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POLITICAL DEVELOPMENT GROUP

NOTE OF A MEETING HELD ON 24 NOVEMBER 1983 IN NIO (L)

Mr. Gavel
Mr. Tunell
Mr. Sullivan
31 PIA

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PC 12/12

21/1/82

Present:

- Mr Brennan (Chairman)
- Sir Ewart Bell
- Mr Angel
- Mr Merifield
- Mr Carvill
- Mr Gilliland
- Mr Abbott
- Mr Boys Smith
- Mr Edis
- Mr Reeve
- Mr Evers (FCO)
- Mr Wood
- Mr Leach

ITEM 1: REVIEW OF RECENT DEVELOPMENTS

1 The Agenda was re-arranged in the light of the UUP withdrawal from the Assembly on 21 November. The Chairman began by updating the Group on developments since the withdrawal. At a meeting with officials on 23 November the Secretary of State had indicated that he wanted to allow time for opinion in the Province and elsewhere to develop before taking action over the future of the Assembly. But he also recognised that the longer the UUP stayed out, the more difficult it would be for them to return. As a first step, it was proposed that the leaders of the four main parties in the Assembly should be invited together to discuss security with the Secretary of State, who would be accompanied by the Chief Constable and the GOC. (This might help to defuse criticisms that the Chief Constable was not accessible to elected representatives).

2 It was also proposed that the Secretary of State should have an early meeting with Mr. Noonan to discuss policing, preferably with the respective police chiefs both present. However, the Irish were raising difficulties; they wished the meeting to be with Mr. Barry, with the possibility of Mr. Noonan "drifting in". The Irish had stressed that in their view RUC/Garda relations were poor at all levels as a result of the continuing mistrust caused by the Nangle affair (though it was not easy to understand why this incident **still** seemed to be having such a damaging effect). The Chief Constable continued to say that co-operation was excellent;

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this was a worrying discrepancy and provided grounds enough for the Secretary of State to seek a meeting with his opposite number in the Republic.

3 Mr Eyers suggested that the Secretary of State might ring up Mr Barry to make clear the importance he attached to an early meeting. Put in the right terms, it would be hard for the Irish to cold-shoulder such a request. Sir Ewart Bell noted that in the context of the recent summit, which supposedly marked the full restoration of friendly relations between the UK and the Republic, it was reasonable and natural for the Secretary of State to discuss mutual difficulties with the Minister of Justice. If the Irish refused such a meeting, it would diminish their credibility when the Forum Report was produced. Mr. Angel commented that the Irish would find it very embarrassing if we let it be known that they had refused a meeting on security in the aftermath of the Darkley atrocity. Mr. Merifield commented that for internal political reasons the Irish would wish Mr. Barry to take the lead in a meeting with Mr. Prior; they needed to suggest that security co-operation was always set in a wider political framework. Mr. Angel commented that it remained desirable for the two police commanders to be present; a meeting solely with Mr. Barry would not bring them together or serve our wider purposes. In respect of our message, there were several proposals which the Secretary of State could put, notably the resuscitation of the Joint Consultative Committee and other formal elements of the RUC/Garda co-operation machinery. It might be possible to present these proposals as stemming from recent Irish ideas for greater security co-operation.

4 Summing up, the Chairman said that the sense of the meeting was that we should stick to our guns in seeking an early meeting between Mr. Prior and Mr. Noonan. If necessary we should accept that Mr. Barry would nominally be in the lead for the Irish and that the Chief Constable and the Commissioner would not be present, but there should be an early meeting between them once the political ground had been cleared.

The Secretary of State would be recommended to telephone Mr. Barry as discussed. Mr. Prior's stance at the meeting would need to be candid and exploratory, aiming to re-establish lasting RUC/Garda contacts at command and working level. The fact of the meeting should be made public, although there might be no substantive communique.

ITEM 2: PROSPECTS FOR THE ASSEMBLY

5 At the Chairman's invitation, Mr. Abbott explained that the Assembly could either be dissolved, prorogued, or further prorogued by Order in Council. The Chairman commented that the Government might find it difficult to continue for long with an Assembly that had only 33 out of 78 members participating. It would be hard to justify acting on the views of an Assembly (e.g. by modifying proposals for draft Orders) which did not include the principal representatives of both parts of the community. Mr. Abbott noted that the raison d'être of the Assembly lay in its capacity to submit proposals for devolution. Under the 1982 Act there was no way in which such proposals could now be submitted, given that less than half the members of the Assembly were participating in it.

6 Sir Ewart Bell commented that the UUP withdrawal was an opportunistic move designed to capitalise on public outrage at the Darkley atrocity. The Secretary of State was seeing Mr. Molyneaux next week and the scope to put pressure on the UUP at this meeting should be carefully considered. Mr. Abbott commented that if the UUP withdrawal succeeded in scuppering the Assembly, the result might well be a return to direct rule in a more permanent - i.e. integrationist - guise. Since this was the direction in which the UUP leadership wanted to move anyway, it was hard to see what pressure we could put on them. Mr. Molyneaux might well feel that time was on his side. Mr. Angel said that in the absence of the SDLP it had never seemed likely that the Assembly would produce acceptable proposals for devolution. In these circumstances there might be tactical benefit in it being seen to fail as a result of UUP intransigence. The Chairman commented that there was a serious issue of credibility for the Government: he did not believe that the Secretary of State could continue to deal with the Assembly if the UUP showed no sign of returning by 24 January (when the

Assembly was due to return after its Christmas recess). If and when the Assembly was wound up or prorogued, the Government would need to restate its policy for Northern Ireland; and the Forum report might also necessitate a definite statement of policy. There might well therefore be a need for a White Paper in the first half of 1984.

7 In further discussion Mr Abbott noted that one option would be to dissolve the Assembly and hold fresh elections. However the result of such an election might well amplify the obstacles to progress, e.g. if Sinn Fein increased their support at the expense of the SDLP. Mr. Boys Smith commented that with this in mind, it would be sensible to defer any new election to the Assembly until after the 1984 European elections, which would give a fresh indication of SDLP/Sinn Fein strength. Returning to the UUP, the Chairman asked if there was any prospect that the more devolutionist minded Assembly members might defy the leadership and resume their seats. Mr Reeve said that at this early stage there was no indication of a split, although there was some unhappiness about the boycott decision.

8 The Chairman concluded the discussion by noting that while it was possible that the UUP would settle for increased security measures as their price for returning to the Assembly, they might hold out for the devolution of executive functions hinted at in their 21 November statement (and proposed in the Maginnis Bill). In that event prorogation in January looked to be the preferable option, and the direction of policy would need to be reassessed. Careful thought should be given to the message we should ask the Secretary of State to put over to Mr. Molyneaux in the meeting scheduled for next week.

ITEM 3: ASSEMBLY - CURRENT ISSUES

9 i Question Time for Committee Chairman

Mr. Carvill noted that so far this innovation in Assembly procedure had caused no problems for the Departments.

ii Committee Interest in Summit Papers

Sir Ewart Bell said that Departments were continuing to follow a consistent line in replying to their committees' enquiries about papers prepared for the recent summit.

iii Security Committee

The Group considered a paper circulated by the Secretary on 22 November and a note from Mr. Bourn of 24 November covering the question of whether papers prepared for the Assembly Security Committee should be placed in the Library of the House of Commons. The Secretary of State gave an undertaking in January that this would be done with papers prepared for the Departmental Committees. The undertaking did not cover papers for the Security Committee, but there was a clear argument in favour of placing papers in this category in the Library since even after devolution responsibility for security matters would lie to Westminster, not to the Assembly. On the other hand, the content of papers placed in the Library might be more likely to be made public; while apart from possible security considerations, the suggestion of an interface between Government and the Assembly on security matters might arouse nationalist hostility. Summing up a brief discussion, the Chairman said that the issue did not need to be resolved until January when it would be clearer whether the Assembly was to continue in being. While it might be possible to get away with not placing the papers in the Library, it might also be possible to use the fact that papers were to be so placed as an argument in persuading the Security Committee to limit its requests for material. A note setting out the issue for information should be provided for the Secretary of State.

ITEM 4: ANY OTHER BUSINESS

10 i USA Contacts

The Chairman noted that the Irish would doubtless launch a diplomatic campaign in the USA when the Forum report was published. Thought should be given to our counter-measures, and in this context he would develop his own contacts with the American Embassy in London.

ii Londonderry

It was noted that the Secretary of State was being advised to accept the proposal from Londonderry City Council that their name should be changed to Derry.

iii Maginnis Bill

The Bill arrived during the course of the meeting. It was noted that, as expected, it sought to neutralize the "widespread acceptance"

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provisions in the 1982 Act. It also sought (in line with the UUP's commitment to "administrative devolution") to permit the devolution of executive but not legislative functions. However the drafting of the Bill was seriously defective .

iv Date of Next Meeting

Details to be arranged.

Stephen J. Leach

S J LEACH

CPL

29 NOVEMBER 1983

cc

PS/PUS (L & B)
PS/Sir E Bell
Mr Brennan
Mr Bourn
Mr Angel
Mr Carvill
Mr Doyne Ditmas
Mr Gilliland
Mr Merifield
Mr Abbott
Mr Boys Smith
Mr Edis
Mr Eyers RID, FCO
Mr Lyon (Personal)
Mr Reeve
Mr Blackwell
Mr Bickham

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