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Oifig an Taoisigh
Office of the Taoiseach

SECRET

6 February, 1989.

Rt. Hon. Mrs. Margaret Thatcher, M.P. FRS,
Prime Minister.

Dear Margaret,

I delayed in replying to your letters of 2nd November, 8th December and 19th December about certain security and extradition issues partly because I wanted to consider further what you said in Rhodes and partly because I was waiting for certain developments.

On the general issue of security, my approach is based on a deep personal revulsion to violence and a conviction that real progress can be made only under the law and by peaceful means. It is for this reason that we have been urging practical measures in the political arena to balance the perception of policy as being concerned with security only and to show that grievances can be remedied and progress can be made by discussion and persuasion. I regard balance, in this sense, as being a vital aspect of any solution to the problem of Northern Ireland and as an essential element of any policy to bring the peace and stability we all want.

Taking the points you raise in your letters, in turn, I should tell you that the Garda training programmes which I mentioned in my last letter have all been carried through. In addition, a small number of Gardai have attended special courses in Denmark, the Netherlands and London, as well as courses run by the FBI in Dublin. I will continue to keep a close interest in the effects of this training on Garda performance. We are still making enquiries about other courses that the Gardai might usefully attend and you can be assured that no opportunity of enhancing the acquired skills will be lost.



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You are also deeply interested in pre-emptive intelligence. A number of valuable finds of arms, ammunition, and explosives, as well as arrests, which have been achieved in recent weeks can be attributed to an improved flow of information obtained by accurate pre-emptive intelligence. I am hopeful that we shall have many more similar successes - certainly the pressure to achieve them will be maintained.

On cross-border communications, I understand that, as you say, this facility exists at certain levels but there may be a need to develop the system so that it is more generally available. The technical aspects of this matter are being examined by a special sub-group drawn from both police forces, which has been holding meetings in Dublin and Belfast. A number of recommendations of the group for improving both the number and security of inter-force communications have already been implemented or will be in the very near future. There is already in use, of course, a system of secure communications between Gardai and RUC mobile patrols. The adequacy of Garda-RUC communications along the border is reviewed regularly at meetings of the Anglo-Irish Conference and I have asked the Minister for Justice to bring to my notice any intractable problems that may surface there.

As regards communications by the British Army with the Gardai, there are matters of principle involved in this which are set out fully in a paper which was submitted for consideration at the Anglo-Irish Conference meeting held on 27th July, 1988. In an emergency, where there is a real need for the British Army to make immediate contact with the Gardai for help, I do not see that any difficulty or delay of consequence is likely to arise from a contact via the RUC - who, in our understanding, accompany the Army patrols. I am told that only a matter of seconds would be involved in

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such a link-up in comparison with a direct British Army-Garda link. I am inclined to the view that the problem envisaged in this matter is more apparent than real, whereas, in my judgement, the problem that would be created by the violation of the principle would be very real - serious enough to outweigh completely any conceivable advantage that a direct link might bring.

I have learned with concern that the project aimed at controlling the manufacture of home-made explosive, which you also mention, is facing considerable difficulties. I know that a great amount of effort has been put into the project by the working group of experts from both our countries and I appreciate how important the project is. It appears, however, that the stage has been reached where some other approach may have to be considered. I agree that the search for a practical solution must continue and we shall give this our full co-operation.

I do not intend getting into the Patrick Ryan extradition controversy in any detail but I want to make two points:

In your letter of 19th December, 1988 you "repudiate utterly" the assertion that Patrick Ryan would not receive a fair trial before a jury in England and you say that the Attorney General here "went far beyond the grounds" indicated at the time of the passing of the Extradition (Amendment) Act. There were, however, quite unique features in this case which had to be taken into account. None of the particularly difficult issues which had to be confronted arose through the words or actions of anybody here. In view of the uniqueness of the case and having regard to the questions that would be raised, the Attorney General took the most unusual step of making a statement spelling out in very clear terms his exact reasons for his decision. I have studied this statement with great care and quite frankly I agree completely with the decision which was in full accord

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with the obligation of the Attorney, as interpreted by the Supreme Court, regarding the matters which he must take into consideration in discharging his duties.

The other point I want to make is in relation to the possible use of the Criminal Law Jurisdiction Act, 1976, to try any charges that may be preferred against Patrick Ryan for alleged offences in Britain or on the continent. Suggestions have surfaced on your side that witnesses may be unwilling to come here because of security worries and allegations have in fact been made that on a previous occasion witnesses who came here were exposed to a degree of intimidation and were "put in fear". There has been correspondence on this matter between Scotland Yard and the Garda Síochána and I understand that the Gardai were in a position totally to repudiate the allegations. This sort of public expression of concern does not do full justice to the thirteen or so cases which have been tried here, without incident: nor does it take into account the many instances where, in extradition and related proceedings, witnesses from the United Kingdom have been regularly coming here without difficulty to give evidence.

We are quite prepared to operate the Criminal Law Jurisdiction Act in all suitable cases. We see it as a very useful alternative to extradition in certain circumstances. It can ensure, without the problems, delays and controversy which seem to attend every extradition case, that alleged offenders are brought before the courts in an effective way. It would, indeed, be regrettable if its operation were to be hindered by unjustified allegations of intimidation of visiting witnesses.

A report on the operation, during 1988, of our extradition arrangements as a whole with Northern Ireland and Britain must be presented to the Dail and Seanad in the coming weeks. Apart from this, we will consider all issues arising from the operation of the arrangements and in the course of this take carefully into account the proposals your people have made for changes in the legislation.

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I hope I have dealt fully with the issues of concern to you. If there are points of difference between us, you can take it that this is not because of any lack of desire on my part to solve this most harrowing and intractable of problems but quite simply because the perception here of what is productive and practicable is, at times, different from perceptions on your side.

With every good wish,
Yours sincerely,
Charles Haughey