[Sorry -  
not clear]

and processions), to identify policy issues, and to enhance co-operation between the security forces of the two Governments in the common fight against terrorism. The body would have no operational responsibilities; responsibility for police operations would remain with the heads of the respective police forces, and the Chief Constable of the RUC would maintain his existing links with the Secretary of State and the Commissioner of the Garda Siochana his accountability to the Minister of Justice.

9. The body would set in hand a programme of work to be undertaken by the Chief Constable and Commissioner and groups of officials in such areas as:

- i. the exchange of intelligence and the preparation of agreed threat assessments;
- ii. the establishment of effective liaison structures between the security forces of the two countries;
- iii. technical co-operation, eg in communications, forensic matters and control of explosives;
- iv. training and the exchange of personnel;
- v. cross-border co-operation and co-ordination of operational resources.

Political and Human Rights Questions

10. In this area the Committee, or a Sub-Committee, would concern itself with measures to recognise national identity, to protect human rights and to prevent discrimination. Here again, it would be accepted that the focus should be on Northern Ireland, but the possible application of any such measures to the Republic would not be excluded.



11. Measures to be considered in this area in respect of Northern Ireland include the use of the Irish language (eg in street names), changes in electoral arrangements, and the possibility of removing restrictions on the flying of flags. Consideration might be given to the benefits which could be expected from some form of Bill of Rights for Northern Ireland and the difficulties which this would present. If a Bill of Rights were judged to be desirable in Northern Ireland the Committee might also consider whether similar action should be taken in the Republic.

12. The Committee would provide opportunities to ensure that Irish views were taken into account by the Secretary of State for Northern Ireland in making the appointments to:

Police Authority for Northern Ireland  
Police Complaints Board  
Fair Employment Agency  
Equal Opportunities Commission  
Standing Advisory Commission on Human Rights

Devolved Government

13. The arrangements described in this note would be largely unaffected by the creation of a devolved government in Northern Ireland. The exceptions are:

- i. in paragraph 12, appointments to the Fair Employment Agency and the Equal Opportunities Commission (but not any of the other appointments) would fall to the devolved government, and the Secretary of State for Northern Ireland would be unable to offer to discuss them;
- ii. some, but not most, of the issues arising under paragraph 10 would also be for the devolved government

SECRET AND PERSONAL

rather than the Secretary of State; but major issues such as electoral law, the law on discrimination and any Bill of Rights would remain within the Secretary of State's responsibilities, and available for discussion in the Standing Committee.

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Situation : IRELAND P479

MODEL A

## AIIC STANDING COMMITTEE

Constitution of the Committee

1. There would be established within the framework of the Anglo-Irish Inter-governmental Council (AIIC) a body to consider on a regular basis;
  - a. legal matters;
  - b. policing and security questions;
  - c. issues arising from Northern Ireland's nationalist population's perception of its identity.

Other topics might be added by agreement.

*The Unsubstantiated with strength of evidence*

2. Unlike the existing AIIC machinery this body would be primarily concerned with North/South rather than East/West relationships and would meet on a regular rather than an ad hoc basis. (It might be known as the Standing Committee of the AIIC.) As in the case of other parts of the AIIC machinery, the Committee would be essentially a forum for discussion, leaving decision-taking to the two Governments. But, in accordance with the general practice of the AIIC, every effort would be made to resolve any differences rather than simply reporting them to the two Governments. Attention at the highest level would thus be given to the matters in question; but there would be no derogation of sovereignty on the part of either the United Kingdom or the Republic. The focus of the Committee's work would be mainly in Northern Ireland; but some of the matters under consideration would involve co-operative action in both parts of the island of Ireland, and possibly also in Great Britain. Some of the proposals considered in respect of Northern Ireland might also be found to have an application in the Republic.

3. The Committee would meet at Ministerial or official level, as required, either in Belfast or Dublin. There would be regular Ministerial meetings, say once every three months; and special meetings could be convened when necessary at the request of either side. Officials might meet in sub-committees more frequently. Membership would be small and flexible. There would be a small joint secretariat which could be located in Belfast. When the Committee met at Ministerial level the Secretary of State

Republic) would be joint chairmen. They would be accompanied by their Permanent Secretaries and by other officials and professional advisers.

4. The Committee (and its sub-committee of officials) could meet in separate modes for each of its three main areas of interest, and additional members, appropriate to the subject matter, would attend; thus when the Committee met in its legal mode the Attorneys General might attend.

#### Legal Matters

5. In this mode, the Committee would deal with issues of concern to both countries relating to the enforcement of the criminal law. A sub-committee might be established to examine whether there are areas of the criminal law applying in Northern Ireland and the Republic respectively which might be harmonised with advantage to both countries. Another sub-committee might consider whether there would be advantage in setting up any system of joint or mixed courts for terrorist crimes; and, if so, what form such a system might take. The Committee would also be concerned with the oversight and review of arrangements between the Republic and Northern Ireland for extradition and extra-territorial jurisdiction.

#### Policing and Security

6. In this mode, the Committee would consider relations between the police and the community, with particular reference to the minority community in Northern Ireland. A programme of action might be put in hand which would include:

- i. the establishment of local consultative machinery;
- ii. training in community relations;
- iii. crime prevention schemes involving the community;
- iv. improvements in arrangements for handling complaints;
- v. action to increase the proportion of Catholics joining the RUC.

It would be accepted by both sides that these measures would be directed primarily towards Northern Ireland, with the object of making the police more readily accepted by the nationalist community there, but that some of them might be developed in ways which would also have an application in the Republic.

7. The Committee would consider at its regular meetings the security situation, with the Chief Constable and the Commissioner in attendance. This would provide an opportunity to discuss serious incidents, and forthcoming events (eg parades and processions), to identify policy issues, and to enhance co-operation between the security forces of the two Governments in the common fight against terrorism. The Committee would have no operational responsibilities; responsibility for police operations would remain with the heads of the respective police forces, and the Chief Constable of the RUC would maintain his existing links with the Secretary of State and the Commissioner of the Garda Siochana his accountability to the Minister of Justice.

8. The Committee might set in hand a programme of work to be undertaken by the Chief Constable and Commissioner and groups of officials in such areas as;

- i. the exchange of intelligence and the preparation of agreed threat assessments;
- ii. the establishment of effective liaison structures between the security forces of the two countries;
- iii. technical co-operations, eg in communications, forensic matters and control of explosives;
- iv. training and the exchange of personnel;
- v. cross border co-operation and co-ordination of operational resources.

9. The Committee would also be able to discuss policy issues in the prisons. Individual cases could be raised as appropriate, so that explanations could be given or enquiries instituted.

#### "Identity" matters

10. In this area the Committee, or a sub-committee, could concern itself with measures to recognise national identity, to protect human rights and to prevent discrimination. Here again, it would be accepted that the focus should be on Northern Ireland, but the possible application of any such measures to the Republic would not be excluded.

11. Measures already being considered by the British Government in this area in respect of Northern Ireland include the use of the Irish language (eg in street names), changes in electoral arrangements, and the possibility of removing restrictions on the flying of flags. Consideration might be given to the benefits which could be expected from

some form of Bill of Rights for Northern Ireland and the difficulties which this would present. If a Bill of Rights were judged to be desirable in Northern Ireland the Committee might also consider whether similar action should be taken in the Republic.

12. There might be informal consultation with the Irish side of the Committee, so that their views could be taken into account by the Secretary of State in making the appointments to:

Police Authority for Northern Ireland

Police Complaints Board

(Board of Visitors to HM Prisons in Northern Ireland)

Fair Employment Agency

Equal Opportunities Commission

Standing Advisory Commission on Human Rights

#### Devolved Government

13. The arrangements described in this model would be largely unaffected by the creation of a devolved government in Northern Ireland. The exceptions are:

i. in paragraph 12, appointments to the Fair Employment Agency and the Equal Opportunities Commission (but not any of the other appointments) would now fall to the devolved Government, and the Secretary of State would be unable to offer to discuss them;

ii. some, but not most, of the issues arising under paragraph 10 would also be for the devolved Government rather than the Secretary of State; but major issues such as electoral law, the law on discrimination and any Bill of Rights would remain within the Secretary of State's responsibilities, and available for discussion in the Standing Committee.

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CAP.



Foreign and Commonwealth Office

London SW1A 2AH

17 January, 1985

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*Dear Neil,*

Proposed Visit of the Irish Foreign Minister

I am writing to confirm the arrangements which have been set up as a result of the approach of the Irish Ambassador on 15 January, proposing that his Foreign Minister, Mr Peter Barry, should visit London on 4-5 February for talks with the Northern Ireland Secretary and the Foreign Secretary.

As you are aware our two Secretaries of State have agreed to see Mr Barry together. The only time available on the proposed dates is from 1500-1700 on Monday 4 February. We have therefore told Mr Dorr that Sir Geoffrey Howe and Mr Hurd would be glad to see Mr Barry together at the Foreign and Commonwealth Office for a meeting beginning at 1500 on Monday 4 February. We have also let him know that Mr Hurd would like to host a dinner on the same day in Mr Barry's honour, and that you will be in touch with him about that.

We have raised with the Irish the question of what level of publicity should be accorded to the visit, and suggested that, as with previous visits of this kind, it should be announced just before it begins as being one of a continuing series of routine exchanges of view on matters of mutual concern. Mr Dorr's initial reaction on a personal basis was that this would also be what the Irish side would wish.

We shall be in touch further about briefing arrangements.

I am copying this to Charles Powell (No 10) and Richard Hatfield (Cabinet Office).

*Gummer,*  
*Len Appleyard*

N Ward Esq  
NIO

(L V Appleyard)  
Private Secretary

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17 JAN 1985

