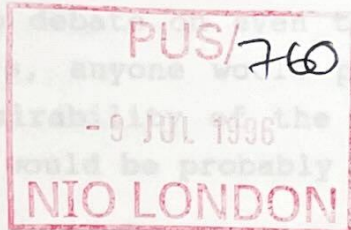


CONFIDENTIAL - POLICY

R

FROM: D A LAVERY
CENTRAL SECRETARIAT
DATE: 9 JULY 1996



cc PS/PUS (B&L) - B
PS/Sir David Fell - B
Mr Legge - B
Mr Thomas - B
Mr Steele - B
Mr Bell - B
Mr Watkins o/r - B
Mr Daniell - B
Mr Leach - B
Mr Maccabe - B
Mr Smyth - B
Mr Stephens - B
Mr Perry - B
Mr Marsh - B
Dr Power - B
Mr Hill - B
Mr Beeton - B

MRS COLLINS - B

"TALKS: POLICING POLICY - PRESSURE POINTS AND ROOM FOR MANOEUVRE"

1. This is to let you have some comments on the draft submission enclosed with your minute of 4 July.
2. I have also had the opportunity to read Mr Thomas' comments in his minute of 8 July, with which I am in agreement.
3. I particularly support Mr Thomas' suggestion that our posture on entering discussions on policing in the Talks should be to be as open as possible. In a sense, the White Paper, although useful analytically, could risk becoming an impediment to discussion if we are excessively prone to defend its proposals.
4. For example, in paragraph 2 of your draft submission, I am not sure that it is necessarily the best approach to state that there are certain key principles which the Government wishes to secure for the police service and which are "not

CONFIDENTIAL - POLICY

MMcC/587

CONFIDENTIAL - POLICY

intended to be negotiable". Rather, I would suggest that it might be possible to present essentially the same material in the form of certain key characteristics which, we suggest, ought to be demonstrated by a modern police service but to be open to debate on even these. I doubt whether, in the final analysis, anyone would particularly wish to take issue with the desirability of the characteristics you have identified, but it would be probably best to appear to be open to debate.

5. What really is negotiable will be the structures, practices and procedures which will achieve and support these key characteristics. Again, I consider that we should be as open as possible in debating these.
6. I have in mind that it may be necessary, if we are to achieve the objective of cross-community acceptability for the police service, to countenance some "Northern Irish solutions" for Northern Irish problems. For example, although this may be something of a heresy within the Office, I am prepared to question whether an excessive emphasis on the Chief Constable's operational independence is necessarily appropriate or desirable in our circumstances. While I am not arguing for political control of policing, an excessive emphasis on operational independence does seem to me to reinforce what might be said to be the worst features of a lack of sufficient political accountability for the policing service in Northern Ireland.
7. Therefore, one of our priorities would, I should have thought, be to put in place an effective set of arrangements to 'anchor' the police in the community they serve. Although not subjecting the police to direction and control by the community itself or its political representatives, there ought to be scope to put in place arrangements which permit a meaningful dialogue between the community and the police service regarding the priorities for policing within that community. There would also seem to be a need for systems

CONFIDENTIAL - POLICY

CONFIDENTIAL - POLICY

which hold the police service accountable for its performance. Therefore, something much closer to a bipartite structure may be more appropriate, with the constituent parts of either limb of such a structure allowing a good deal of regional delegation (I have in mind a dialogue between the local basic command unit and the local community police liaison committee).

8. It might also be possible to envisage folding the police complaints function into a reconstructed Police Authority (the latter acting as an umbrella organisation for a range of regional CPLCs) in order to reinforce the Authority's role as the interface between the community and the police service.
9. Therefore, having regard to the almost infinite variety of policing models one might envisage, I think the safest and most appropriate course for us to adopt would be to provide a paper (or a series of papers) describing the basic factual position on the issues you have identified, including any current legal constraints and relevant national or international comparators, but placing much less emphasis on what is currently "acceptable" to HMG.
10. I hope these preliminary comments are helpful.

[Signed DAL]

D A LAVERY

CONFIDENTIAL - POLICY

MMcC/587