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*OS*  
*24/6/98*

From: T Watson  
Constitutional and Political Division  
24 June 1998

*Folder with*

cc See attached list

*Mr Murphy*

*+ Party Leaders*

*John*

NOTE FOR THE RECORD

MR MURPHY'S MEETING WITH SINN FEIN: TUESDAY 23 JUNE

Mr Murphy, Mr Semple, Mr Hill, Mr Warner and I met a Sinn Fein delegation for some 105 minutes yesterday beginning at 14.05. Mr Kelly, Mr Maskey, Ms de Bruin, Ms O'Hanlon and Mr McIntire were present for Sinn Fein. The Minister, as in previous meetings this week, covered a range of Assembly related issues. The main points of what was, at times, a difficult and pressurised meeting are summarised under the following headings.

Introduction

Mr Kelly opened with a promise to provide, within the next 24 hours, some amendments to the interim Standing Orders which accompanied Mr Murphy's letter to party leaders dated 18 June. He went on to outline the party's concerns with regard to a range of issues affecting the credibility and momentum of the process flowing from the Agreement. The debacle over the announcement of the Policing Commission and the more recent parliamentary problems with the Sentencing legislation had sent shock waves through republican and nationalist communities.

Mr Kelly said those communities saw Government bending over backwards to unionism, which itself was dragging the process out and all this was presenting a massive worry for nationalists and republicans that everything in the Agreement, other than what unionists wanted to move on, would stop, (for example demilitarisation). Furthermore people in the nationalist and republican communities were worried about marches. Mr Kelly referred to the shambles of consultation surrounding the public release of the Parades Commission decision on the Whiterock parade this Saturday. Such decisions destroyed the view that nationalists had any role to play in the wider political process shaped by the Agreement. In looking further ahead he viewed the Drumcree parade as a litmus test of the Government's intent in this regard and provided the Minister with a somewhat chilling message along the lines of "don't underestimate the people of Garvaghy Road".

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Mr Kelly said for the process to maintain momentum and credibility it had to be seen to be moving forward with dates set now for the inaugural meeting of the Assembly, the first meeting of the Shadow Executive and the North/South Council.

### Timing

Mr Murphy picked up on this last point indicating that the inaugural Assembly meeting was likely to take place on 1 July. Sinn Fein had no difficulty with this.

### Location

Ms de Bruin raised the issue of consultation. The party had been asked about locations and had given its views but had then heard nothing more until a letter from the Secretary of State arrived informing them of a location which was strongly opposed. Such actions presented the party with enormous yet unnecessary problems within the community, making it out to be unimportant in the scheme of things and adding to the general cumulative effect of exclusion. Ms de Bruin added, rather pointedly, that given a choice, the Government appeared to continually want to support either the unionist or status quo position on any Agreement issues. Decisions like locations had more than just a symbolic effect and the Government needed to realise this. A neutral venue for everyone for the inaugural meeting was the proper solution and venues for it were still available.

Mr Murphy defended the Castle Buildings decision on purely practical grounds. There had been no other option for Government in the circumstances. Castle Buildings and later Parliament Buildings would be the venues for meetings until the Assembly itself chose a different location. Mr Kelly made the point that it was dangerous for Sinn Fein to get to the Stormont Estate. Every visit caused major security headaches for the party.

### Shadow Executive

Without doubt the most difficult aspect of the meeting. Sinn Fein pressed hard on their interpretation of the Agreement that there was nothing barring the appointment of Ministers to a shadow Executive at the inaugural meeting - except the Standing Orders didn't provide for this! There were a number of reasons underpinning the Sinn Fein position, not least the points made at the beginning of the meeting regarding credibility and momentum thereby avoiding protraction and playing into the UUP's hands. But there was also the fact that the entitlement to posts would be known by Saturday and, by appointing shadow ministers, the Government could ensure inclusivity and a more efficient consideration and negotiation of portfolios by a wider group than simply the First and Deputy First

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Ministers. Ms de Bruin argued for a better balance in the Standing Orders which were presently exclusive and prescriptive in content (restricting the business of the inaugural meeting) and appeared to be skewing the northern end of the Agreement to the fore instead of doing it all together - as had been outlined in the period between Good Friday and the referendum.

In response to all of this, Mr Murphy pointed out that the Agreement specified up to ten Ministers with departmental responsibilities. One couldn't have Ministers without departmental responsibilities. It therefore seemed appropriate for the Government to suggest, rather than impose, a way forward, which allowed the Assembly to work out a departmental structure over the summer and then appoint Ministers. The Standing Orders only served to get the Assembly through its first few days. A Committee on Standing Orders would then be established in which Sinn Fein could play a full role and introduce mechanisms ( and perhaps timescales) which would permit the appointment of shadow Ministers - assuming these proposals attracted broad agreement. There were also presumptions being made on entitlements, The DUP might not take up ministerial posts therefore the whole entitlement procedure could change.

Mr Murphy said he understood Sinn Fein's position and concerns on this. He acknowledged these but believed, looking at the Agreement, it was a matter for the Assembly to decide departmental responsibilities, with advice from Government, before Ministers could be appointed.

### **Sentencing Bill**

Again Mr Kelly pressed strongly on the timing of releases and to a lesser degree the numbers involved in the initial tranche. Ms O'Hanlon joined in at this point to say that Sinn Fein had been told the Sentencing Commission would be in place by the end of June but were releases immediately effective after the legislation was passed? Ms O' Hanlon also wished to know when consultation would take place with the party regarding the make up of the Commission. The party did not want a rerun of the Policing Commission. It was better to have arguments about appointments on a confidential basis rather than after an announcement was made.

Mr Murphy said it was his belief that the Government would have to consult widely on this but he was unsure as to the nature of such consultation. Mr Kelly said he hoped that bureaucracy wouldn't mean prisoners being kept in for a further 3 months going through each review body. Mr Murphy said the Government had already shown its willingness to press on with this important aspect of the Agreement, despite the difficulties in Parliament and the ending of the bi-partisan approach. It would continue to give the legislation top priority. In a response to a related question, Mr Warner pointed out that it was impossible for the

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Government to dictate the passage of the Bill in the House of Lords. Hopefully it would be a case of it not being delayed to long and any Lords amendments being defeated in the Commons on its return.

### Announcements

Mr Murphy referred to a number of announcements which the Government would be making on 27 June which, ostensibly, would point the way forward on other aspects of the Agreement - apart from the Assembly. Ms de Bruin raised the Human Rights Commission at this point, commenting that Sinn Fein had not been consulted on the nature of the body or those who would be appointed to it. **She asked if details on the consultation process could be got to her as soon as possible. (Action: Mr Beeton).**

Furthermore she hoped that the Government would not be saying anything which pre-empted the position on the Equality Commission since the party didn't want to be faced with another fait accompli. Ms de Bruin added that, as far as she was aware, the consultation period had thrown up a considerable degree of opposition towards the concept of amalgamating the existing four bodies into an Equality Commission and Sinn Fein also opposed the concept. Ms de Bruin said she assumed the Government was not going to announce an Equality Commission on Saturday. Any announcement had to be neutral in content.

Mr Murphy reassured the delegation that **no decisions would be announced about the Equality Commission at the weekend and suggested that reference to equality issues be couched around "consultation on the employment equality review"**. Sinn Fein accepted this. (Action: Mr Watkins/Mr O'Doherty to note).

### Civic Forum

Mr Maskey believed measures to start work on this needed to be adopted sooner rather than later. It could be a useful topic for shadow Assembly members to address through the setting up of a dedicated Committee which could make proposals over the summer months.

### Symbols and Emblems

Mr Kelly asked what symbols and emblems would be displayed (or removed - Carson's statue was briefly mentioned in a slightly humorous way) in the Assembly and what might constitute an opening ceremony. Mr Murphy responded by saying that the Government was not proposing to display any symbols or emblems. Furthermore Assembly members' stationery would only carry their name - nothing else. There were no plans for an opening ceremony - other than signing the roll and the individual designation of members.

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**Presiding Officer**

Sinn Fein had two points of substance here. No nominations. The delegation wished to put down its view that the Presiding Officer should be totally neutral and therefore not an elected member. Secondly it asked whether the post had a vote of any sort. Mr Hill confirmed that the post had no vote attached to it.

**Junior Ministers**

Mr Maskey said the party was looking at the possibility of these but no provision was made for them in the Agreement or Standing Orders. He thought provision for these should be established to enable such appointments to be made using the d'Hondt procedure plus a cross community balance. Mr Maskey added that the party would come back on tax varying powers, junior ministers and the designation of Committees other than Departmental ones.

**Transition programme**

In response to a question from Mr Kelly, Mr Semple provided a brief outline of the modules and other components of the programme. Mr Maskey said he had had a meeting with Mr Cosgrave on this and had pointed out that the selection of hotels in loyalist areas to host such seminars presented difficulties. Further thought would have to be given to locating some of the venues in either nationalist or neutral areas.

**Political advisors, party support etc**

Mr Semple covered the up to date position on these as well as salary details for members and Ministers. It was hoped that the party support system could be up and running as soon as next week. Political advisors were for the substantive rather than the shadow period and if and when appointed would have terms similar to those presently employed by NIO Ministers.

Signed: Tom Watson

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