

FROM: P WILKINSON
PS/SIR JOHN WHEELER
4 JULY 1996

POLITICAL AFFAIR
DIVISION

04 JUL 1996

N.I.O. BELFAST

J. McKEEVILL ✓
~~P. GIBBY~~
J. BLACK ✓
A. McVEIGH ✓

cc: PS/Secretary of State (L&B) - B
PS/Sir John Wheeler (L&B) - B
PS/Michael Ancram (L&B) - B
PS/PUS (L&B) - B
PS/Sir David Fell - B
Mr Steele - B
Mr Thomas (L&B) - B
Mr Watkins - B
Mr Bell - B
Mr Leach - B
Mr Perry - B
Mr Hill (L&B) - B
Mr Lavery - B
Mr Stephens - B
Mr Maccabe - B
Mr Myles - B

Mr Legge - B

RELAYING INFORMATION ON PUNISHMENT BEATINGS TO SENATOR MITCHELL

The Minister was grateful for your notes of 2 and 4 July 1996 and has also seen Mr Thomas's notes of 2 and 4 July.

2. Sir John feels, against the background of the sixth Mitchell principle, that there is clear merit in providing information to Senator Mitchell and his colleagues on the scale of the continuing 'punishment' beatings. Indeed, given the marked upward trend of such incidents in June (as highlighted in your note of 2 July), it is perhaps even more important that they are kept informed of developments in this area.

3. The aim of such briefing is not to seek to affect the impartiality of Senator Mitchell, merely to inform him of the extent of the continuing problem. The status of authority of the information attached to Mr Legge's minute is clearly not evidential and would not, therefore, on its own, provide a sound basis for the exclusion of a particular party from the talks (paragraph 2 of your note of 4 July refers). It is the Minister's political judgement that factual information of this sort should be provided and that we would be remiss in not doing so.

WHEELER/DEH/3607

FROM J W LECHE
4 July 1996

POLITICAL AFFAIRS
CIVIL
04 JUL 1996

4. The Minister has noted Mr Thomas's suggestion that this issue should be resolved at a Ministerial meeting but does not feel that it is necessary to do this. As the Secretary of State has already supported the proposal to inform Senator Mitchell and his colleagues of such incidents, Sir John is still firmly of the opinion that we should press on with this. The Minister is content, therefore, with the suggested line of action proposed by you in your note of 2 July and wishes you to proceed accordingly.

Mr Lavery - B
Mr Stephens - B
Mr Macrae - B
Mr Wyles - B

(SIGNED)
MR THOMAS (B&L) - B

Paul Wilkinson
PS/Sir John Wheeler
OAB Ext 6498
4 July 1996

ON PUNISHMENT BEATINGS TO SENATOR MITCHELL

Thank you for your minute of 2 July. I note that Michael Anderson also shares your concerns. Let me say first that I have no particular axe to grind on this issue: I was responding to a request from Sir John Wheeler, endorsed by the Secretary of State, to devise a mechanism for providing information on punishment beatings to the Independent Chairmen. The proposals in my minute of 2 July (developed in consultation with CPL) were designed to meet that remit. The intent, as I interpret it, is simply to leave Senator Mitchell and his colleagues in no doubt about the scale and nature of continuing paramilitary activity in this particular area, not least given its linkage to the sixth Mitchell principle. It would be essentially background information on which they would not be expected to take any action.

2. If there is a real worry about the possible impact on the continuing presence of the Loyalist political parties at the table, I can quite see that it would be unwise to proceed as proposed. I am not best placed to make a judgement on this, except to say that I think it would be extremely difficult to link the UDA and UVF