

1979 STATE PAPERS

Widening gulf between London and Dublin clear during summit

THE gulf between the British and Irish governments over the failure to create power-sharing institutions in Northern Ireland, the position of the SDLP and the mounting crisis in the H-Blocks dominated a meeting in London in February 1979.

The minutes of the lengthy meeting which took place between the British secretary of state Roy Mason and the minister of foreign affairs in the Lynch government Michael O'Kennedy are disclosed today.

Opening the meeting, Mr Mason said that the aim of the British government was to introduce devolution in Northern Ireland on the basis of his 'five-point plan'.

He ruled out a new level of local government which "would be unionist-ruled and could not pass the test of acceptability".

"Nor did the government have any intention of taking steps towards integration," he said.

Mr Mason said that during his first year as secretary of state he had spent a great deal of time pressing the Official Unionists (OUP) to move away from the Convention Report which advocated a return to majority rule.

The OUP had moved and this ought to be recognised.

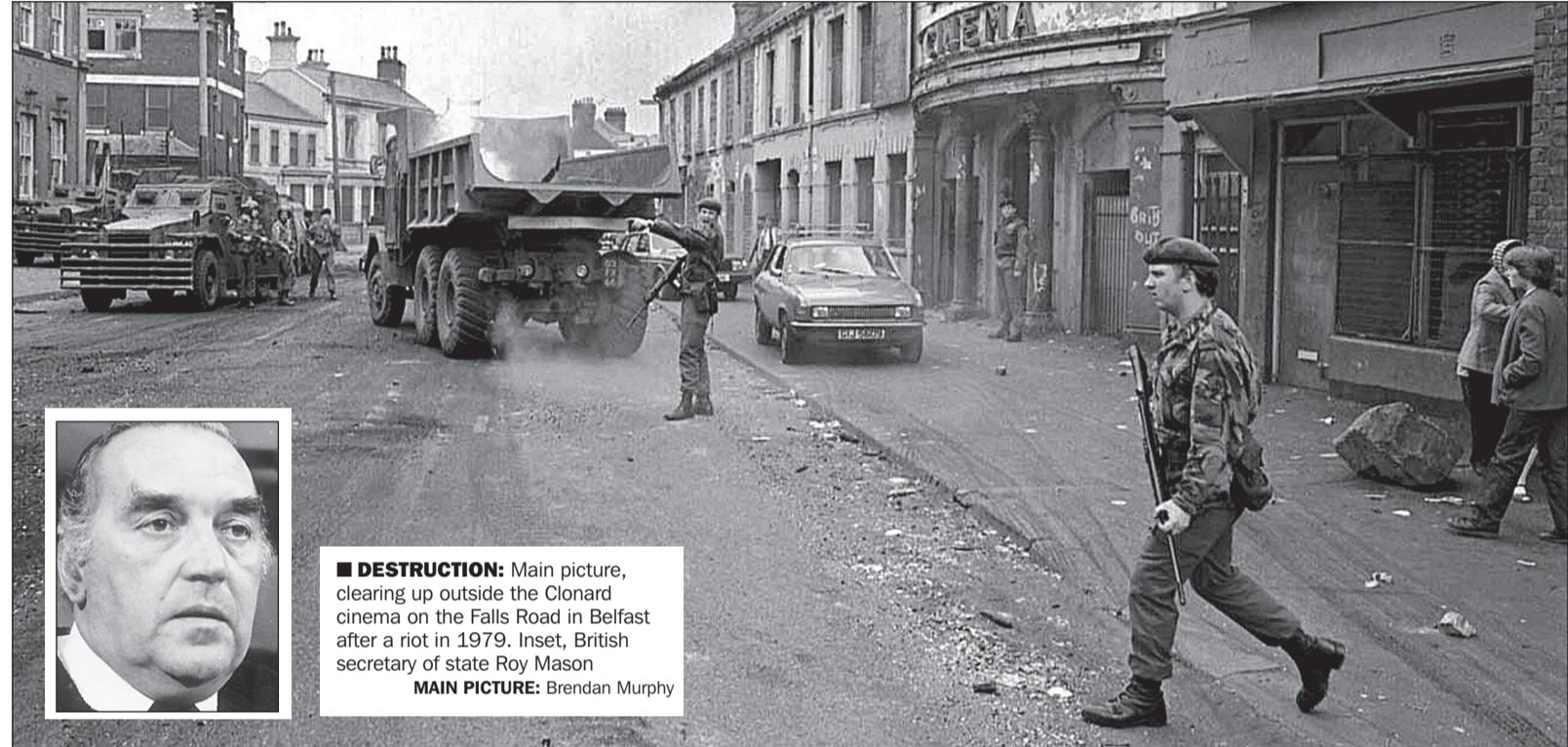
He said he had never described the SDLP as extremists but "too much talk of Irish unity in the short-term made it difficult for the unionists to compromise over devolution".

In remarks heavily influenced by civil service briefings, Mr Mason said that he had tried to help the minority community on subjects such as PR for the European Assembly elections, the new nationalist Poleglass estate, the De Lorean car project and the financing of GAA clubs.

On Irish unity, the secretary of state said there was nothing to add to the "agreement to disagree" between Mr Callaghan and Mr Lynch the previous year.

Even a hint from the British government supporting Irish unity would destroy any prospect of devolution.

"It would just feed Protestant fears



■ DESTRUCTION: Main picture, clearing up outside the Clonard cinema on the Falls Road in Belfast after a riot in 1979. Inset, British secretary of state Roy Mason

MAIN PICTURE: Brendan Murphy

and lead Ian Paisley (the DUP leader) and Harry West (the Ulster Unionist leader) to stand together."

Mr O'Kennedy said that the Irish government accepted there could be no major political initiative this side of a British general election.

In the meantime the Irish government would like to see some recognition of important economic realities.

"Since 1965 he had always been told that the prospect of association with a deprived economy was an important part of the unionist case against a united Ireland," he said.

"That had now changed. The Irish level of economic progress spoke for itself. They had higher earnings and lower rates of unemployment than the north."

Yet, with all the resources at his command the secretary of state had not really made much progress on the economy, Mr O'Kennedy said.

There ought to be cooperation over

industrial development because Ireland was a small island, he added.

Returning to the role of the Ulster Unionists, Mr O'Kennedy said that he would welcome evidence of change within that party but he could not

Turning to security, the secretary of state acknowledged that the Maze protest was causing a problem, particularly in the US

see any. "They had shown their continuing intolerance over Poleglass" reference to unionist-led protests against proposals for a new nationalist housing estate in greater west Belfast.

Responding, the secretary of state said that there was no groundswell

against Direct Rule.

He had always stressed that the SDLP should be sustained and had been worried at signs that Alliance and others were eating away at their support.

On cooperation for the attraction of new investment, it had to be recognised that there was real competition. The border existed and could not be ignored.

For his part, Mr O'Kennedy said that the moderates in the OUP always became irrelevant.

Anyone who appeared progressive quickly had the ground cut away from under them.

The SDLP had gone as far as they could towards the middle ground and had always distanced themselves from the Provos.

Turning to security, the secretary of state acknowledged that the Maze protest was causing a problem, particularly in the US.

However, it should be realised that

only about a third of the prisoners in the Maze were protesting.

"This was PIRA's major propaganda cause but they were receiving very little support in the province," he said.

"On the basic issue he could reaffirm that he had no intention of restoring special category status.

"Once that was conceded, the next step would be pressure for an amnesty."

On the H-blocks issue, Mr O'Kennedy suggested that, subject to security advice, it might be possible to do away with prison clothes for any prisoner in Northern Ireland.

"It was particularly worrying that youngsters were being exploited," he said. "Perhaps ways could be found of easing a little here and there, stopping short of special category status."

"Some movements on the humanitarian aspect would go a long way to undermining all the Provos had left as a propaganda issue."

Row over guards' right to shoot escapees

THE issue of whether armed sentries at the Maze Prison could open fire on escaping prisoners dominates the confidential files. The issue of guarding the prison, which was the centre of the H Block 'dirty protest' in the late 1970s, was considered by a working committee of the NIO, British army, RUC and prison authorities in February 1978. The committee's report agreed that the major security threat at the prison stemmed from the existence of 800 special category prisoners housed in compounds in the Old Maze which were relatively easy to breach. The committee considered that any mass escape attempt might be accompanied by an external attack on the Maze by

the Provisional IRA.

The military commitment consisted of 160 armed soldiers at the Maze, together with a further 56 in an army dog unit.

Much of the debate on the joint working party centred on whether or not the military guard could open fire on escaping prisoners. For their part, the prison authorities had no doubt that "the presence of armed soldiers in the watchtowers is the decisive psychological factor in deterring a mass escape from the Maze".

"Without the fear – however mistaken – of being shot... it is believed that disturbances and escape attempts could occur with such frequency as to make the running of the prison vastly more difficult." However, the army

doubted the efficacy of this deterrent. The report noted: "Under the existing law members of the security forces are allowed to use only 'reasonable force' to apprehend those attempting to escape from custody. Should a soldier open fire on an unarmed prisoner, therefore, it would be for the courts to decide on the facts of the case whether or not this constituted reasonable force. The yellow card issued to all soldiers provided guidelines to ensure that soldiers acted within the law." The report noted: "As the yellow card has been published in the press, the inmates at the Maze must be well aware of the limitations on opening fire and the army, therefore, believe that armed soldiers in watchtowers do not

represent a deterrent to potential escapees and neither would armed policemen or prison officers whose legal position would be the same." However, the prison authorities felt that the prisoners were more impressed by the precedent set by the shootings during previous escape attempts of two men, McIlhone and Cooney for which the soldiers involved were either acquitted or never prosecuted. The army was firmly of the view that, for effective deterrents, the existing legislation should be amended to allow the security forces to open fire to prevent an escape.

As the debate continued, on March 31 1978 three IRA special category prisoners attempted to escape from the Maze compound,

disguised as prison officers. The men, Bik McFarlane, Laurence Marley and JG McKeown, tried to walk through a vehicle checkpoint on the blind side of a lorry but were captured.

In a final letter on the file dated April 25 1978, Sir Brian Cubbon informed the GOC that it would not be possible to change the law on opening fire: "I am afraid that the practical and political difficulties which would face ministers if they attempted to introduce legislation would be likely to prove insurmountable." The acrimonious debate between the GOC and the NIO on this issue helps to explain why, during the mass IRA break-out from the Maze in 1983, the military guard failed to open fire on the escapees.