

**Dermot Nally
Papers**

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CONFIDENTIAL

I attach a note by Mr. Hennessy on possible changes in security dispositions on the ground in the event of a cessation of IRA violence.



Sean O'Leary
29 August, 1994.

cc: PST
PSS
Dr. Mansergh
Mr. Dalton
Joint Secretary

Confidential

Ceasefire: Implications for Security Policy

1. A significant influence on Republican strategy in any "peace scenario" will be local response to a ceasefire in hard core nationalist areas. If positive, the pressure to maintain the ceasefire and permit a consolidation of the benefits of an ending of hostilities will be immense, and will be cumulative over time. The objective therefore should be to boost confidence in those areas where Republicans draw support by showing, firstly, that an end to violence means an improvement in the conditions of every-day life and, secondly, that the British Government in response to this new situation is prepared to adjust its policies, most particularly those in the security area which impact directly on the daily lives of ordinary people. Given the several forms of disadvantage under which local communities live in, say, West Belfast, any response must be suitably multi-dimensional in scope. Attention is being given in another channel to possible initiatives in the economic and cultural sectors. The purpose of the present note is to consider steps which might be taken in the security area.

Security Policy

2. There was considerable interest in remarks made in a radio interview by the Chief Constable on 11 August:

"If we had a ceasefire in the next couple of months and if that ceasefire were prolonged, you'd see very quickly a change in the police and Army patrolling situation, and one of the first things that would be seen is a reduction in the level of Army support and coverage".

Sir Hugh presented his remarks as no more than a common sense application of the principle that the deployment of

security forces was a function of the level of threat at any particular juncture. Unionist spokesmen, led by Ken Maginnis complained bitterly that the remarks amounted to an appeasement of Sinn Fein.

3. Annesley's comments were contrasted with those of the Secretary of State in his Coleraine speech in December, 1992. On that occasion he stated that "in the event of a genuine and established cessation of violence, the whole range of responses that we have had to make to that violence could, and would, have to be looked at afresh". This would involve:

- dramatic relaxation of "preventive measures"
- ending of routine support by the Army to the police
- Army to return to garrison role, as in the rest of the United Kingdom.

4. The posture of the security forces in the event of an IRA ceasefire was again raised during the visit to the North by the Defence Secretary, Malcolm Rifkind on 16 August. His emphasis on the need to respond in "a cautious and very, very careful way" to any apparent improvement in the security situation, and the assertion that "there can't possibly be any question of making changes in troop levels based on short-term political considerations" had a calming effect on Unionists. In fact his remarks are not necessarily inconsistent with Annesley's position: his key operational point is that "the number of troops on the streets, the number of troops in the Province, depend on the level of the threat". It is suggested that this is precisely the approach which we should urge the British to maintain in the period ahead, and insist that current practices and procedures be carefully reviewed by reference to the actual levels of threat, and should be maintained only where strictly necessary.

Practical Response

5. Whatever discretion is found necessary in public statements, it is clear that internally the British system over the past two years has given considerable thought to steps which might be taken in the event of a ceasefire, even of limited duration. As far back as December 1992, the then GOC, General Wilsey, during a visit to the Secretariat suggested that there was a lengthy list of measures which could be taken if, as was then being speculated, the Christmas ceasefire was prolonged. Subsequent press leaks referred to Army chiefs preparing a "60 point blueprint". Despite reported opposition by some senior civil servants and police officers, the Army was said to be ready to implement the strategy if the opportunity presented itself.
6. More recently we have had some indications based on informal contacts between SDLP representatives in West Belfast and the RUC subdivisional commander that the RUC have indeed proposed operational plans in the event of a ceasefire. It was indicated that while discretion in implementation of these plans would be left to local commanders, the response in West Belfast would include:
- reduction "within days" of the level of patrolling within West Belfast, with attention transferred to access routes
 - RUC patrols to use armoured saloon cars in place of the present reinforced landrovers
 - renewed focus on Loyalist paramilitaries

Recent Developments

7. Already this year there have been a number of improvements in conditions, which will have been welcomed in Republican areas. Although the authorities have denied that these were linked to prospects of a cessation of violence, they in a modest way contributed to improving the climate in which debate can be taken forward. These include:
- implementation of a scheme for transfer of prisoners from Britain to Northern Ireland (a total of 14 prisoners are to be transferred)
 - relaxation of prison regime at Maze including provision for a 24 hour "unlock"
 - transfer of all Republican and Loyalist remand prisoners from Crumlin Road to the Maze, thus effectively conceding segregation as well as greatly improving conditions (this move followed major Loyalist riots at the prison in July and must therefore be regarded as unplanned).

Future Options

8. In the event of an IRA ceasefire, it will be necessary to consider what steps can appropriately be taken to sustain widespread support for the ceasefire in nationalist areas. While it can be presumed that the initial response at least will be favourable, attitudes could change rapidly in the event, for example, of a intensification of Loyalist attacks. While it is obviously important therefore that the security forces should be seen to tackle vigorously the Loyalist threat, the overall assessment is also likely to be heavily influenced by the British response on a range of matters directly under their control. The following is an indicative listing under the main headings relevant to

the security policy area:

Army

- reduction in number and size of patrols
- renewed focus on Loyalist paramilitary violence, including monitoring of access points and patrolling in Loyalist areas
- less frequent use of stop and search powers in nationalist areas
- fewer heavy duty military-style vehicles
- change in Army dress (already some regiments are wearing berets instead of helmets)
- withdrawal of the RIR from areas on perimeter of West Belfast e.g. Markets area where they continue to be deployed despite negative local reaction
- implementation of the proposals in Hewitt's report on Army complaints machinery
- further reduction of RIR, starting with part-time element. [The permanent ending of IRA violence will provide an opportunity to seek the total disbandment of the regiment.]

Police

- police patrols to replace Army, except in very limited circumstances
- where mixed patrols remain necessary level and quality of police accompaniment to be strengthened

- patrolling within nationalist areas to be scaled back to an extent which is visible and verifiable
- adoption of a demeanour more suited to a civilian police force e.g. types of weapons carried, vehicles used etc.
- high-profile initiatives in community policing area, including programme to tackle "ordinary" crime
- introduction of audio-video-recording of police interviews
- dismantlement of Castlereagh Holding Centre (implementation of Blom-Cooper's recommendation to this effect would have positive symbolic significance, even if alternative Centre sited elsewhere)
- practice of flying Union flags from police stations and bases shared with the Army (e.g. Crossmaglen) to be terminated

Prisons

- immediate improvements in visiting arrangements: this should be simple to organize and would benefit all prisoners
- improved communications between prisoners and families and others outside. A pilot scheme giving prisoners access to a card phone has recently started at Magilligan (while posing obvious problems, experience suggests that contact between paramilitary prisoners and their colleagues outside is essential to decision-making in these organisations)

- overhaul of the Life Sentence Review arrangements, e.g. by shortening the number of years before prisoners become eligible for release on licence
- positive response to the recent paper on compassionate parole arrangements drawn up by Republican prisoners in the Maze.
- review of early release and Christmas/Summer leave programmes.

Security Bases/Cross-Border Roads

- a decision not to proceed with further high profile base rebuilding projects.
- opening of a number of closed border roads (it might be signalled to the British that we would not object if following a resumption of violence they decided to re-close the crossings concerned)

Legal Issues

- reconsideration of decision not to refer Kane/Timmons/Kelly case to Court of Appeal.
- greater use of jury trials, by DPP deciding to schedule in a larger number of cases. In time this should lead to a reform of the entire procedure, so that the onus was placed on the authorities to opt into the Diplock system.
- improved procedure for inquests, an issue of concern to many Republican communities.
- bringing rapidly into effect the long-promised reform of the Jury's Oath.

- reform of emergency legislation. While the scope of this legislation should be radically reduced as quickly as circumstances permit, early steps could include ending the provision for exclusion orders in the PTA.

- early action on recently announced intention to introduce Code of Practice for stop and search powers provided under EPA

Broadcasting

- ending of broadcasting ban on Sinn Fein representatives

Pace of Change

9. The measures listed above are intended to offer reassurance to inevitably sceptical communities that change is on its way. They do not represent the sum of what could reasonably be sought, or expected, once violence has ended permanently, including for example a radical overhaul of police structures. In this latter context there would be a need for a fundamental review of the entire basis on which policing in Northern Ireland is organised. It has been strongly argued by Seamus Mallon and others that long term stability requires a police service with which both sections of the community can identify and in which both have confidence. This could involve reorganising the police along community lines, as well as establishing separate forces for "ordinary" and terrorist crime.

10. While certain of the proposals listed would take time to complete, e.g. changes in legislation, others could be implemented within a very short time of the ending of hostilities. In terms of its overall impact what is important is an evident willingness on the part of the British Government to respond to the steps, however

incomplete, being taken on the other side. It would also be for consideration what review mechanism would need to be put in place to monitor progress in this area, but in any event it is one with which we should be closely associated.

PH

P. Hennessy

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