

PROPOSED DRAFT REPLY TO MR KINNOCK

THANK YOU FOR YOUR LETTER ABOUT THE VIOLENCE WHICH ATTENDED MR GALVIN'S RECENT APPEARANCE IN NORTHERN IRELAND.

FIRST, MAY I SAY THAT FURTHER DEATH AND INJURY IN NORTHERN IRELAND IS A CAUSE OF SADNESS WHATEVER THE CIRCUMSTANCES.

SECOND, I SHOULD LIKE TO EXPRESS AGAIN MY SUPPORT FOR THE RUC (TWO OF WHOSE OFFICERS DIED FROM TERRORIST MURDER ON 12 AUGUST) IN THEIR DIFFICULT TASK.

MR GALVIN IS PUBLICITY DIRECTOR OF NORAIID, WHICH HAS RIGHTLY BEEN DESCRIBED BY AN AMERICAN COURT AS AN AGENT OF THE IRA. IN HIS LAST VISIT TO NORTHERN IRELAND, IN APRIL OF THIS YEAR, MR GALVIN MADE A PUBLIC SPEECH IN WHICH HE SAID HE WAS 'ENCOURAGED' BY THE IRA'S MURDER OF A BRITISH SOLDIER WHICH HAD TAKEN PLACE THE PREVIOUS EVENING. ON LEARNING THAT MR GALVIN INTENDED TO LEAD A NORAIID GROUP TO NORTHERN IRELAND LAST WEEK, THE SECRETARY OF STATE FOR NORTHERN IRELAND ASKED THE HOME SECRETARY TO CONSIDER EXERCISING HIS POWER UNDER THE IMMIGRATION ACT 1971 TO PROHIBIT THE ENTRY OF A PERSON WHOSE EXCLUSION [NOTE UNDERLINE 'EXCLUSION'] IS, IN THE WORDS OF THE ACT, 'CONDUCTIVE TO THE PUBLIC GOOD'. AFTER CONSIDERING THE VIEWS OF HIS COLLEAGUES THE HOME SECRETARY DECIDED THAT IT WAS APPROPRIATE FOR HIM TO MAKE AN ORDER EXCLUDING MR GALVIN FROM THE UNITED KINGDOM. MR GALVIN WAS INFORMED THAT THE ORDER HAD BEEN MADE.

I SEE NO PURPOSE IN AN INDEPENDENT ENQUIRY INTO THE DECISION TO EXCLUDE MR GALVIN FROM THE UNITED KINGDOM. THE FACTS ARE ALREADY PUBLICLY AVAILABLE. WHETHER PEOPLE SHOULD BE FREE TO COME HERE FROM ABROAD AGAINST THE BACKGROUND WHICH I HAVE INDICATED MAY BE A MATTER FOR ARGUMENT BUT WILL NOT BE RESOLVED BY AN INQUIRY.

YOU ALSO SUGGEST AN INDEPENDENT ENQUIRY INTO THE POLICE ACTION ON 12 AUGUST. THE POLICE HAVE A DUTY TO INVESTIGATE THE DEATH OF MR DOWNES AND TO SUBMIT A REPORT TO THE DIRECTOR OF PUBLIC PROSECUTIONS, WHO WILL DECIDE WHETHER CRIMINAL PROCEEDINGS ARE APPROPRIATE. OTHER ALLEGATIONS WHICH MIGHT LEAD TO CRIMINAL PROCEEDINGS, IF SUBSTANTIATED, MUST BE SIMILARLY INVESTIGATED. THE CHIEF CONSTABLE OF THE RUC HAS APPOINTED THE DEPUTY CHIEF CONSTABLE WITH A TEAM OF OFFICERS TO CONDUCT AN ENQUIRY INTO THESE MATTERS AND OTHER ASPECTS OF THE POLICE OPERATION ON 12 AUGUST. YOU WILL HAVE SEEN THAT A PRELIMINARY REPORT HAS ALREADY BEEN RECEIVED AND THAT THE CHIEF CONSTABLE IS IN TOUCH WITH H. M. INSPECTORATE OF CONSTABULARY WHO WILL ADVISE ON THE ENQUIRY, AND MONITOR ITS PROGRESS.

SINCE YOU RELEASED YOUR LETTER TO THE PRESS, I AM ALSO PUBLISHING THIS REPLY.

END OF MESSAGE

*Approved by PM and signed  
in her absence.*



ADDRESSEE'S REFERENCE

<p>To</p> <p>The Rt Hon Neil Kinnock MP</p> <p>(Full Postal Address)</p>	<p>Enclosures</p>	<p>Copies to be sent to</p> <p>Lord President</p> <p>Home Secretary</p> <p>Secretary of State for Northern Ireland</p> <p>Minister of State, FCO</p> <p>Sir Robert Armstrong</p> <p>(Full Address, if Necessary)</p>
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LETTER DRAFTED FOR SIGNATURE BY PRIME MINISTER

(Name of Signatory)

Thank you for your public letter about the violence which attended Mr Galvin's recent appearance in Northern Ireland.

*# I feel compelled*  
*I should like*  
My ~~immediate~~ *comments* are first to express sadness at *death* and injury in Northern Ireland, whatever the circumstances; secondly to express again my support for the RUC (two of whose officers died from terrorist murder on 12 August) in their difficult task; and thirdly to express contempt for *the way in which the IRA and their supporters* ~~those who~~ organise ~~and~~ manipulate personal tragedy for ~~political purposes~~ *to further their own ends* ~~for~~ *political purposes.*

Mr Galvin is Publicity Director of NORAID, which has rightly been described by an American court as an agent of the IRA. In his last visit to Northern Ireland, in April of this year, Mr Galvin made a public speech in which he said he was "encouraged" by the IRA's murder of a British soldier which had taken place the previous evening. On learning that Mr Galvin intended to lead a NORAID group to Northern Ireland last week, the Secretary of State for Northern Ireland asked the Home Secretary to consider exercising his power under the Immigration Act 1971 to prohibit the entry of a person whose exclusion



is, in the words of the Act, "conducive to the public good". After considering the views of his colleagues, the Home Secretary decided that it was appropriate for him to make an order so directing Mr Galvin's exclusion from the United Kingdom, and Mr Galvin was informed that the order had been made.

I see no purpose in an independent inquiry into the decision to exclude Mr Galvin from the United Kingdom. The facts are already publicly available. Whether people should be free to come here from abroad to encourage the murder of British soldiers and other citizens may be a matter for argument but will not be resolved by an inquiry. Those who wish to criticise the decision are free to do so, making full use of hindsight.

You also suggest an independent inquiry into the police action on 12 August. The police have a duty to investigate the death of Mr Downes and to submit a report to the Director of Public Prosecutions, who will decide whether criminal proceedings are appropriate. Other allegations which might lead to criminal proceedings, if substantiated, must be similarly investigated. The Chief Constable of the RUC has appointed the Deputy Chief Constable with a team of officers to conduct an inquiry into these matters and other aspects of the police operation on 12 August. You may have noticed from the press that a preliminary report has already been received and that the Chief Constable is in touch with HM Inspector<sup>ate</sup> of Constabulary who will advise on and monitor the progress of the inquiry.

Since you released your letter to the press, I am also publishing this reply.



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PRIME MINISTER

MR KINNOCK'S LETTER

WE HAVE NOW RECEIVED A DRAFT REPLY TO MR KINNOCK'S LETTER TO YOU ABOUT EVENTS IN BELFAST.

THE TEXT OF MR KINNOCK'S LETTER WAS AS FOLLOWS:

I HAVE DELIBERATELY DELAYED MAKING ANY PUBLIC COMMENT ON THE EVENTS IN WEST BELFAST ON SUNDAY BECAUSE I BELIEVE THAT, IN THE CIRCUMSTANCES, IT WAS ADVISABLE TO OBTAIN WHATEVER DETAILS OF THE INCIDENT WERE AVAILABLE BEFORE SEEKING ACTION FROM YOUR GOVERNMENT.

HAVING NOW HAD AN OPPORTUNITY TO CONSIDER THE MATTER, I MUST ASK YOU TO IMMEDIATELY ESTABLISH AN INDEPENDENT INQUIRY INTO THE DECISION TO BAN MARTIN GALVIN FROM NORTHERN IRELAND AND INTO THE INCIDENTS WHICH TOOK PLACE FOLLOWING HIS APPEARANCE IN BELFAST.

IT IS ESSENTIAL THAT THESE TWO RELATED ASPECTS OF THE EVENTS RECEIVE THOROUGH ATTENTION.

THE DECISION TO BAN GALVIN WAS MADE, IT IS REPORTED, BY THE HOME SECRETARY ACTING ON THE ADVICE OF THE SECRETARY OF STATE FOR NORTHERN IRELAND. AN ASSESSMENT MUST CLEARLY BE MADE OF THE WISDOM AND THE PRACTICAL IMPLICATIONS OF THEIR JUDGEMENT AND IT WILL ALSO BE NECESSARY TO ESTABLISH WHETHER THEIR DECISION WAS MADE WITH OR WITHOUT THE ADVICE OF THE RUC. FURTHER, IT WILL BE NECESSARY TO OBTAIN AN EXPLANATION OF THE RUC'S OPERATIONAL STRATEGY FOR THAT DAY AND, IN PARTICULAR, TO ESTABLISH WHETHER THE DECISION TO ARREST GALVIN BY ADVANCING THROUGH THE CROWD WAS MADE BEFOREHAND OR WHETHER POLICE COMMANDERS AT THE SCENE MADE AN UNPREPARED RESPONSE OR WHETHER THEY SIMPLY PERMITTED SUCH A RESPONSE TO BE MADE BY LOWER RANKS. I BELIEVE THAT YOU WILL SHARE MY VIEW THAT THE ACTION TAKEN BY THE ROYAL ULSTER CONSTABULARY WAS A RADICAL DEPARTURE FROM THEIR NORMAL PRACTICE IN SIMILAR CIRCUMSTANCES OR EVEN IN CIRCUMSTANCES WHERE PROVOCATION OR THREATS OF ATTACK ON THE POLICE HAVE BEEN MUCH GREATER. IT RESULTED IN THE USE OF AN UNACCEPTABLE LEVEL OF FORCE WHICH CAUSED A DEATH AND SEVERE PHYSICAL INJURIES AND IT ALSO GAVE PROPAGANDA MATERIAL TO THOSE IN NORTHERN IRELAND AND ELSEWHERE WHO SUPPORT AND SPONSOR VIOLENCE AND TERROR IN PURSUIT OF THEIR POLITICAL AIMS. THE APPARENT CHANGE IN POLICING METHODS AND THE CONSEQUENCES OF THAT CHANGE CLEARLY REQUIRE INVESTIGATION AND IT WILL ALSO BE IMPORTANT TO ESTABLISH WHETHER THE RULES ABOUT THE USE OF PLASTIC BULLETS WERE ADHERED TO BY THE RUC.

UNDERSTAND FROM A TELEVISION INTERVIEW GIVEN BY THE SECRETARY OF STATE FOR NORTHERN IRELAND TODAY THAT HE DOES NOT RULE OUT AN INDEPENDENT INQUIRY. IN VIEW OF THE DAMAGE WHICH HAS CLEARLY BEEN DONE AS A RESULT OF THE INCIDENT TO RELATIONS BETWEEN THE MINORITY COMMUNITY IN NORTHERN IRELAND AND THE RUC AND TO THE RELATIONS BETWEEN HER MAJESTY'S GOVERNMENT AND THE GOVERNMENT OF THE IRISH REPUBLIC, I URGE YOU TO DEMONSTRATE THE SERIOUSNESS OF YOUR CONCERN ABOUT THESE MATTERS BY ESTABLISHING THE APPROPRIATE INQUIRY WITHOUT DELAY.

I AM RELEASING THIS LETTER TO THE PRESS.



THE PROPOSED DRAFT REPLY WHICH HAS BEEN CLEARED WITH THE HOME SECRETARY AND THE NORTHERN IRELAND SECRETARY IS AS FOLLOWS:

THANK YOU FOR YOUR ~~PUBLIC~~ LETTER ABOUT THE VIOLENCE WHICH ATTENDED MR GALVIN'S RECENT APPEARANCE IN NORTHERN IRELAND.

~~I FEEL COMPELLED FIRST TO EXPRESS SADNESS AT FURTHER DEATHS AND INJURY IN NORTHERN IRELAND, WHATEVER THE CIRCUMSTANCES SEMI COLON SECOND <sup>and I should like to</sup> TO EXPRESS AGAIN MY SUPPORT FOR THE RUC (TWO OF WHOSE OFFICERS DIED FROM TERRORIST MURDER ON 12 AUGUST) IN THEIR DIFFICULT TASK. SEMI COLON AND THIRDLY TO EXPRESS CONTEMPT FOR THE WAY IN WHICH THE IRA AND THEIR SUPPORTERS ORGANISE AND MANIPULATE PERSONAL TRAGEDY FOR POLITICAL PURPOSES.~~

MAY I SAY HOW VERY SAD WE ALL ARE

MR GALVIN IS PUBLICITY DIRECTOR OF NORAID, WHICH HAS RIGHTLY BEEN DESCRIBED BY AN AMERICAN COURT AS AN AGENT OF THE IRA. IN HIS LAST VISIT TO NORTHERN IRELAND, IN APRIL OF THIS YEAR, MR GALVIN MADE A PUBLIC SPEECH IN WHICH HE SAID HE WAS 'ENCOURAGED' BY THE IRA'S MURDER OF A BRITISH SOLDIER WHICH HAD TAKEN PLACE THE PREVIOUS EVENING. ON LEARNING THAT MR GALVIN INTENDED TO LEAD A NORAID GROUP TO NORTHERN IRELAND LAST WEEK, THE SECRETARY OF STATE FOR NORTHERN IRELAND ASKED THE HOME SECRETARY TO CONSIDER EXERCISING HIS POWER UNDER THE IMMIGRATION ACT 1971 5= TO PROHIBIT THE ENTRY OF A PERSON WHOSE EXCLUSION IS, IN THE WORDS OF THE ACT, 'CONDUCTIVE TO THE PUBLIC GOOD'. AFTER CONSIDERING THE VIEWS OF HIS COLLEAGUES, THE HOME SECRETARY DECIDED THAT IT WAS APPROPRIATE FOR HIM TO MAKE AN ORDER SO DIRECTING MR GALVIN'S EXCLUSION FROM THE UNITED KINGDOM, AND MR GALVIN WAS INFORMED THAT THE ORDER HAD BEEN MADE.

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YOU ALSO SUGGEST AN INDEPENDENT INQUIRY INTO THE POLICE ACTION ON 12 AUGUST. THE POLICE HAVE A DUTY TO INVESTIGATE THE DEATH OF MR DOWNES AND TO SUBMIT A REPORT TO THE DIRECTOR OF PUBLIC PROSECUTIONS, WHO WILL DECIDE WHETHER CRIMINAL PROCEEDINGS ARE APPROPRIATE. OTHER ALLEGATIONS WHICH MIGHT LEAD TO CRIMINAL PROCEEDINGS, IF SUBSTANTIATED, MUST BE SIMILARLY INVESTIGATED. THE CHIEF CONSTABLE OF THE RUC HAS APPOINTED THE DEPUTY CHIEF CONSTABLE WITH A TEAM OF OFFICERS TO CONDUCT AN INQUIRY INTO THESE MATTERS AND OTHER ASPECTS OF THE POLICE OPERATION ON 12 AUGUST. YOU MAY HAVE NOTICED FROM THE PRESS THAT A PRELIMINARY REPORT HAS ALREADY BEEN RECEIVED AND THAT THE CHIEF CONSTABLE IS IN TOUCH WITH HM INSPECTORATE OF CONSTABULARY WHO WILL ADVISE ON AND MONITOR THE PROGRESS OF THE INQUIRY.

SINCE YOU RELEASED YOUR LETTER TO THE PRESS, I AM ALSO PUBLISHING THIS REPLY.

COMMENT

THE KEY POINT IS IN THE PENULTIMATE PARAGRAPH OF THE DRAFT REPLY, WHICH REFERS TO THE INSPECTORATE 'ADVISING AND MONITORING' ON THE PROGRESS OF THE INQUIRY. THE CHIEF CONSTABLE HAS ISSUED A STATEMENT TO THIS EFFECT TODAY (FRIDAY) UNDER STRONG PRESSURE FROM MR PRIOR. HIS DEPARTMENT IS TAKING STEPS TO BRING HOME ITS SIGNIFICANCE TO THE PRESS.

-THE NORTHERN IRELAND OFFICE THINK THAT IF THE CHIEF CONSTABLE'S STATEMENT SUCCEEDS IN DAMPENING DEMANDS FOR AN INDEPENDENT INQUIRY, THERE IS AN ARGUMENT FOR DELAYING YOUR REPLY UNTIL ABOUT MIDDLE OF NEXT WEEK. BUT I AM NOT SO SURE. IT COULD EQUALLY BE RIGHT TO REPLY QUICKLY - SAY ON MONDAY - RATHER THAN RISK REVIVING THE STORY AT A LATER DATE. IN EITHER EVENT, I WILL ENSURE THAT MR KINNOCK IS AWARE OF THE TERMS OF YOUR REPLY BEFORE IT IS PUBLISHED.

PERHAPS YOU COULD LET JEAN OR DEBBIE KNOW WHETHER YOU ARE CONTENT WITH THE PROPOSED REPLY, AND WHETHER YOU WOULD PREFER IT TO ISSUE ON MONDAY OR IN THE MIDDLE OF THE WEEK. I SHALL BE AVAILABLE THROUGHOUT THE WEEKEND IF YOU WOULD LIKE TO DISCUSS IT.





NORTHERN IRELAND OFFICE  
WHITEHALL  
LONDON SW1A 2AZ

David Barclay Esq  
Private Secretary  
No 10 Downing Street  
LONDON SW1

17<sup>th</sup> August 1984

*Jean David,*

MR KINNOCK'S LETTER ABOUT MR GALVIN

I attach a draft reply to Mr Kinnock's letter of 14 August to the Prime Minister suggesting an independent public inquiry into both the decision to exclude Mr Galvin and the police operation when he appeared in Belfast.

The suggestion that the decision to exclude Mr Galvin calls for an independent inquiry is relatively easily disposed of. While there may be scope for argument over whether the decision was right, an inquiry is not appropriate and would not resolve or advance the argument. The Secretary of State's remarks to the effect that with hindsight the decision looked like a mistake have been interpreted by the media as meaning that the decision was a mistake. The Prime Minister will not wish to endorse that misinterpretation. Rather than gloss Mr Prior's remarks, it may be better to set out the arguments on the merits of the ban in terms which indicate that the balance is clearly in favour of keeping Mr Galvin out.

The case for an independent inquiry into the police operation to arrest Mr Galvin cannot be so readily dismissed. The Chief Constable has already instructed the Deputy Chief Constable to conduct an inquiry not only into the death of Downes but also into the policing of the parade and the attempt to arrest Galvin. The results in so far as they concern the death of Downes and any other allegations which might lead to criminal proceedings will be reported to the Director of Public Prosecutions in the usual way. The argument that the inquiry should be conducted not by the RUC but by a senior officer from another force or an Inspector of Constabulary is attractive. This would introduce an element of independence without the disadvantages of a full-scale judicial inquiry (presumably under the 1921 Act) which would be excessive, would allow protracted and recriminatory public hearings and would entail exemption from criminal proceedings for those who gave evidence. The difficulty is that the Chief Constable has already announced his own inquiry and is understandably reluctant to change course so soon or indeed to do anything which might undermine the credibility of the inquiry. The relevant legislation

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for Northern Ireland does not contain a power equivalent to that in England and Wales which enables the Secretary of State to insist that an inquiry be held by an Inspector of Constabulary.

The Chief Constable has, however, agreed in principle, that HM Inspectorate should be associated in some way with the inquiry and at the Secretary of State's strong request he has agreed to issue to-day a statement on the following lines:

"The Chief Constable has now studied a preliminary report from the inquiry team on the events of 12 August. He has informed HM Inspectorate of Constabulary of the terms of reference and structure of the inquiry. HM Inspector will advise on and monitor the progress of the inquiry."

The Secretary of State judges that this is as far as the matter can be pressed at present. We are taking steps to ensure that the significance of the statement is appreciated by the press in the hope that the knowledge of the involvement of the Inspectorate will go some way to reduce demands in the Sunday papers for an independent inquiry.

The draft reply to Mr Kinnock makes a reference to the Chief Constable's statement. This procedure avoids the letter becoming the vehicle for announcing the new move; and indeed we would see advantage in the issue of the letter being delayed until, say, the middle of next week. We assume that the Prime Minister's letter will be released to the press.

I am copying this letter to the recipients of Tim Flesher's letter of 14 August. The terms of the proposed reply to Mr Kinnock have been cleared with Mr Prior who is particularly anxious that it should also be agreed with the Home Secretary. The Home Office will be in touch with you direct on this.

*Yours Sincerely*  
*Neil Ward.*

N D WARD

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ADDRESSEE'S REFERENCE.....

To	Enclosures	Copies to be sent to
The Rt Hon Neil Kinnock MP  (Full Postal Address)		Lord President  Home Secretary  Secretary of State for Northern Ireland  Minister of State, FCO  Sir Robert Armstrong  (Full Address, if Necessary)

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Since you released your letter to the press, I am also publishing this reply.



17 AUG 1984



*[Faint, illegible handwriting]*