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FROM: P JOHNSTON
PS/SIR JOHN WHEELER
8 MARCH 1996

ASST ^{218 496/3}
SEC 11 MAR 1996
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UNDER/ ^{465/3}
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- cc: PS/Sir John Wheeler (L&B) - B
- PS/Michael Ancram (L&B) - B
- PS/Mr Moss (L, DHSS&DOE) - B/M
- PS/Baroness Denton (L, DANI&DED) - B/M
- PS/PUS (L&B) - B
- PS/Sir David Fell - B
- Mr Thomas - B
- Mr Legge - B
- NI Perm Secs - M
- Mr Bell - B
- Mr Blackwell - B
- Mr Watkins - B
- Mr Leach - B
- Mr Steele - B
- Mr Daniell ^{has 22/11/3} - B
- Mr Lamont ^{How is CPL getting on?} - B
- Mr Shannon - B
- NIO Heads of Divisions - B
- Mrs Brown ^e - B
- Mrs Devlin ^{t.j} - B
- Mrs Rogers - B
- Mr Coleman - B

PS/SECRETARY OF STATE (L&B) - B

SINN FEIN: ACCESS TO GOVERNMENT

As requested in Mr Kyle's note of 28 February, Sir John met with Ministerial colleagues and senior officials to discuss the subject of Sinn Fein's access to Government and attempt to come to an agreed position.

2. Those in attendance were: Sir John Wheeler, Michael Ancram, Mr Moss, Baroness Denton, PUS, Sir David Fell, Mr Spence, Mr Loughran, Mr Watkins, Mr White, Mr Stephens and Mrs Rogers.

3. This is a detailed note of the meeting. Sir John will shortly be submitting a succinct outline of our policy recommendations and a brief exposition of the reasons for them (currently being prepared by Cent Sec/CPL). Given the intense pressure on the Secretary of State's time at the moment, this note may be best deployed as background for that advice.

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4. The Minister opened by explaining that the Secretary of State has asked him to bring Ministers together to discuss the subject of contact with Sinn Fein, post London bombings, with a view to submitting agreed advice. Sir John said that he understood that everyone appreciated just how busy the Secretary of State was at the moment and he hoped that by agreement we might be able to remove one of the burdens from his desk. Sir John explained that the essential criteria which he would judge contact with Sinn Fein on is the extent to which our guidelines chimes with the policy enunciated in the Prime Minister's statement to the House on 12 February:

"In the absence of a genuine end to this renewed violence, meetings between British Ministers and Sinn Fein are not acceptable and cannot take place".

The Prime Minister has reiterated this position to the House on 28 February when he said:

"There can be no dialogue between Ministers and Sinn Fein until the ceasefire is unequivocally restored".

5. Sir John said that he also relied heavily on the Secretary of State's commitment in the House (on 22 February):

"Ministers will not meet Sinn Fein to discuss matters that are related to the peace process or political process and until a ceasefire has been credibly restored, as it should be forthwith. As for officials, to the best of my knowledge, there will be no meetings with officials." (Now checked and confirmed in Hansard)

6. Sir John said that the office needed to guard against any potential difficulty for the Prime Minister. It was suggested that the Prime Minister was reacting to a question and therefore speaking unbriefed although the Minister has since noted that the briefing which the NIO supplied for PM's Questions (Mr Brearley's note of 4

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March indicates "... our own position on contacts with Sinn Fein is quite clear .. I made absolutely clear that Ministers will not meet Sinn Fein until there is a genuine end to renewed violence"). In response to questions from Ministers, Sir John said that there would not be a difficulty in meeting a group like the Partnership Board which had Sinn Fein representatives because this was not a meeting with the Sinn Fein group alone but as part of a wider meeting.

7. Mr Ancram said that he wanted to remove the political element from the equation. Ministerial dialogue with Sinn Fein had been reliant on the ceasefire. The London bombing had meant that Ministers had to withdraw from contact with Sinn Fein until the ceasefire was renewed; this was a position which had been replicated in Dublin. On political/peace matters Civil Servants would meet Sinn Fein at their (Sinn Fein's) request based on the merits of the case and it will be a listening exercise not a negotiating one. There had been one such meeting with Sinn Fein since the ceasefire had been broken and this had received prior and specific Ministerial approval. Such meetings were also subject to 'events on the ground' ie if a bomb were to go off.

8. Sir David Fell said that he felt that Sir John was right to attempt to establish what the position was pre London bomb. Sir David had understood, and quoted from a staff notice, that Sinn Fein, the UDP and PUP had been treated on the same basis as all other parties when requesting meetings with Ministers. He highlighted the fact that Sinn Fein had reached a position where they were being invited to No 10. Michael Ancram said that with his DENI hat on he had met two specific Sinn Fein delegations on education matters. Post bomb he had not met any Sinn Feiners as a political party nor would he expect to. Sir John concluded that any meeting with Sinn Fein as a party grouping would constitute a breach of the PM's statement, he believed that the position post bomb and in the absence of a renewed ceasefire had to be that Sinn Fein, as a party, could not be met at Ministerial level but if a Minister was visiting a council or other public engagement and he was meeting a group which contained a Sinn Fein member then he should treat them in the same way as he did pre London bomb.

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9. Mr Watkins clarified the position pre-ceasefire as regards meetings with District Council delegations. Pre-ceasefire, Ministers had felt free to visit District Councils for meetings which might involve Sinn Fein councillors as members of the wider council. But they had refused to meet council delegations involving members of Sinn Fein on Government property. Michael Ancram said that he believed that this was an important point as there were some legitimate security worries for Sinn Fein members visiting Government property, particularly Stormont.

10. Some concern was expressed about drinks parties. Sir John Wheeler believed that Ministers should avoid attending social functions with members of Sinn Fein and being photographed with them; if a bomb were to go off while this was happening it would be a source of extreme embarrassment for the Government. Mr Watkins pointed out that we had not, in the past, adopted any standing guidance on the point; each occasion was treated on its merits according to the circumstances.

11. There ensued a general conversation about when we changed our policy towards Sinn Fein so that they would generally receive the same treatment as other political parties. PUS's recollection was that it was a creeping change rather than any grand new policy announcement. PUS said that the guiding light might be that the 'line of tolerance' for Sinn Fein should not be higher than before the ceasefire. Sir John Wheeler agreed that the principle was to lean on the pre-ceasefire position but as a matter of pragmatism there could be some flexibility so that we were not throwing the 'baby out with the bath water' on positive developments during the ceasefire.

12. Baroness Denton said that she hoped that we would not go back to the 'ridiculous position' of refusing to shake hands which she believed to be untenable. Sir John said that he had a difficulty with public hand shaking with Sinn Fein which might be photographed while there was a potential for these to be published along side photographs of an atrocity. It was agreed that there had been no

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formal guidance on hand shakes at any stage although the presumption had been to avoid them; it was probably best to continue to have no formal guidance in this area.

13. Moving from the general discussion it was decided to go through the summary of suggested guidelines as set out in Mrs Rogers' submission of 21 February;

a) No structure contact between elected Sinn Fein representatives and Government Ministers;

Although there was a debate on the semantics of what constituted "structured contact" the meeting agreed with this guideline that Ministers should not meet with an exclusively Sinn Fein delegation in any circumstances. Neither should they meet delegations which included Sinn Fein members on Ministerial home territory. Ministers would however meet (away from Ministerial home ground) groups which included Sinn Fein eg Malcolm Moss could, quite legitimately, meet the Partnership Board even though it had Sinn Fein representatives on it.

b) Ministers could continue their outside visits on the understanding that the only contact with Sinn Fein would be incidental and not substantive;

It was agreed that if Ministers met with members of Sinn Fein on outside visits then the contact would be 'incidental and not substantive' although again the semantics of what this actually meant were debated. There was particular concern that Sinn Fein should not be invited to meet Ministers on Government property; PUS said that security grounds were an entirely proper reason for this. There was general agreement that 'not substantive' needed clarification and Sir David Fell suggested that it might be classified as "the primary purpose" of the meeting was for another purpose other than discussion of policy matters with Sinn Fein, although if Sinn Fein were part of a group sensible discussions could take place.

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- c) Senior officials could continue to have contact with Sinn Fein representatives with specific ministerial approval.

Baroness Denton asked why, if she trusted her officials judgement on other matters, could she not rely on their judgement in this area. PUS noted the point but suggested that Ministerial approval was necessary because, in answer to a Parliamentary question, Ministers had to be accountable and indicate that they gave their agreement to such meetings. PUS did not believe that we needed to be more specific than say that contacts with Sinn Fein required 'explicit Ministerial approval.' This approval could be generic or cover a series of meetings, as Sir John Wheeler pointed out, was the case for senior officials meeting regarding the NI Partnership Board. PUS said that judgement would still be necessary and every case had to be regarded on its own merits and if bombs start going off then the 'tilt and balance' of desirability of particular meetings would shift; in short he did not wish to tie officials and Ministers to a general favourable pre-disposition in a potentially fluid situation. Michael Ancram agreed that explicit Ministerial approval for senior officials meetings with Sinn Fein is necessary. While the presumption might be that this approval would be granted in the particular circumstances we are in, where bombs do not appear to be going off, this might well change. Sir David Fell agreed with this and suggested that an additional line might be put in the guidance to say that CPL/Central Secretariat and PAB stand ready to provide advice to officials on these matters.

- d) Contacts between Sinn Fein and junior officials on constituency matters would continue uninterrupted;

All members of the meeting agreed that this should be the case and had been before the last ceasefire.

- e) HMG's policy on contacts with Sinn Fein would be on all fours with the Irish Government's

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Michael Ancram clarified this as meaning that we should not be doing anything which seems more "liberal" than the Irish but agreed with PUS that it should not mean that we would be a prisoner of Irish policy.

14. It was agreed that the position on prisons and official contact with Sinn Fein should be left separate from the overall guidance.

15. It was also agreed that Sinn Fein should continue to receive Press Notices and other material sent to all political parties.

16. On the basis of this discussion agreed guidelines are being prepared and will be submitted by Sir John.

SIGNED

Paul A Johnston
PS/Sir John Wheeler
OAB Ext 6498
8 March 1996

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