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MEETING TO DISCUSS GOVERNMENT POLICY TOWARDS PROVISIONAL SINN FEIN HELD ON
23 SEPTEMBER 1985

Present:

Secretary of State
Dr Boyson
Mr Scott
Lord Lyell
Mr Needham
PUS
Mr Bloomfield
Mr Barry

Mr Erskine
Mr Reid
Mr Carvill
Mr Gilliland
Mr Merifield
Miss Elliott
Mr McConnell
Mr Daniell



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1. Mr Bloomfield said that Provisional Sinn Fein had been proscribed until 1974. Now that PSF had elected representatives it was Government policy that Ministers would withhold the normal courtesies afforded them as District Councillors, Assemblymen and MPs but would not deprive them of the fruits of office. Having taken their seats on district councils, they could participate in the executive, representative and consultative roles associated with local government. The Unionist response had been to seek to isolate them, in some cases succeeding only in driving the SDLP into reluctant alliance with PSF. While two High Court decisions had gone against Unionist tactics on Craigavon Council, the presiding judges had made some revealing comments in obiter dicta-taking judicial notice of PSF's policy and noting that constitutional councillors' inability to exclude PSF from Council business laid them open to security risks. Mr Justice Hutton also suggested that had domestic law permitted it, the Unionists' action in Craigavon would have been in conformity with the European Convention on Human Rights. Against this background, Government had three options:-

- (i) maintain the status quo - in which case the disruptive effect on local government would continue, individual councillors might be at risk and HMG would be accused of hypocrisy;
- (ii) seek a middle course short of proscription, along the lines of one of the options discussed in Mr Bloomfield's paper of 30 July - none of these courses of action was foolproof and they would not remove PSF councillors from existing councils;
- (iii) proscribe PSF, possibly as part of a tough new approach in concert with the Irish.

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2. In discussion it was noted that proscription had been given serious consideration after the Harrods bomb but rejected on two main grounds:- PSF could dissolve and reconstitute itself under a different name; (ii) thousands of people might openly assert membership of PSF and thus flout the law. In present circumstances, to proscribe shortly after councillors had taken office would be highly controversial; PSF councillors could well resign and run again as independent Nationalists, in some cases being returned with large majorities. It was also worth noting that the Prime Minister had said as recently as July that proscription would undermine the process of democracy. Proscription could perhaps be contemplated if there were a significant change in circumstances, for example:- as part of a package following agreement with the Irish, following some PIRA spectacular (especially if councillors were involved in some way), a complete reversal of the abstentionist policy, or if PSF went further than they have at present in demonstrating their commitment to violence and affinity to PIRA. In certain circumstances proscription could be a powerful weapon to bring the Unionists on side following an Anglo-Irish agreement. It was pointed out that PSF had already gone a long way in their public posture on violence; Adams had said that PSF reserved the right to support the armed struggle and refused even to condemn violence, while the public perception of PSF was that it was synonymous with PIRA.

3. As for the middle course options, they were complex and some could bite upon people whom we did not wish to exclude from taking seats while not guaranteeing the exclusion of PSF. However, to do nothing would put HMG in a weak position in dealing with Unionist Councils who, understandably, were demanding action and threatening to force Government to put in Commissioners to run the Councils. This, taken with Anglo-Irishry, might fire up the Unionists to an extent that would be difficult to control. It might be possible to play for time - recognising the strong feelings that exist, discreetly hinting at action that can be taken within the existing law to reduce PSF influence on Councils and in the longer term looking at the middle course options. On the other hand, it would be difficult to persuade Unionists that the Government was taking effective action if it would only have an impact in three years, after the next Council elections. A more immediate problem than the next Council elections was the possibility of elections to the Assembly in 1986; if PSF stood for the Assembly and took their seats, then they could wreck all chances of internal political progress.

4. There were a number of ways in which Unionist Councillors could be discreetly advised to make use of existing procedures to minimise the influence of PSF - for example the delegation of a substantial amount of Council business to General Purpose

Committees. This could be pursued informally in discussions between DOE officials and Council Clerks; but any advice that was to be given would have to come from Ministers. However, on its own, this sort of approach would appear derisory to Unionists. So far as the Councils were concerned, it seemed likely that real difficulties might occur on the Unionist controlled Councils which had PSF representation. Some of these Councils were already pressing hard for meetings with Ministers and an early response needed to be devised before the first Council meetings after the summer break. There was little sign of serious disruption on the other Councils or on Boards and other public bodies to which PSF Councillors had been nominated.

5. PUS, in summing up, said that the problem might be tackled in three directions:-
 (i) prepare for proscription lest circumstances should warrant it; (ii) work up a strategy for tackling the results of PSF candidatures at the 1986 Assembly elections if they took place; (iii) explore the possibility of Councils making maximum^m use of Standing Orders to minimise the influence of Sinn Fein. The Secretary of State asked that the following actions be set in hand:-

- (i) the security forces to be consulted on the desirability and implications of proscribing Provisional Sinn Fein (action: Mr Stephens);
- (ii) a further examination of "half way" options (Mr Bloomfield);
- (iii) Mr Needham to see those Councils which requested meetings and express HMG's concern about the PSF problem, to talk through the Standing Order options and to make it clear that this was not necessarily Government's final position on the subject (PS/Mr Needham to note and to seek advice as necessary from Mr Reeve and DOE-NI);
- (iv) a draft reply to issue urgently from the Secretary of State's office to the Mayor of Craigavon, the draft having been prepared in the light of the meeting and approved by Mr Needham. (Miss Elliott to consider with DOE-NI whether the draft attached to Miss Elliott's submission should stand in the light of the meeting and to submit to PS/Secretary of State through PS/Mr Needham).

Jonathan Duke-Evans

PP J A DANIELL
 Private Secretary

24 September 1985