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Anne to PHiggins; on 2/6
Original to PHiggins; on 2/6
J. Palmer please

FROM: D BROOKER
 CPL DIVISION
 23 MAY 1995

cc: PS/Secretary of State (L+B) - 3
 PS/Sir John Wheeler (L, B&DFP) - 3+M
 PS/Mr Moss (L, DOE&DHSS) - 3+M
 PS/Baroness Denton (L, DAM&DED) - 3+M
 PS/PUS (L&R) - 3
 PS/Mr Felli - 3
 Mr Thomas - 3
 Mr Legge - 3
 NI Perm Secs - 3
 Mr Bell - 3
 Mr Blackwell - 3
 Mr Watkins - 3
 Mr Williams - 3
 Mr Steele - 3
 Mr Daniell - 3
 Mr Lamont, RID - 3
 Mr Leach - 3
 Mr Shannon - 3
 NIO Heads of Divisions - 3
 Mr Maxwell - 3
 Mrs Devlin - 3
 Mr Beeton - 3
 Mrs Rogers - 3

PS/Michael Ancram (L, B+DENI) - 3+M

CONTACTS WITH GOVERNMENT: SINN FEIN, PUP AND UDP

Now that the Minister has had a second meeting with Sinn Fein (and the Secretary of State has met Mr Adams) we seem to have reached the point where it would be appropriate to implement the new policy on contacts with that party, which the Minister explained to them at the meeting of exploratory dialogue on 10 May. The policy also applies to the PUP and UDP.

Advice to Departments

2. It would be sensible to issue advice to NIO Divisions and the Northern Ireland Departments (including their Next Steps agencies) so as to ensure that all parts of the Government machine understand the new policy and apply it consistently. I attach at Annex A some

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new draft guidelines which we have agreed with Central Secretariat. These deal not only with the question of meetings with Ministers and officials but also Government receptions, official mailing lists and public appointments. Paragraphs 8 and 10 assume that Ministers are not yet ready for Sinn Fein and the Loyalists to be invited to all government receptions, etc, like the other parties and that, save where legislation requires, they would not normally consider representatives of the 3 parties for public appointments. Paragraph 9, however, assumes that Ministers would be happy for the 3 parties to be placed on Departmental mailing lists. (The PUP already receive official papers because of the special position of Hugh Smyth).

3. I should be grateful to know if the Minister is content for the guidelines to be issued.

Outstanding Requests

4. I attach at Annex B a list, compiled by Central Secretariat, of the outstanding requests from Sinn Fein for meetings with Ministers or officials - 14 in total. Of these -

- 2 are for outside agencies (eg the Southern Health Board);

6 are more appropriate for meetings with officials (including IDB), and

the remaining 6 are more appropriate for a written response, and do not require a meeting.

5. This means that, of the 14 requests, none would secure a Ministerial meeting although some issues may be revisited in XD. This is, however, wholly in line with how they would be dealt with if the requests had come from the other parties with whom the Government already has normal relations.

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Recommendations

6. I should be grateful to know if the Minister is content for the draft guidance at Annex A to be issued, and for the outstanding requests from Sinn Féin at Annex B to be dealt with as recommended in that annex, subject also to Baroness Denton's and Mr Moss's approval in appropriate cases.

(Signed)

D BROOKER

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GOVERNMENT CONTACTS WITH SINN FEIN, THE PROGRESSIVE UNIONIST PARTY (PUP) AND ULSTER DEMOCRATIC PARTY (UDP)

Guidance to the Northern Ireland Office and Northern Ireland Departments

This guidance, which has been agreed between CPL and Central Secretariat and approved by Ministers, provides advice on how Departments should respond to requests for meetings with Sinn Fein the PUP and UDP. It replaces Annex A to the Central Secretariat Circular 1/91 headed "Access to Government" issued by Mr Hamilton on 28 January 1991, which is now disappplied.

The New Policy

2. Ministers advised Sinn Fein on 10 May, and the PUP and UDP on 16 May, that so long as exploratory dialogue continues they would be ready to consider requests from representatives of those parties, to meet Ministers and officials, on their merits. (Ministers had already announced earlier this year that they were prepared to receive cross-party delegations from District Councils in which members of Sinn Fein, the UDP or PUP were included). It was also made clear that -

- requests from these three parties would be dealt with on the same basis as requests from other parties;
- the three parties could not expect automatic access to Ministers and that, if a meeting were justified, it might often be more appropriate, as with other parties, for it to take place with officials responsible for the matters in question;
- it might be more appropriate for the matters raised to be dealt with in exploratory dialogue rather than in a separate meeting with Ministers or officials;
- the policy applied to representatives of Sinn Fein, the UDP and PUP - ie not just elected representatives.

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Handling Requests

3. Officials should bear the following points in mind when assessing individual requests -

that the new policy has been specifically introduced on the basis that it will continue in operation only so long as exploratory dialogue continues. The policy would therefore have to be reviewed again urgently, were exploratory dialogue (either with Sinn Fein or the Loyalists) to break down;

- that each case should be assessed on its merits, taking into account how similar requests from the other main parties would be dealt with. (In that connection Divisions may wish to consult Central Secretariat Circular 1/91 on Access to Government, circulated by Mr Hamilton on 28 January 1991, which gives general advice on how to respond to requests for meetings from the political parties and others);

- that in many cases it may be appropriate to offer a meeting with officials, rather than Ministers, or to deflect the request to another agency - for example the Northern Ireland Housing Executive or an Area Health or Education Board. Again, the guiding principle should be how a similar request from one of the other parties would be dealt with;

- that the subject matter might be more suitable for a meeting of exploratory dialogue rather than a separate meeting with Ministers or officials (the type of matter falling within this category might normally be NIO business such as political development, prisons, etc - and see paragraph 5);

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- that the new policy applies to any representatives of Sinn Fein, the UDP and PUP not just elected representatives;
 - that the three parties should not be treated more favourably than the other parties either as to the granting of meetings or the level of representation if meetings are approved.
4. When handling individual cases it would be helpful if Departments and NIO Divisions could follow a two-stage approach -
- first, take a view on the merits of an individual request, having regard to the factors mentioned above and
- second, once draft advice has been formulated, consult Central Secretariat and CPL before the case goes back to Private Office.
5. Central Secretariat and CPL will then consider, in consultation with SIL and others as necessary, whether to recommend that the matter is more appropriate to exploratory dialogue or whether other special handling arrangements are desirable. Central Secretariat and CPL will strive to ensure that the various requests are handled in a consistent manner.

Drafting of Replies

6. It would be helpful if, in drafting replies to Sinn Fein, the PUP or UDP, Divisions could bring out that in responding to a particular request the party in question was being dealt with on the same basis as other parties. This will help to reduce friction if the three parties are not given the level of treatment they are seeking.

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7. In terms of style, written replies to the three parties should be drafted on a similar basis as replies to the other parties. Thus, Departments should feel free to provide whatever written information they would normally supply to other outside agencies. The style should, however, remain formal.

Receptions, Presentations and Other Hospitality

8. In recent months Sinn Fein, the UDP and PUP have been invited to Government functions from which, hitherto, they were excluded (eg the Prime Minister's Economic Conference in Belfast in December 1994). There will continue to be occasions when, in the interests of securing cross-party involvement, it would be appropriate to invite elected members of Sinn Fein, the UDP and PUP to specific events, in addition to the other main parties. Before doing so, however, Branches should consult Central Secretariat and/or CPL. Until Ministers are ready to treat the three parties on exactly the same basis as the other parties for purposes of political development discussions it would be premature to assume that they should be routinely invited to official functions along with the other parties. Their attendance is likely to be the exception rather than the rule.

Official Documents

9. Sinn Fein, the UDP or PUP should now be sent copies of published official documents on the same basis as the other parties.

Public Appointments

10. Ministers wish to continue the policy whereby Sinn Fein, the UDP and PUP would not normally be considered for public office, save where as now, for example, legislation leaves no discretion with Ministers or Departments in accepting a District Council nomination. Departments should advise Central Secretariat immediately if it appears that representatives of any of the three parties will fall to be considered for such appointments.

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Contact Points

11. This guidance has identified the main issues which Departments are likely to have to consider; Central Secretariat and CPL will always be glad to advise on these or any other issues that may arise. Any queries should be addressed to Central Secretariat (01232 28158 or 28161), or CPL (telephone 0171 210 6575 and 6576).

CONSTITUTIONAL AND POLITICAL DIVISION

CENTRAL SECRETARIAT
MAY 1995

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SINN FEIN: REQUESTS FOR MEETINGS

The following is a list of outstanding letters from Sinn Fein Councillors, together with advice on how they should be handled under the new policy.

1. Mr O'Muilleoir's letter of 25 April to the Secretary of State to discuss the occupation of the Whiterock industrial estate by the British Army and the Government's failure to accord Irish language parity of esteem.

Officials would not recommend a meeting to discuss the Whiterock industrial estate. The reply to Mr O'Muilleoir should simply explain that the armed forces' use of the estate reflects a continuing security requirement and if that if the party wish to raise the issue they can do so in XD.

Mr O'Muilleoir could also be offered a written reply on HMG's approach to the Irish language and advised that this too has been raised in XD.

2. Mr O'Muilleoir's letter of 25 April to Michael Ancram on the De la Salle, Meanscoil Feirste and other Irish-medium schools.

A meeting could be offered with DENI officials.

3. Mr O'Muilleoir's letter of 25 April to Baroness Denton about the effectiveness of the IDB in West Belfast, and Conway Mill.

Mr O'Muilleoir should be diverted towards a meeting with IDB officials. The reply, which should also cover 1 and 2 above, should explain the current policy on Conway Mill without any offer of a meeting to discuss it.

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4. Mr O'Heara's letter of 28 April to the Secretary of State on funding for Irish-medium education.

Mr O'Heara could be offered a meeting with DENI officials. A meeting with Ministers would serve no useful purpose since the Secretary of State has decided that the decision to permit MBW funding for Meanscoil Feirste should not set a precedent for other Irish language secondary schools.

5. Mr Martin's letter of 1 May to the Secretary of State on traffic disruption caused by ramps in Fermanagh.

Does not justify a meeting of any variety. Mr Martin should receive a written reply advising him that ramps at security force bases will remain in place for no longer than security force commanders consider necessary, and that any concerns about specific locations should be sent to local police commanders direct.

6. Mr Martin's letter of 1 May to Baroness Denton to discuss job losses at Unigate.

A commercial decision, entirely for Unigate. Therefore a short written reply and no meeting.

7. Mr Mackey's letter of 1 May to the Secretary of State concerning economic and social matters in the Omagh area.

A meeting would not be warranted as Councillor Mackey was present at a meeting between Mr Moss and Omagh DC on 22 May 1995 when these issues were discussed. This should be explained in a short written reply.

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8. Mr Groogan's letter of 3 May to the Secretary of State on rural Irish language school.

Does not justify a meeting. A written reply, explaining Government policy, would suffice.

9. Mr Reeley's letter of 3 May to Mr Moss to discuss health matters in the Dungannon area.

Not for Ministers. A matter for the Southern Health and Social Services Board.

10. Mr McHugh's letter of 3 May to the Secretary of State on planning regulations in Fermanagh, inward investment, etc.

Meetings could be offered at official level with DOE Planning Staff and IDB.

11. Mr Mackey's letter of 1 May to the Secretary of State to discuss the continued ban on Conway Mill.

A meeting would not be appropriate, either with Ministers or officials. He should receive a written response explaining Government policy.

12. Councillor Mary Nellis, Derry CC dated 29 April to Michael Ancram requesting a meeting to discuss funding for Irish-medium education.

Treat the same as Mr O'Heara's letter of 28 April (item 4) - ie, a meeting with DENT officials.

13. Councillor Michael Ferguson, Lisburn Borough Council, dated 23 May to Mr Moss, regarding the standard of local housing flats.

Councillor Ferguson has already raised the matter with NIHE. Could be offered a meeting with DOE officials.

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