



IRELAND.

June 1980.

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File 16
Ireland

10 DOWNING STREET

From the Private Secretary

23 February 1981

Further to my letter to you of 12 February about the Prime Minister's meeting with Lord Moyola and Lord Brookeborough, I enclose a note which Ian Gow has received from Lord Moyola. As you will see, it is little more than a summary of what he said when he saw the Prime Minister.

M. O'D. B. ALEXANDER

Roy Harrington, Esq.,
Northern Ireland Office.

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36 U
MOYOLA PARK,
CASTLEDAWSON,
MAGHERAFELT,
CO. DERRY.
TEL. CASTLEDAWSON 606.

16 Feb 1981

PRIVATE AND CONFIDENTIAL

Ian Gow Esq MP
10 Downing Street
Whitehall
London SW1

Dear Gow

I am enclosing a letter of thanks to the Prime Minister and a few notes on the present Northern Ireland problems, in the light of the meeting which you so kindly arranged last Thursday. John Brookeborough has seen the notes and agrees with them. I hope they may be of some help.

Yours sincerely
James Moyola

Encs

MOYOLA PARK,
CASTLEDAWSON,
MAGHERAFELT,
CO. DERRY.
TEL. CASTLEDAWSON 606.

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Some notes on NORTHERN IRELAND PROBLEMS

Background

Historically, there is suspicion of the Conservative Party in Northern Ireland because Stormont was dissolved by them and they brought out the hated Sunningdale agreement.

The existing Public Relations System is totally inadequate, and its inadequacy has built up Paisley support. The problems are as follows:

- (1) After twelve years of troubles the people of Northern Ireland are like Britain in war-time. They watch or listen to every news bulletin and it is from this habit that wild rumours spread, unless instantly denied.
- (2) Lack of Northern Ireland representation in the Northern Ireland Office with the result that the Secretary of State is unaware of what is below the surface - Most MPs' are either representing what they think is Party Policy or what the activists tell them. As there is no devolved government, there is nothing for moderate people to do and they do not attend meetings, so their views are not heard by MPs'.
- (3) Security or lack of it, is the source from which Paisley draws his strength and where there are improvements, these should be announced - ie: the present situation in Fermanagh.

Long Term Requirements

- (1) As far as possible, immediate replies to Paisley's allegations.
- (2) Clearer communiques' or statements. Both the H Block and Dublin statements could be read to suit anyone's point of view and no one in Northern Ireland knew what to make of them - A Northern Ireland voice (politically orientated) should help in drawing them up. Bear in mind - if they can be misunderstood, they will be misunderstood.
- (3) Keep country informed as to security improvements.

MOYOLA PARK,
CASTLEDAWSON,
MAGHERAFELT,
CO. DERRY.
TEL. CASTLEDAWSON 606.

(4) Northern Ireland Office should find a number of politically orientated and objective people to brief it regularly on current thinking.

Immediate Requirements

- (1) Spell out in great detail and keep spelling out the facts about the Dublin Summit.
- (2) A further cementation of the Union now by
 - (a) appointing a Council to advise the Secretary of State. This might consist of Northern Ireland Privy Councillors or Northern Ireland Members of both Houses of Parliament or persons chosen by the Secretary of State; or,
 - (b) Restoring the Governor (only symbolic but very important)
 - (c) Having Northern Ireland observers at further Dublin talks.
- (3) An early visit by Prime Minister to include a Press conference in which the Dublin meeting should figure.

All or any of the above suggestions would be helpful. The main thing, however, is to act quickly and to keep plugging, if need be, daily, on the PR side.

Understandably the SDLP may well object to all or some of these suggestions, but this is a moment where the overall situation has to be considered. The defeat of Paisley is as much in the SDLP's interest as it is in the interest of responsible and thinking Unionists.

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10 DOWNING STREET

From the Private Secretary

12 February 1981

*cc FCO
CO
Marter
Ireland. Pt 3. M/gy
with Tairrath
Ireland. hte Pt 8*

Dear Roy,

Call by Lord Moyola and Lord Brookeborough

As you know, Lords Brookeborough and Moyola called on the Prime Minister at the House of Commons this afternoon. The Secretary of State for Northern Ireland was also present.

Lord Moyola said that he and Lord Brookeborough had requested a meeting with the Prime Minister before Dr. Paisley's latest antics. However, the parade on the hillside and Dr. Paisley's performance in the House of Commons this afternoon had increased the sense of concern which had led them to suggest a meeting. It looked increasingly likely that Dr. Paisley wanted an independent Northern Ireland in which he would be in absolute control. His tactics might be to go for a head-on collision with the British Government and the Army. He might seek this through a general strike in the course of which he would demand devolved government on his own terms. If he did not get what he wanted and if he could engineer clashes in which some of his followers were killed he would probably opt for a UDI. Lord Moyola said that he might be exaggerating a little but not very much. One should not underestimate Dr. Paisley's ambitions.

One reason for Dr. Paisley's present success was that he had succeeded in manufacturing a great deal of fear and suspicion out of the way the hunger strike and the Anglo/Irish talks in Dublin had been handled. In Northern Ireland today every story and every rumour was believed unless it was instantly denied. It was essential that HMG should institute more effective PR arrangements. Rapid reaction to, and rebuttal of, every allegation was necessary. The Government statements issued after the hillside parade last week had been good but too slow. Lord Moyola also thought that it would be extremely useful if someone in authority would be prepared to confront Dr. Paisley on the television. This would of course be a formidable undertaking but ought to be attempted.

On the general political situation in Northern Ireland, Lord Moyola commented that other political figures were not giving the lead they should. The statement issued by Mr. Molyneux yesterday had been useful but had come too late. There was widespread confusion at present. Dr. Paisley's accusations about what had happened in Dublin were taking hold. He was likely to do well in the local government elections in May. The candidates being put forward by the other Parties were of very low calibre and his own followers would not hesitate to indulge in intimidation.

CONFIDENTIAL / Lord Brookeborough

VLB

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Lord Brookeborough said that the problem was not only with the talks in Dublin. Although he agreed with Lord Moyola that reassurance about them was required and that it would be, for instance, very useful to spell out what the Working Parties were doing, something else was also required. This was evidence to show the people in Northern Ireland that HMG were actively interested in cementing the unity of the UK. A gesture of this kind would give Dr. Paisley's Protestant opponents something to fight for and with. It would help to limit the number of people who sign his covenant. Neither Lord Brookeborough nor Lord Moyola were very clear about what kind of initiative or gesture was required. They mentioned at various points a Northern Ireland Privy Council; a Council of MPs to advise the Secretary of State; the re-introduction of a Governor or a rephrasing of the formula used by Ministers on the Guarantee. Lord Brookeborough seemed to attach particular importance to the last point. He thought the present language too unenthusiastic and hoped that it would be possible to find a form of words which suggested that HMG actively wanted to keep Northern Ireland within the UK.

The Prime Minister said that any question of a sell-out was, of course, utterly ridiculous. However, she understood the importance of preventing scaremongering from taking hold. The fact was that the more trouble Dr. Paisley created, the less inclined people in the UK would be to continue making the sacrifices which present policy demanded. She wondered whether the people of Northern Ireland would support Dr. Paisley in trying to split Northern Ireland from the UK when they came to realise, eg, the economic consequences of separation. She thought that there would be difficulties about the institutional proposals mentioned by Lord Moyola but would certainly look at the question of the formula used on the Guarantee. The Secretary of State commented that the difficulty about the proposal for a Council of MPs was the absence of any Member from the SDLP in the House of Commons at present. The idea of a Northern Ireland Privy Council was being looked at. On the PR front, he agreed about the need for more voices in Northern Ireland to oppose Dr. Paisley. He wondered whether Lord Moyola and Lord Brookeborough would be prepared to take a hand.

Neither Lord Moyola nor Lord Brookeborough responded to this last point. The meeting ended with both stressing the gravity of the situation in Northern Ireland as they saw it. The next few weeks might offer the last opportunity to cut Dr. Paisley down to size. If it proved possible to do this, he might never regain his support.

I am sending copies of this letter to Francis Richards (Foreign and Commonwealth Office) and David Wright (Cabinet Office).

Yours sincerely

Nicholas Alexander

Roy Harrington, Esq.,
Northern Ireland Office.

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From: THE PRIVATE SECRETARY



NORTHERN IRELAND OFFICE

GREAT GEORGE STREET,

LONDON SW1P 3AJ

11 February 1981

Michael Alexander Esq
10 Downing Street
London SW1

Dear Michael

I attach briefing for tomorrow's meeting in the House between the Prime Minister, Mr Atkins and Lords Brookeborough and Moyola.

Yours sincerely
Mike Hopkins

M W HOPKINS

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MEETING BETWEEN THE PRIME MINISTER, THE SECRETARY OF STATE AND
LORD BROOKEBOROUGH: 12 FEBRUARY 1981

BORDER SECURITY

Line to Take

1 As you know the Government shares the shock and outrage occasioned throughout Northern Ireland - and more widely - by the murders of Sir Norman Stronge and Mr James Stronge. The Chief Constable and the GOC have been looking to see where they can further sharpen and adapt their operations to reduce the scope for such attacks. Naturally, the RUC have been in touch with the Garda.

2 You also know that the RUC are taking special steps to advise and help those like yourself, in public life, who live close to the border. It is impossible to guarantee complete security in these areas but I hope that you will find their assistance of some reassurance.

3 The Police and the Army are continuing to devote a large amount of effort, manpower and other resources to the border. I know that Councillors in your own County recognise this. This concentration will be maintained for so long as the terrorist threat persists. Both the Chief Constable and the GOC are satisfied that they have enough men for the task. We shall always consider new proposals very carefully, but I am sure that our basic policy is right. We are gradually getting at the Provisionals - both their people and their arms and explosives. We shall continue to whittle away at them.

4 The Government of the Republic and the Garda are genuinely being as helpful as they can; and their Government is devoting a lot of money to improving their capabilities. The RUC are getting both the

assistance that they request and spontaneous help. The arrest and charging by the Garda of a man last week for the murder of Mr Ross Hearst in September is an example. I know that you have doubts about the extra-territorial legislation. But it is a more practicable proposition than extradition. It has at least begun to be used, and we expect it to be used further as suitable cases arise. As you know one of the joint studies which is being undertaken between the Irish and ourselves is about security. We shall be looking for consolidation and improvement.

Background

5 Lord Brookeborough has expressed concern over recent months about the Government's security policy along the border, especially in Co Fermanagh (although the security situation there is markedly better than it was twelve months ago). The principles behind it, and its implementation have been carefully rehearsed to him by both the Prime Minister (on 10 June 1980) and the Secretary of State (on 14 October 1980). There are signs that there is a growing understanding and acceptance of its soundness in Fermanagh Unionist Circles (eg in recent letters from Mr West to the Secretary of State and from the Leader of the Official Unionist Group on Fermanagh District Council to the GOC: copies are attached).

6 However Lord Brookeborough was particularly shaken by the murders of Sir Norman Stronge and Mr James Stronge, not only because they were distant cousins, close friends, and colleagues in the Official Unionist Party, but because he and his family live in a similarly isolated position near the border in Co Fermanagh and are similarly vulnerable to attack. Since then the RUC have visited Lord Brookeborough's home (along with those of other public figures who are perhaps equally at risk)

and advised them on security precautions. It is not of course possible to offer police protection to all who might conceivably be at risk.

7 Apart from touching on his personal predicament Lord Brookeborough may well return to long-standing suggestions of his for improving border security, viz the closure of more border roads (of which about one half in Fermanagh are already closed) and the need for greater cooperation from the Government of the Republic and the Garda. On the question of political will, the Prime Minister can point to the joint study on security. On practical cooperation from the Garda, numerous arms and ammunition finds in 1980, plus the recent charging of 2 men in the Republic for the murders of Mr William Elliott on 28 June 1980 and Mr Ross Hearst (both from Co Armagh) on 4 September 1980, demonstrate the results which they are achieving. The extra-territorial jurisdiction was at least invoked by the Irish in one case last year (albeit unsuccessfully), and the Hearst case is another. This is some further measure of progress on security cooperation.

ANGLO-IRISH RELATIONS

Line to Take

1 The future of Northern Ireland is for Parliament and the people of Northern Ireland. Section 1 of the Northern Ireland Constitution Act 1973 is clear on that. Mr Haughey accepts that there can be no change in the constitutional status of Northern Ireland without the consent of the majority of the people there.

2 The development of the unique relationship and the joint studies in no way puts Northern Ireland's place within the United Kingdom at risk. There is no question of a "sell-out".

3 Speculation that "institutional arrangements" could have sinister implications for Northern Ireland is unfounded. What we are considering is the kind of special arrangements between the United Kingdom as a whole and the Republic that might be mutually beneficial. As part of the United Kingdom, Northern Ireland stands to gain from any new arrangements.

4 The Government is fully aware of Unionist sensitivities. But it is ridiculous to build these up into notions of conspiracy and betrayal. It is also highly irresponsible.

Background

5 In a personal letter of 27 January to the Secretary of State for Northern Ireland, Lord Brookeborough warned of the "extreme distrust" in Northern Ireland following the meeting in Dublin on 8 December and stressed the importance of reassuring Unionists about Northern Ireland's future. Mr Atkins in his reply of 6 February

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drew attention to the communique following the meeting between the Prime Minister and the Taoiseach on 21 May 1980 which recorded the Prime Minister's and the Taoiseach's agreement that any change in the constitutional status of Northern Ireland would only come about with the consent of the majority of the people of Northern Ireland.

6 Lord Brookeborough also suggested that there should be a Minister "of known unionist affiliations to be able to refute with authority the statements of John Hume and the Taoiseach". Mr Atkins replied that Ministerial appointments were entirely a matter for the Prime Minister.

7 In general, Lord Brookeborough's position has been that he personally appreciates the Government's objectives and bona fides over the joint studies, but is sceptical of their ability to overcome Unionist fears and objections.

8 Lord Moyola yesterday spoke out strongly against Dr Paisley's activities. A copy of the relevant Irish Times extract is attached.

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IRISH TIMES

11 - 2 - 1981

Former NI Premier warns over Paisley

LORD MOYOLA, Prime Minister of Northern Ireland for two years from May 1st, 1969, last night strongly criticised the Rev. Ian Paisley's recent actions as "a great deal more dangerous" than the Dublin summit.

He said: "It's been denied endlessly that nothing has been sold out, whereas, if one looks at what is now projected, private armies, demonstrations and so on, we know not what, this is going to have a terrible effect on people in the UK, who are already, after all, spending a fortune here on paying for keeping the security forces here, compensation, soldiers losing their lives, and so on."

Lord Moyola was asked in a BBC interview whether he thought Unionist unity was as important today as when he had won the position of Prime Minister by one vote from Mr Brian Faulkner.

He said: "I'm not entirely certain as to whether it should or shouldn't be in this situation. My personal view is that the propositions which Paisley is now uttering are probably going to put the whole future of this country in a great deal of risk. And I think that maybe the Official Unionist Party thinks the same as I do, and maybe that is why their approach is cautious."

Paisley's actions were "a great deal more dangerous because we're really living with an assumption that something has been sold out with these various teams of civil servants. This had been denied endlessly."

Asked about the possible effect on people in the rest of the UK of

Mr Paisley's actions and statements, Lord Moyola said: "It's quite on the cards that it might have the effect that they'll say, if Northern Ireland people wish to flout the authority of the British Parliament and have confrontations or whatever, well it's time we got rid of them, and I think this is a very real possibility. We need friends in England and by proceeding in this way we are probably going to lose a great many. And the stakes are very serious because that ends us up in independence. Now that's going to be paid for — whether any industry ever comes here again, or whether a lot won't go."

NEEDING FRIENDS

Lord Moyola said he hoped the British Government would not issue a threat to break the link, "because it would only inflame the situation, but I think it's something that all sensible people in Northern Ireland ought to keep at the back of their minds, that if we want to stay part of the UK the best thing we can do is keep friends within the UK and keep good friendly relations with everybody."

Asked if he himself would sign Mr Paisley's covenant, Lord Moyola replied: "Frankly, I haven't give it a good deal of thought, but I am not happy about signing something over which I have no control. We may be pitched into some sort of confrontations at his behest and then be expected, by having signed this thing, to support him in something that many of us may think is entirely wrong."

1
cc:- Mr Alexander

PRIME MINISTER

Lord Brookeborough and Lord Moyola would like to come and see you next week to have a talk about the present situation in Northern Ireland. The Secretary of State for Northern Ireland is not entirely happy about this but has agreed to attend a meeting if you agree to see them.

Content?

Yes no.

ES.

Michael -
would you
like briefing
for the above?

6 February, 1981

Charlotte

9/2

Arranged for next Thursday
after question. ask M.A. if
any briefing is required.

ES. 9/2

Yes

Mr. Hon. Humphrey Atkins M.P.

Secretary of State for N.I.

Stormont-Castle

Belfast.

Rossahilly House,
Enniskillen,
Northern Ireland

Telephone Enniskillen 3060

27-1-21.

Dear Secretary of State

Just a short personal note to let you know how much I, and I am sure many others deplored the hurtful insult and snub delivered to you by members of my Party concerning your intended attendance at the funeral in Tyrone on Sunday.

I feel confident that both deceased, who were very close personal friends of mine and whose passing I mourn very deeply, would not have wished this action to have been taken. Both of them were prepared to admit that they lived in an area in which it was impossible to guarantee complete safety and security at all times but they were courageous enough to defy the efforts of our enemies to intimidate them from their home.

They, like myself, would have preferred that the leaders of our Party would concentrate their efforts on working constructively with you and your colleagues in Government to solve our local constitutional and security problems rather than issuing insults to those who are trying to help us.

With kindest regards

Yours sincerely
Harry West.



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From: THE PRIVATE SECRETARY

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NORTHERN IRELAND OFFICE

GREAT GEORGE STREET,

LONDON SW1P 3AJ

Michael Alexander Esq
10 Downing Street
London SW1

16 June 1980

Dear Michael,

LORD BROOKEBOROUGH'S CALL ON THE PRIME MINISTER

The most recent outrage of a number which have taken place in Co Fermanagh, the murder by the IRA of an off-duty member of the UDR at Newtownbutler on 7 June, is the immediate reason for Lord Brookeborough's request for a meeting with the Prime Minister. He has been in touch with the GOC and with the Secretary of State's Office. Mr Giles Shaw called on him on 9 June to discuss his concern. He made four points to Mr Shaw which he is likely to repeat to the Prime Minister. They were:-

- (a) Northern Ireland Office Ministers should "lead from the front".
- (b) The Unionist people of Fermanagh and Tyrone are not represented at Westminster. (Mr Frank Maguire the independent Republican MP rarely attends the House).
- (c) Border roads should be closed.
- (d) Failing agreement by the Government of Republic to extradition, they should be pressed to implement their legislation on extra-territorial jurisdiction.

Although there is some cause for concern in South Fermanagh, where the IRA find it easier to select "soft" targets amongst isolated Protestant families than in many other parts of the Province, the Unionist Party in general and Lord Brookeborough* in particular are concerned to make political capital out of what violence there is. They hope by attacking the Government for alleged security failings to outdo Dr Paisley and the DUP. The Security Forces are taking all possible steps to deal with the security threat and their professional judgement on how to go about this must be respected. What they cannot do is to protect every individual

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* Lord Brookeborough is a member of the Unionist Party of Northern Ireland.

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against the threat of assassination. The Security Co-ordinator is undertaking a review of border security in Fermanagh and East Tyrone but it is unlikely that this will throw up any startling new initiatives.

Lord Brookeborough has said that he wishes to talk to the Government of the Republic about extra-territorial jurisdiction. It would be counter-productive to seek to prevent him but he should not be allowed to represent himself as any kind of emissary of HMG.

POINTS TO MAKE

- (a) The Government are fully seized of and concerned for the security situation in Fermanagh. All possible steps to reduce the threat are being taken. The Security Forces must be allowed to get on with the job.
- (b) The Security Forces are having successes in South Fermanagh as elsewhere. The level of violence in the County has decreased substantially since the early part of this year.
- (c) Loud public reaction to a particular terrorist strategy merely convinces the IRA of its propaganda value.
- (d) There is substantive cross-border co-operation with the Security Forces of the Republic. We are pleased to have secured an improved effort from them.

More detailed information can be found in the attached annexes which cover:

- (i) The Security situation in Fermanagh this year.
- (ii) Security measures taken in Fermanagh.
- (iii) The case for closing border roads.
- (iv) Extra-territorial jurisdiction.
- (v) A note on a man (McNally) wanted by the RUC.

Yours sincerely
Mike Hopkins
M W HOPKINS

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(i) SECURITY IN FERMANAGH DURING 1980

Since the beginning of the year there have been a number of terrorist incidents in County Fermanagh as a result of which the following five (5) members and one (1) ex-member of the security forces have died:

<u>Date</u>	<u>Name of Deceased</u>	<u>Brief details of murder</u>
3 January	Robert CRILLY	A part-time member of the RUC(R). Shot dead at his work.
5 February	Aubrey ABERCROMBIE	A part-time member of the UDR. Shot dead whilst working on his farm.
11 February	Joe ROSE and Winston HOWE	Both RUC constables. Murdered when a bomb exploded in a culvert under the road on which their vehicle was travelling.
17 April	Robert MORROW	An ex-member of the UDR. Shot dead whilst walking to work.
7 June	Wm Richard LATIMER	A part-time member of the UDR. Shot dead at his work.

Although it is no comfort to the people of Fermanagh, the rate of terrorist violence is in fact no greater than elsewhere in Northern Ireland, for example in South Armagh and West Belfast. However it is important to remember that the county is not so densely populated as others, and inhabitants feel isolated and vulnerable. (Prior to the murder on 7 June, no major incident had occurred since 30 April.)

The attacks on members of the security forces have been by gun, land mine and booby-trapped car, and, from PIRA's point of view, the gun has been the most successful. Four (4) part-time members of the security forces have been shot dead and two (2) RUC constables were killed by a land mine. In addition a number of part-time members of the security forces have been wounded by gunfire and one (1) regular army officer was seriously injured when a bomb exploded under his car on 30 April. There is reason to believe that most of these attacks have been launched from across the border.

Part-timers, especially those living on or near the border, are particularly vulnerable as they go about their daily jobs. Although the number of troops and police in the area has been increased this year, twenty-four hour a day protection cannot be provided for anyone. Constant vigilance and a willingness to take reasonable precautions remain the best defence.

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Lord Brookeborough may allege that there is a PIRA campaign to drive Protestant farmers from their border farms. Local police do not believe this is so but accept that PIRA would welcome such a consequence of their activities. Although those murdered by PIRA were all Protestants, they were all also connected with or members of the security forces.

In addition to the attacks on persons, two blast incendiary attacks have been mounted on premises in Belleek which is right on the border.

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(ii) SECURITY MEASURES IN FERMANAGH

A number of recent developments illustrate the efforts the security forces are making in Fermanagh. This year there has been a substantial increase in the military presence in the county, though it would be wrong to imagine that the problem is soluble simply by increasing troop levels. Troop dispositions, methods of operation and so on are just as important and these factors explain why, as is sometimes claimed, the security forces are not always visible in large numbers. In Fermanagh, as in other areas, extra emphasis has been placed of late on covert operations, by forces specially trained for such work. More use is also being made of the UDR. As well as operating right up to the border, which Loyalists have often claimed is not the case, they have now taken on new responsibilities in the area round Belcoo on the border.

The Police effort is also being stepped up. A new Divisional Mobile Support Unit has recently been introduced into the county and this has had the effect not only of improving the speed and mobility with which the police are able to react to events but also of increasing police numbers. It is planned that they should increase further as more recruits become available. The progress being made with the rebuilding of Kinawley Police Station near the border is further evidence of the Chief Constable's intention to strengthen the RUC presence in the county.

On border security specifically, a number of border crossings have been closed this year between Fermanagh and County Monaghan in the Republic. There has also been a substantial improvement in Fermanagh, as in other border areas, in co-operation between the RUC and the Garda. This improvement is clearly reflected in day-to-day dealings between the two police forces. For the most part, this contact receives little or no publicity - which is how we (and the Irish) prefer it - but it is a major ingredient in our efforts against the terrorists.

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Lord Brookeborough may well raise the question of the closure of border roads as a means of preventing terrorists' entry to Northern Ireland or of hindering their escape after an incident.

It is accepted that most of the terrorist murder attempts have been launched from across the border; attackers have been seen to make off in that direction after committing their crimes. It is also true that the closure of border roads to vehicular traffic plays a part in the struggle to suppress terrorism and several roads in Fermanagh have in fact been closed over the years, four of them earlier this year, including two in the Newtownbutler area, where a number of murders have occurred. But the Fermanagh border is a long and difficult one; there are 109 roads or tracks which cross it. 28 of these are currently impassable to cars, having been closed by the security forces. Of the other 81, 61 are reckoned to be passable by car.

The Government's position has always been that the closure of particular border crossings is an operational matter on which it is essentially for the security forces to advise. The Secretary of State has made it clear on a number of occasions that he is perfectly willing to authorise further closures if, on the advice of the security forces, they are likely to result in genuine operational benefits. In considering their advice, the security forces take into account a variety of factors, including the needs of legitimate cross-border travellers and the possible implications for co-operation with the security forces in the Republic.

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(iv) EXTRADITION AND EXTRA-TERRITORIAL LEGISLATION

Extradition

Extradition between the UK and the Republic is governed by a simple 'backing of warrants' procedure by which a warrant issued in one jurisdiction is backed for execution in the other. The existence however of the political safeguard in the Irish Statute using the term "political offence or offence connected with a political offence" has had the effect of precluding extradition for politically motivated terrorist crimes.

Extra-territorial Legislation

Introduced following Sunningdale, this legislation enables courts in the Republic to try offenders who committed crimes in the North after 1 June 1976; reciprocal powers have been granted to courts in the North. So far there have been two successful cases, one in the North involving the murderers of Captain Nairac, and one in the South. Papers concerning one further case, that of O'Hara (already serving a sentence in the South) and McNamee, have been sent to the Garda and thence to the Irish DPP (last August, we understand). Currently methods of bringing pressure to bear on the Irish to speed matters up are being considered. Also papers concerning three men believed to have been involved in the murder of an off-duty UDR man in Armagh were sent to the Garda in April, no further progress has yet been made. In conversation with Mr Shaw yesterday Lord Brookeborough offered to approach the Taoiseach over the O'Hara case. It is unlikely that he would achieve much but there is little to be lost and it is just possible that Mr Haughey would co-operate as an earnest of good faith to the Unionists. Any approach would of course have to be on a personal basis.

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(v)

MAN WANTED IN CONNECTION WITH THE LIVINGSTONE/LATIMER MURDERS

The RUC have reason to believe that a man named *~* who is one of the three suspects named in the file passed to the Garda on the LIVINGSTONE murder, was also concerned in the murder of WILLIAM LATIMER (a UDR man) in Newtownbutler on Saturday last. This is not public knowledge but Lord Brookeborough may be aware of it through his connections with the UDR and the RUC. He may raise this matter with the Prime Minister who should take note of his comments without confirming the allegations.

~ Name deleted and closed, 60 years,
under a FOI Exemption.

Wayland

1 September 2011

CONFIDENTIAL

Winnipeg 20.30, 10 June

cc: Mr. Whitmore

La. *[Signature]*

MR. ALEXANDER

You will see from the attached minute to the Prime Minister that Lord Brookeborough wants to come in to talk about the security situation in South Fermanagh. Roy Harrington said that he would give you a ring first thing on Monday morning with any further thoughts he had to offer. He said that Lord Brookeborough's attitude recently had been not very constructive, but he supposed that in view of his status the Prime Minister might well choose to see him. I said that it might well be that she would choose to see him without Mr. Atkins present, but that the exact composition of any meeting was a point you would have to discuss with him.

[Signature]
[Signature] Dobson clerk

ff.

N.J. Sanders
8 June 1980

PRIME MINISTER

Lord Brookeborough telephoned this morning to say that he hoped that you would agree to meet him this week to discuss the security situation in Northern Ireland and County Fermanagh in particular. He said that the murder yesterday in Newtown Butler was of the third member of his son's UDR Platoon to die, and that it was the fifty-fourth unsolved murder in the area. He said that he was very worried that Ian Paisley was already exploiting the situation in Fermanagh, and would now do so to an even greater extent. He wanted you to know that there were other strands of opinion among the Unionists.

He said that he had already been in touch with the authorities in Northern Ireland, and that he hoped that Giles Shaw would come down to the area himself; but he thought that the time had come when he should ask for a few minutes of your time.

He said that he would be coming over late on Tuesday and would be in London on Wednesday and Thursday. I took delivery of the message and promised him an answer tomorrow (Monday).

I imagine that you will be inclined to see Lord Brookeborough. I have talked to Humphrey Atkins' Private Secretary about all of this. He said that Mr. Atkins will be having a security meeting tomorrow afternoon and then a meeting with the GOC, the Chief Constable and Maurice Oldfield, so that they could supply you with an up to date assessment of the position if you did choose to meet Lord Brookeborough in the middle of this week. He added that there was a certain amount of unhealthy competition for Protestant sympathy from some people in the official Unionists, and that Lord Brookeborough had been saying things to Mr. Atkins along the lines that "he could not hold his people back much longer".

You might like to have a word with Michael Alexander in the morning about all of this before deciding exactly how to respond to

/Lord Brookeborough?

8.30 Tues. evening
at HMC
Just necessary to
Wed. 6.30 to
Vince
early
Thurs.
more

Lord Brookeborough?

I should add that Lord Brookeborough told me that he had also been in touch with Ian Gow.

John R. Gannon
— Duty Clerk

P.P.

N.J. Sanders
8 June 1980