



# An Chartlann Náisiúnta National Archives

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Devolution plans discussed in the context  
of the Anglo-Irish Agreement Negotiations

Both Governments regarded the inclusion of the possibility of devolution as an integral part of any package.

The British side (Prior) indicated their thinking at a meeting with the Minister for Foreign Affairs on 23 May 1984. Part of the proposed Agreement would be:

- (i) An Assembly;
- (ii) An Executive composed of
  - the Secretary of State
  - 2 Ministers (? from Westminster)
  - 4/5 Ministers from both sides in the Assembly to run Departments
- (iii) Blocking mechanisms/Committee Chairmen for minority;
- (iv) A 3-man Ombudsman constitution (1 London, 1 Dublin, 1 Northern Ireland) with wide powers, including consideration of discrimination claims.

Parallel to the negotiations, discussions were taking place in the Assembly (see separate note) and informal soundings between the Secretary of State (later Minister Chris Patten) and the political parties to see if a structure for devolution could be devised. The ideas discussed informally by Patten were:

- Secretary of State as PM for Northern Ireland,  
and
- as Minister for Security and Finance;
- Other Departments headed by Northern Ireland politicians - 2 at least to SDLP;

- have Head of Departments as Chairmen of Committee who must discuss proposals for legislation in committee before formal presentation;
- ~~legislate on the basis of Executive proposal only;~~
- vote by weighted majority - but if votes consistently against Executive proposals, S of S could place draft legislation before Westminster.

The Executive:

- at least initially Secretary of State as Chief Executive;
- Secretary of State (in agreement with Irish Minister) to nominate Executive members from Assembly after consultation with parties (if this cannot be done in a balanced way, 'extern' members could be appointed);
- not more than 13 Ministers;
- to cover full range of transferred powers.

The discussion at the meeting concentrated on the Irish Governments role and the principle of power-sharing rather than the specific details of the Devolution proposals, but some of the Northern Ireland officials queried whether they would fit in with the 1982 Act and if the Secretary of State could operate in the system. An understanding was arrived at that the 1982 Act was not sacrosanct (as any scheme of devolution emanating from the Assembly would require Westminster approval, so the British Parliament has to be involved whether the scheme for devolution comes within the terms of the Act or not).

In November 1984, the British pressed for the inclusion of the operation of devolution as a condition for the package; the Irish view was that this was unacceptable. They suggested that, in the event that an Executive could not be formed on an acceptable basis from the Assembly:

- an Interim Executive be set up;
- Secretary of State and Irish Minister as full participants;
- with other 'extern' Ministers.

At the 21 January 1986 meeting, British officials discussed the idea of devolution of less than the full 'transferred' powers, indicating that the 1982 Act did provide for limited devolution. (In this case there would be no formal Executive). However, the point was made that Ministers would in practice have to get together and coordinate their efforts.

There were no further substantive discussions on the structures of devolved institutions during the negotiations.

~~SA~~  
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