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Mr S J Leach - O
Associate Director Policing and Security

MEETING WITH FIRST MINISTER DESIGNATE

Mr Ingram was grateful for the briefing which you and Mr Webb provided for his meeting with Mr Trimble on Tuesday 26 January 1999 at Castle Buildings.

In attendance:

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| The Minister | First Minister Designate Mr David Trimble MP |
| Mr Stephen Leach | Mr Ken Maginnis MP |
| Ms Susan Scholefield | Mr Michael McGimpsey, Assembly Member |
| Mr William Stevenson | Mr Danny Kennedy, Assembly Member |
| Mr Noel Marsden | Mr David Campbell, Chief of Staff |

(There were also two other notetakers on the UUP side whose names were not given.)

Summary:

2. This was a turbulent meeting where Mr Trimble and Mr Maginnis made the Minister aware of their view that there should have been more consultation with the UUP over our 'Normalisation' policy. The Minister and Mr Leach made the point that the relevant section in the 'security' paragraph of the Good Friday Agreement seems in strict terms to refer to progress in implementing the strategy, not to consultation on the preparation of the strategy itself. The UUP, however, disagreed with this analysis and said that their interpretation of the relevant paragraph was that there should be full consultation with parties. Mr Maginnis' particular bone of contention was the lack of consultation (in his view) on the removal of security installations in Fermanagh/South Tyrone. The Minister replied that he was aware that Mr Maginnis had had extensive consultations with the Army and police, including being flown to various bases by helicopter so, if anything, he had been overconsulted; so much so that the Minister intended to review the level of facilities afforded to Mr Maginnis with a view to reducing it in the future. Mr Trimble also mentioned the Bloomfield Report and the Minister's criticisms that the UUP never responded to the consultation document. He argued that the setting up of a victims commission was an idea put forward to the Prime Minister by the UUP in 1997 as part of a series of

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confidence-building measures. On the issue of victims, Mr Kennedy asked the Minister to resign following his meeting with the Loughgall Campaign for Truth and Justice. Mr Maginnis also accused the Minister of putting prisoners before victims, and asked him why Ballygawley RUC Station was not on the RUC's rebuild list. Finally, at the end of the meeting, Mr Trimble had a tête-à-tête with the Minister where he mentioned that he had just come from a meeting with Portadown traders and was now asking the Minister to install a CCTV system in Portadown town centre. The Minister explained the problems we had with funding. Mr Trimble refused to accept this and said if the Portadown traders went bankrupt, the blame would be squarely at the foot of the Northern Ireland Office.

Detail

3. The meeting opened with the Minister advising Mr Trimble that the 'Normalisation' document would be published shortly. Mr Trimble asked the Minister why the UUP had not been consulted on it. He understood that the Minister had told Mr Maginnis that he (Trimble) had been consulted on the document, but this was not the case. The Minister reminded him that security briefings had been arranged for him and Mr Mallon, but since mid-November these had been cancelled at short notice by one or other of their offices. These briefings might well have covered this and related issues. Mr Trimble retorted that he was never told that these meetings were going to involve consultation on the 'Normalisation' strategy. He then asked the Minister specifically if he had ever intended to consult with the UUP. The Minister replied that Mr Maginnis had been consulted on such issues as the closure of security installations in Fermanagh/South Tyrone.

4. Mr Maginnis claimed that he asked the Minister in his telephone calls when where the UUP going to be consulted on the strategy and the Minister replied that he had talked to David Trimble and Seamus Mallon. The Minister retorted that he had said there were mechanisms in place to consult on these issues with Mr Trimble and Mr Mallon but he repeated again that the meetings had been cancelled by their offices not his. Pressing the point, Mr Trimble then asked the Minister to confirm to the group today that there had been no consultation with him.

5. Mr Leach commented that in our view the Agreement required consultation 'with the parties' on progress in implementing the strategy, not on its formulation. However, we had no wish to be pedantic. Mr Trimble said that the NIO read the text narrowly and the UUP read it widely. Either reading was possible, but there was a need for a modicum of co-operation with the Northern Ireland Office. Mr Leach said that the arrangement for

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informal briefings had been designed to address this. The Minister said that individual normalisation decisions were made by the Chief Constable, not Ministers. On these, there had been consultation on specific measures such as the Fermanagh patrol bases.

6. Mr Maginnis acknowledged that he had requested a meeting with the GOC on this issue and advised him that he was not prepared, in the short term, to have checkpoints taken away and he then requested to meet with the Chief Constable. The Chief Constable decided not to make an announcement, but the news was subsequently leaked. The Minister replied that the announcement was not leaked. It, in fact, became a matter of public knowledge when the security forces engaged contractors; really there was a straightforward inevitability. The Minister pointed out the risk that the facilities offered to Mr Maginnis, including helicopter flights to view bases, might cause difficulties with other parties. The level of consultation facilities afforded might need to be reviewed.

7. Mr Maginnis then asked the Minister about Ballygawley Police Station and why it was not on the list for rebuild. The Minister said that the list was drawn up by the Chief Constable and PANI, not the Government, so perhaps Mr Maginnis should pursue this with them.

8. There was then a short interval while the Minister went out to clear an urgent document. When he came back, the conversation returned again to the 'Normalisation' paper. Mr Maginnis pointed out that the Good Friday Agreement said that there should be consultation with political parties, not just the First Minister and Deputy First Minister. He claimed that the current stance being taken by the Government was evasive and defensive. Mr Trimble said that as the Minister was of the view that the UUP ought not to see the paper, he would raise the issue elsewhere (an obvious reference to the Prime Minister).

9. Mr Trimble said that most of the information he received on security came from the press. This plausibly suggested that in dealing with the Irish on the strategy paper, the Government might be in proxy negotiations with the IRA. The Minister retorted that press reports were not always accurate. The Minister pointed out to Mr Trimble that we make our decisions on the best security advice available, as well as looking at the political landscape. He added that security force activity which was no longer taking place could be reinstated if the threat increases.

10. Mr Trimble asked the Minister about the Irish Government's role in all of this, to which the Minister acknowledged that the RUC and Gardai are operating very successfully

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together. Mr Trimble claimed that there were ongoing negotiations with the Irish Government with regard to internal security matters in Northern Ireland. Mr Leach said that security dispositions were an operational matter for the Chief Constable, based on his assessment of the threat. In reply, Mr Trimble pointed out two recent statements made by the Taoiseach on the security strategy. The Minister said that we were not responsible for comments made by the Taoiseach or the Irish Government. Mr Maginnis interjected again to say that the British Government appeared to be closer to Bertie Ahern and his 'Foreign government' than the elected representatives of this society who in comparison were given no cognisance. The Minister said that inter-Government relationships were, of course, different to those with opposition parties. Mr Trimble said that the UUP was not strictly an opposition party: we were supposed to be working together so it was unnecessary to introduce an adversarial element to the discussion.

11. Moving back to 'Normalisation' the Minister said he believed that the Government had been co-operative with the UUP. He emphasised that if we widen out the consultation further with the UUP, we have to widen it for all parties. How could he differentiate between parties? Mr Maginnis replied that the Government's evaluation should not be the same with Sinn Fein. Mr Trimble added that, yes, the Government would have to consult with all parties, but it would be for them to judge the content of consultation with each party. The Minister then asked Mr Trimble what would happen if we told the UUP something that leaked to others not in the know. Mr Trimble assured the Minister that they would keep anything told to them in strict confidence.

12. Mr Kennedy then moved on to the issue of victims. He asked the Minister had he any concept of the anger and anguish that had been caused in the unionist community by him meeting the Loughgall Group. He had not met anyone who could justify the Minister's decision to do this and he equated the meeting with the Home Secretary meeting the parents of Myra Hindley. He then asked the Minister to resign. In reply, the Minister stated that he had approached the victims issue with both hands tied behind his back. He pointed out that the UUP did not respond to the Bloomfield Report. He also pointed out that following his meeting with the Loughgall Truth and Justice people, he had been involved in a meeting with the Secretary of State where Sinn Fein were highly critical of his treatment of the Loughgall group. He added that he does not necessarily agree with the people he meets but he has to be inclusive when meeting groups, not exclusive. Mr Kennedy replied that he was not saying these people had not suffered but their suffering was the fault of their relatives.

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13. David Trimble then intervened to ask the Minister was he aware that the Victims Commission was an idea put forward by the UUP to the Prime Minister in 1997? Ken Maginnis said he had recommended that such a commission be established as a confidence-building measure. David Trimble added that their party had deliberately taken a step back from victims because they did not want to exploit this for political purposes. Mr Kennedy said that anything he personally had done to date has been helpful, which the Minister acknowledged. He also asked the Minister not to judge FAIR on one loose cannon in their organisation. The Minister confirmed he would not and went on to say that he was not in a position to judge who was or wasn't a victim. Mr Kennedy asked the Minister, bearing in mind the context of the current political climate, (ie prisoners being released, paramilitary assaults and no guns being handed over) was it not a bad judgement to meet with the Loughgall group? In reply, the Minister asked why was it worse to meet relatives of murderers as opposed to murderers? Mr Trimble said that it was an issue of political judgement: this group had far more negative resonances than others to which the Minister replied that he would not differentiate in who he met. Mr Maginnis added that the Loughgall Group would still support violence and Mr Trimble interjected to say that there are obvious political consequences of that.

14. Mr Maginnis then moved on to the reintegration of prisoners. He asked why the Minister did not see a priority on innocent victims over the reintegration of prisoners into the community. The Minister replied that this was an unfair comment in that we have established various initiatives to take forward victims issues including the memorial fund, the trauma centres, educational trust, etc. He emphasised that this is being taken forward in the knowledge that it will fall to the Assembly in the near future. He added that he hoped to see more Northern Ireland politicians engaged in this matter as currently it was being left to civil servants and the health service.

15. Mr Maginnis then moved the conversation full circle again and asked the Minister if he was clear that a strategy paper was not a reporting document. Mr Trimble, going back to the security section of the Good Friday Agreement, said that he was clear in his own mind that political parties in the Assembly should be fully consulted. Mr Leach said that the spirit of the Agreement clearly favoured more consultation, not less; but given the sensitivities of security issues it was clearly important to find an appropriate and agreed formula for consultation. The Minister said yet again that we had established a process for consultation but the security meetings were cancelled. He suggested to Mr Trimble that we reinstate the meetings. Mr Trimble replied that there should be effective consultation soon on the progress of 'Normalisation'. Mr Maginnis added that it would be helpful if the

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UUP could be told what actions have been taken over the last six months and the strategy behind those decisions. The Minister promised to respond as best we could. [I should be grateful for further advice on this point].

16. The main part of the meeting terminated at this point and Mr Trimble had a private meeting with the Minister to discuss CCTV in Portadown which I have minuted separately to Mr Lindsay. Unfortunately this was, again, another fractious exchange which Mr Trimble terminated by walking out and saying as a parting shot that he had been advised by the Rev William Bingham that by meeting the Loughgall Group the Minister had ruined the chance to resolve the impasse in Portadown.

Conclusion

17. After the meeting the following was agreed:

- a minute should be sent to the Secretary of State alerting her to Mr Trimble's views on the consultation document and asking if she is content to continue to withhold consultation with the parties on the strategy document (in line with our interpretation of the Agreement); [minute issued on 27 January 1999];
- a letter should be sent to Mr Maginnis along the lines that the pace of 'normalisation' is determined by the Chief Constable's assessment of the level of threat. This letter should also list what we have done over the last 6 months; [**Action: SPOB**];
- Mr Stevenson should check out the UUP claim that a victims commission was their idea. [Mr Stevenson has subsequently confirmed that it was indeed their idea, but that does not take away from the fact that the UUP did not consult on the Bloomfield Report]
- Advice should be sought from Police Division on Mr Trimble's request for CCTV in Portadown. [Separate minute issued on 27 January 1999]

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