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Department of External Affairs,

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10 Lúnasa 1970

To all Officers:

On 13th February a minute was issued to all officers enclosing a document summarising action taken to that date by the Six County Government in regard to reforms.

As Stormont has now adjourned for the summer recess, it is appropriate at this time to set out what further progress in regard to reforms has been made since February and, more importantly, what has not yet been done. The attached document, therefore, gives the present position in regard to the Reform Programme. It will be immediately apparent that much of the programme (and by far the most important part) still remains to be implemented - e.g. creation of a Central Housing Executive, reform of Local Government, repeal of the Special Powers Acts; this should be stressed by officers when the subject is discussed with Government officials or with the Press.

E. Sullaghan

th.c. Rúnaí

Action in regard to reforms in Northern Ireland since February 1970

(1) Allocation of Houses: A points' system, based on the Ministry of Development's model points scheme, has been adopted by all but one of the sixty-six housing authorities in Northern Ireland. Efforts are still being made to persuade Armagh Rural District Council to adopt an acceptable scheme.

(2) Central Housing Executive: The Minister of Development, Mr. Brian Faulkner, announced in an Estimates Debate at Stormont on 29th April that proposals for a new single purpose housing organisation were almost completed. The new organisation would be a two-tier body - a Northern Ireland Housing Executive which would have responsibility for the implementation of overall Government policy in this field; and a large Northern Ireland Housing Council, a consultative and advisory body drawn entirely from elected representatives of existing housing authorities and nominated by them. The Executive would be a small compact body of nine members to which the Council would elect three of its members; the balance, which would include the Chairman, being made up of members appointed by the Minister.

A Bill to set up the new authority had its first reading on 2nd July - the day Stormont adjourned for the Summer. The establishment of the authority is strongly opposed by many "grass-roots" Unionists and by right-wing Unionist M.P.s at Stormont as it would remove from them their current influence over housing allocations. An indication of the degree of opposition to the authority was given at the annual Unionist Party Conference, where a resolution opposing the Government's plans was accepted by 281 votes to 216.

(3) Reform of Local Government: The reform of local government is a major element in the whole reform programme in Northern Ireland. It is at the local level that discriminations against the minority were practiced as a matter of permanent Unionist policy, particularly in the fields of housing and public employment. The success or failure of the other reforms which are in course of being implemented or considered is dependent on fair representation of the minority in local government and prohibition of abuse of power in the future. Right wing elements in the Unionist Party are well aware of the elementary importance of retaining their traditional domination of local government and this is evidenced by the obdurate resistance to reform in this field by such spokesmen as Mr. William Craig, Mr. Harry West and others. They can rely on the full support of local Unionist politicians particularly in areas West of the Bann where gerrymandering of constituencies and ghetto housing have been used by them to obtain and retain office and influence without regard to normal democratic considerations.

When the decision was made to establish a Central Housing Executive it was decided to set up a body which would review the whole question of local government re-organisation. Accordingly, all existing plans were put in abeyance pending the report of the Review Body which was set up on 9th January. The report of the Review Body was published on 25th June, and its main proposal is that the major activities of local government, e.g. education, health services, roads, main sewerage systems, tourism, etc. should be taken over by Stormont, and that the remaining functions, relating to purely local issues be exercised by not more than 26 district councils (as against the present 68 assorted authorities).

Referring to the Report in Stormont, the Minister of Development said that no decisions will be reached by the Government until Parliament, the local authorities and the general public have had an opportunity to study the Report and express their opinions on it. He added, that even when decisions in principle are taken, there will still be many stages to be gone through before local government can be reorganised. These include the determination of

- 2 -

wards and ward boundaries and a comprehensive programme of legislation. Accordingly, it would seem that the necessary legislation to give effect to the re-organisation of local government may not be enacted for quite some time yet.

(4) The Electoral Franchise: Legislation has now been enacted to provide for universal adult franchise and for votes at 18 in all elections. But the demands of the Civil Rights Movement for "one-man, one-vote" referred particularly to local government elections, the franchise for Stormont and Westminster elections being already virtually the same as in Britain. The next local government elections were due in October, 1970. These were later postponed to October, 1971 and the Minister of Development has now announced that because of the delay in re-organising local government, it is unlikely that local government elections will take place until 1972. Until then, the present undemocratically elected local governments will remain in office. The effect of this is that the reform of the franchise will be of little value until 1972.

(5) Special Powers Acts: No action has been taken with regard to the repeal of the Special Powers Acts, the authorities saying that the state of the country does not permit their repeal at this time. It is understood that these powers are being retained at the request of the security authorities in Northern Ireland who say that many of the actions taken by them to preserve peace and maintain order are taken under the Special Powers Acts. For example, the "curfew" imposed on the Falls Road area of Belfast on 3rd, 4th and 5th July appear to have been imposed under Sec. 19 of the Special Powers Acts but there is controversy as to whether any legal curfew was made. Searches of houses without search warrants are also authorised under the Special Powers Acts, as are searches of boats at sea. The current ban on parades also comes under the Special Powers Acts.

(6) Equality of Opportunity for all in Public Employment: An interim Local Government Commission has been appointed which will assist local authorities in selecting candidates for senior and other designated appointments. The Report of the Review Body on Local Government in Northern Ireland has recommended the creation of a statutory commission.

As of 20th May, 45 local authorities had made declarations of equal employment opportunity and a further 24 had been made or submitted in draft by statutory public bodies. 4 bodies had refused to make declarations. Some public bodies have submitted draft codes of employment procedure to the Government for approval. Among these are fifteen submitted by statutory bodies and a further five by local authorities and local authority associations; this latter figure including two major model codes which will cover a number of local authorities of a particular type.

(7) Private Employment: A draft of an anti-discrimination clause for inclusion in Government contracts has been considered by the Cabinet and is now under examination by the several Government Departments concerned.

(8) Incitement to Hatred on Religious Grounds: Legislation entitled Prevention of Incitement to Hatred Act (Northern Ireland) was enacted on 1st July last. It is not yet clear how effective this act will be.

(9) Reform of the Police Force: The RUC has not been disarmed and a new Police Authority representative of the different groups in the community has been established. The purpose of the Police Authority is to insert an impartial control between the Minister for Home Affairs and the RUC so as to prevent its abuse as a political arm of the Government. For example, the Authority must be consulted before the Minister for Home Affairs can decide to ban a procession. However, already there are allegations among Opposition leaders that the representatives of the minority on the new authority are "Unionist"

- 3 -

Catholics or "Castle" Catholics - Opposition leaders were not consulted in regard to minority representatives. A new grading structure, corresponding to that of British police forces is now in operation in the RUC, and the Inspector-General, Sir Arthur Young, is called Chief Constable. The recommendation of the Hunt Committee that the colour of the RUC uniform be changed to blue has not yet been adopted, the Chief Constable saying recently that this matter would be decided by the Police Authority in due course. It has also been decided that the strength of the RUC should be raised from 3,500 to nearly 5,000 men. Nothing has been done about prohibiting membership of the Orange Order or the A.O.H. to members of the RUC.

(10) "B-Specials": The Ulster Special Constabulary ("B"Specials) was stood down at the end of April, 1970, and has been replaced by two new units, the Ulster Defence Regiment (authorised strength 6,000 men) and an RUC reserve (authorised strength 1,500 men). Responsibility for the UDR, which is a new unit of the British Army organised on Territorial Army lines, lies with Westminster. Its present effective strength is just over 2,500 men. The RUC Reserve is a part-time, short-service, unarmed auxiliary to the police force.

Department of External Affairs.

10 August 1970