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FROM: D BROOKER
CPL DIVISION
15 DECEMBER 1994

RECEIVED
15 DEC 1994 1705
MUFAX ROOM
STORMONT HOUSE ANNEX

cc PS/Michael Ancram(L,B&DENI) -B&M
PS/Sir John Wheeler(L,B&DEP) -B&M
PS/Baroness Denton
(L,DED&DANI) -B&M
PS/Mr Moss(L,DOE&DHSS) -B&M
PS/PUS(L+B) -B
PS/Mr Fell -B
Mr Legge -B
Mr Thomas -B
Mr Bell -B
Mr Watkins -B
Mr Williams -B
Mr Wood(L+B) -B
Mr Maccabe -B
Mr Stephens -B
Mr Dodds -B

PS/Secretary of State(L+B) -B

a Mr. Longman
Mr. Gibson
Mr. McDonnell
Mr. Burrows
contacts with Sinn Fein
Fae

EXPLORATORY DIALOGUE: GOVERNMENT POLICY ON CONTACTS WITH SINN FEIN

In his minute of 14 December (not to all) Mr Jagelman recorded Michael Ancram's view that we should now consider a formal relaxation in our policy on contacts with Sinn Fein to allow Ministers to meet district council deputations which include Sinn Fein Councillors. This minute seeks the Secretary of State's agreement that that change should be put in hand, explains how it might be handled, and examines the implications for our wider policy on Sinn Fein.

Current policy

2. At present our guidelines require that if any District Council asks to send a deputation to Ministers they must be told that it may not include Sinn Fein councillors. This is one element in the policy which determines that any request for a meeting between an

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NIO Minister and a Sinn Fein elected representative (the guidance does not distinguish between MPs, MEPs or District councillors) should be refused.

3. The decision to invite Sinn Fein Councillors to attend the Investment Conference in their capacity as members of the Belfast and Derry City Council Economic Committees clearly calls into question the present policy of refusing to meet council deputations which include Sinn Fein, though not necessarily the associated prohibition on direct contacts between Government and Sinn Fein representatives in their own right.

4. In officials' view, and Michael Ancram's view also, we are now beyond the point where Ministers can sensibly refuse to meet council deputations including Sinn Fein. Michael Ancram would like us to make a virtue out of necessity by acknowledging the alternation to our policy and claiming credit for it during the next meeting of exploratory dialogue with Sinn Fein on Monday.

What form should the relaxation take?

5. I would suggest that our guidelines should be amended as follows -

"When, in future, a district council asks to send a cross party deputation to meet a Minister, the decision on whether or not to agree to the request will be taken solely on the merits of the request, without reference to the composition of the deputation in terms of the parties that would be represented on it".

6. The key points in this formula are that -

- it makes clear that the deputations must be sanctioned by District Councils. This is important so that Ministers are not committed to meeting any ad hoc groupings that might come together for a particular purpose;

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- the deputations would have to be cross-party - ie there is no question of a Council being able to arrange its business in such a way that it produces a deputation which would be one-sided;
- there would be no limit on the subject matter which the deputations could seek to discuss. It is tempting to try to restrict the scope for Councils to involve themselves in controversial political, security or constitutional issues and to limit them to social and economic issues instead. In practice, we doubt whether it would be possible to hold a defensible line. If we said that they could only raise issues that were "relevant to Council business" this would still in effect be an open agenda. If Ministers are to concede the principle, therefore, we suggest that it is accepted across the board. In practice it seems unlikely that any one Council could agree on the mechanics of sending a deputation which would raise party political issues and so the risk of getting involved in many of the most sensitive issues may be more apparent than real. We could not discount the possibility, however, that the Belfast City Council Security Committee, for example, would bid again to meet Sir John Wheeler
- the specific reference to "parties" at the end of the formula is a further attempt to ensure that the composition is not weighted solely in the direction of any one party.

Effect on overall policy

7. Ministers will want to be reassured that in making this relaxation they would not be undermining their approach of requiring Sinn Fein to go through the process of exploratory dialogue before they could be treated like any other party. I do not myself think

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that this relaxation carries that risk. We can still envisage a series of progressive stages back to normality. A clear distinction which we might bear in mind is that Ministers would still not be agreeing to meetings between Government (either Ministers or officials) with Sinn Fein in their own right. If that were to happen it would be a further, significant development in policy. So long as that distinction is maintained we can foresee further potential stages that have yet to be gone through before Sinn Fein are accepted as a fully legitimate party. The next logical stage might be to relax the restrictions which prevent senior officials meeting Sinn Fein in their own right to discuss economic and social issues; thereafter, senior officials could meet Sinn Fein in their own right to discuss political, security or constitutional issues. Finally, of course, there is the tier of Ministerial engagement. Depending upon how Ministers wanted to play it, and the circumstances at the time, Ministerial engagement might begin at Junior Ministerial level before progressing towards the Secretary of State and ultimately to the Prime Minister.

Recommendation

8. I recommend that the Secretary of State agrees that, in the light of the decision to invite Sinn Fein to attend the Investment Conference, we should now relax our policy on contacts with Sinn Fein in the terms described in paragraph 5.

9. Tactically, as Michael Ancram has suggested, we would recommend that Mr Thomas should be able to advise Sinn Fein of this development when he meets them on Monday. Rather than telling them that it had been agreed, we envisage that he would tell them that he was prepared to recommend it to Ministers - and that it would then be announced by Michael Ancram at the press conference following the meeting. All of this would fit in with the advice that I have

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submitted separately today on the handling of Mitchel McLaughlin's letter of 14 December, where I suggested that the 2 sides should discuss the Government's policy on contacts with Sinn Fein on Monday.

(Signed)

D BROOKER

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