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cc PS/Ministers M
PS/PUS (L&B) M
Mr Brennan M
Mr Stephens
Mr Merifield
Mr Chesterton M
Mr M Elliott
Mr Ehrman M

PS/Secretary of State (L&B) M

REACTIONS TO ANGLO-IRISH AGREEMENT

1. I asked my Permanent Secretary colleagues in the NICS to meet me this morning so that we could discuss
 - (a) the reaction of senior colleagues in the Northern Ireland Departments to first phase briefing which they had been given on Friday;
 - (b) any further reactions within Departments after the week-end;
 - (c) the wider public perception of the Agreement, as assessed by that group through their own direct contacts; and
 - (d) any specific points requiring further clarification or other action.

REACTION TO FIRST-PHASE BRIEFING

2. All Permanent Secretaries had received early on Friday afternoon a briefing kit including the Secretary of State's personal message to members of the two Civil Services, the Agreement and communique, a summary leaflet, and the draft of an Office Notice which, subject of course to Parliamentary approval of the Agreement, would be issued to guide Northern Ireland Departments in dealing with the Intergovernmental Conference (IC) and its Secretariat. The last-mentioned was to be used by Permanent Secretaries as a brief in speaking to colleagues in Departments down to Assistant Secretary or equivalent level.
3. As reported by Permanent Secretaries, the general reaction of colleagues at this first day briefing was relatively relaxed. There was some discussion of how the Agreement would impact upon the work of Departments, and in this setting some of the clarification given by the draft Office Notice was felt to have been helpful and to a degree reassuring. There was some concern about the staffing implications for Departments of having to cope with yet another layer of bureaucratic machinery added to the existing complex and time consuming arrangements for consulting the Assembly etc. There was some interest in where a Secretariat would be located, and in whether members of the NICS would be involved in it.

FURTHER REACTION

4. The widespread view, however, was that developments over the week-end had left senior members of NICS noticeably less relaxed than they had been at the initial briefing on Friday. This reflected the generally suspicious and hostile reaction within the Protestant community at large. Many moderate Unionists were considerably influenced by the line of the "Belfast Telegraph" which had been far from supportive of the Agreement. The unfortunate remarks made on television by Mr Maurice Manning TD had fed the fears and suspicions that behind the published overt Agreement was a second, as yet unpublished, covert Agreement with still

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more unacceptable implications. Within the Civil Service itself there had been considerable resentment about remarks attributed to Mr Barry to the effect that, following the Agreement, Catholics in Northern Ireland would no longer be "belittled" by Civil Servants.

5. Colleagues felt that within the Unionist community, the overwhelming view was that all the real gains in the Agreement had accrued to the SDLP. By and large members of that community were unimpressed by the wording on status; they were sceptical about the prospects of any real improvement on cross-border security (and indeed made the point that as a self-proclaimed "good neighbour" the Republic should presumably have been doing its best all along); they doubted if the intention to adhere to the Convention will make any practical difference to the situation. Unionists felt that their leaders were being "rubbished" by Government and the media; and there was a very marked resolution amongst even moderate middle-class people to support any strong protest which had a peaceful and constitutional character.
6. Dr Hayes said that there was very little doubt that the Agreement had been successful in reinforcing the confidence and the standing of the SDLP. On the other hand he shared the general view of colleagues that remarks such as those made by Mr Barry were most unhelpful; that Government criticism and media hostility could drive Unionist opinion progressively into a corner; and that the SDLP must be persuaded of the importance not merely of avoiding triumphalism but of showing some willingness to accommodate Unionist interests (eg by participating in the Assembly in some way).

NORTHERN IRELAND ASSEMBLY

7. We discussed how to deal with the Assembly's "scrutiny" role, and agreed that if any of the Departmental Committees, continuing the taking of evidence on on-going business, invited Departmental officials to appear as witnesses they should of course respond as usual. We should also continue to communicate on a Secretary of State to Speaker basis unless and until it was absolutely clear that this avenue had been closed. On the other hand, there were substantial grounds for concern that the Unionists would indeed effectively close down the Assembly's "scrutiny" activities in committee, seeking to preserve the Assembly for the time being simply as a platform for ever more extravagant denunciations of Government and the Agreement. It was noted that the Unionist Parties had used the Main Hall of the Parliament Buildings for their press conference as if it were a Party Headquarters.

APPOINTMENTS IN THE PIPELINE

8. Article 6 of the Agreement gives the Irish Government the right to put forward views and proposals on the role and composition of public bodies, including the five specifically listed. A number of appointments (though not to those specified bodies) have been approved by Ministers and in the ordinary course of events would be announced between now and the end of November. A particularly significant such appointment is that of a new Chairman of the IDB (still to be approved by the Prime Minister). In considering how to deal with such an appointment during the immediate interim period, we have to be wary about establishing a precedent for case by case consultation about individual appointments to bodies other than the five actually listed. I do not recommend that we should consult the Irish at this stage about an appointment which is with the Prime Minister for approval; but it would I think be sensible to inform the Irish through diplomatic channels before it is actually announced.

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PROPOSALS FOR MAJOR LEGISLATION AND MAJOR POLICY ISSUES

9. Departments have been asked as a matter of urgency to review all legislation and policy development which is in the pipeline, having regard to the obligations of Article 5 (c) of the Agreement. I hope it will not be necessary to hold up business which has already gone through a substantial consultative process, but we shall clearly have to judge this case by case.
10. All my colleagues consider it to be very important that we hold to the line that consultation with the Irish through IC supplements other obligations to consult but does not displace or precede them. There is already considerable resentment that, as far as the Agreement itself is concerned, SDLP appeared to be on an "inside track" and the Unionists not consulted. This resentment would simply be reinforced and perpetuated if, on specific issues of policy, the Irish Government as surrogates for the SDLP were to be consulted on a specially privileged basis before any other interests were given any idea what was going on. This is a point to which we will have to pay very careful attention before we finalise the wording of an Office Notice to guide Departments.

THE SECRETARIAT

11. A number of colleagues know Michael Lillis, and emphasised the importance of matching him in terms of weight, experience and knowledge.

THE FUND

12. A number of colleagues asked questions about the Fund, and what might be in it for their Departments. I briefed them on developments to date, and told them that Dr Quigley and I would be involved in further detailed discussions with the Irish in the course of the present week.

ROLE OF THE CIVIL SERVICE

13. All of the colleagues were concerned about attempts being made by the Belfast News Letter and others to bring the NICS into the political firing line. Words like "Quisling" were being bandied about in some quarters. There were, however, divided views as to whether we should react to this. Some thought that any comment would only draw further fire. Others were of the view that at the right time (and subject of course to the approval of Ministers) it might be helpful for me as Head of the NICS to make some sort of public comment on the role, responsibilities and obligations of a civil servant in Northern Ireland (which, after all, Robert Armstrong had done for the HCS earlier this year). I asked colleagues to think further about whether any such statement by me could be helpful, in terms both of the NICS itself and of the wider community.

K.P. Bloomfield

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