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*Jmc 241/95*

FROM: D BROOKER  
CPL DIVISION  
2 MAY 1995

cc: PS/Secretary of State (B)	-B
PS/Sir John Wheeler (L,B&DFP)	-B/F
PS/Michael Ancram (L,B&DENI)	-B/F
PS/Baroness Denton (L,DANI&DED)	-B/F
PS/Mr Moss (L,DOE&DHSS)	-B/F
PS/PUS (L&B)	-B
PS/Mr Fell	-B
Mr Thomas	-B
Mr Legge	-B
NI Perm Secs	-F
Mr Crozier, T&EA	-F
Mr Bell	-B
Mr Watkins	-B
Mr Williams	-B
Mr Leach	-B
Mr Blackwell	-B
Mr Wood (L&B)	-B
Mr Stephens	-B
Mrs Devlin	-B
Mr Maxwell	-B
Mr Maccabe	-B
Mr Dodds	-B
HMA Dublin	-B
Mr Lamont	-B

*160/S*

*1. to Mr McCarty  
JFA 5/1*

*2. Mr Brooker*

*3.5*

PS/Secretary of State (L) -B

CONTACTS WITH SINN FEIN

REPLIES TO COUNCILLOR O'MUILLEOIR: MINISTERS CASE SOS/00277/95

Following Ministers' decision that Michael Ancram should now participate in exploratory dialogue with Sinn Fein, it is apposite to review our broad policy on contacts between Government and Sinn Fein, the UDP and PUP generally. To give specific focus to this review the Secretary of State, Michael Ancram and Baroness Denton have now received letters from Councillor O'Muilleoir (dated 25 April) revisiting the question of his earlier requests for meetings to discuss a range of issues affecting West Belfast. As this is a subject on which there tends to be a range of views across the office Ministers might, with advantage, hold a meeting before decisions are taken.

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Analysis

2. When we have looked at how the Government might go about the process of normalising its contacts with the three parties in the past, we have envisaged them passing through a number of graded steps -

- they might, first, be permitted to meet senior officials in their own right to discuss economic and social issues;
- they might then be allowed to meet senior officials to discuss security and political issues (although it should be noted that issues associated with security policy are not generally regarded as suitable for discussion between officials and outside bodies. The principle that would be applied to Sinn Fein, therefore, is that they would be treated in a similar fashion to the other parties);
- "Departmental" Ministers might join XD or LXD, but solely for the purpose of bringing specific political direction to the discussions, not as a sign that the parties were being fully accepted into the political fold. (That would still be dependent upon continuing progress in (L)XD);
- Junior Ministers to engage in discussions with Sinn Fein in their own right, on issues relevant to Government policy - whether economic, social, political or on security matters;
- the three parties to have direct access, in their own right, to the Secretary of State, to discuss any issue of Government policy. For all practical purposes, the first meeting with the Secretary of State would provide formal recognition that the parties were now being inducted into the normal political life of the Province.

3. Ministers thought that, in principle, there was merit in following a phased approach along these lines (Mr Howard's and

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Mr Jagelman's minutes of 31 and 30 January respectively, in response to my earlier submission on "Access to Government" dated 30 January). The five phases mentioned above can however, be regarded as illustrative rather than conclusive.

Is there a case for greater easement of the current restrictions?

4. In my view, yes. As the ceasefires have continued to hold, the community has seen that Ministers are prepared to allow contacts to take place in XD and LXD, and also admitted Sinn Fein Councillors to the Prime Minister's Economic Conference in the Europa; as a consequence it has become progressively more difficult to justify and maintain a rigorous and coherent line against other forms of contact between Sinn Fein and the different arms of Government. At a working level it is much harder to defend a distinction where local officials are allowed to have contacts with Sinn Fein and the Loyalists on so-called constituency issues, but not on wider issues of policy. There are few clear dividing lines.

5. The decision now that Michael Ancram can join exploratory dialogue with Sinn Fein will, as Councillor O'Muilleoir's letters in effect bring out, highlight the widening gap between Ministers' willingness to meet Sinn Fein in their own right in exploratory dialogue but to deny contacts in other configurations. The decision that Mr Moss should attend a full session of Belfast City Council at which he can expect to be questioned, amongst others, by Sinn Fein will also underline the variables in HMG's approach. The events of the past 24 hours, when Sinn Fein, have mounted street protests, also suggest that the longer we adhere to a rigid line on contacts with Government outside XD, the greater the sense of antipathy we will generate with Sinn Fein. It looks as if they are now set upon a programme of public demonstrations, possibly backed up by legal action against HMG.

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The scope for changeThe present position

6. At present Ministers have agreed that they will accept invitations from cross-party delegations of district councillors, including Sinn Fein or the UDP and PUP, and that they will tolerate casual contacts with representatives of the three parties in the course of outside visits. As an extension of the policy towards district councillors, Ministers have also accepted that Sinn Fein could be invited as part of cross-party groups to the Prime Minister's Investment Conference at the Europa and to the Memorial Service for the VE Day Celebrations. Apart from those exceptions, however, Ministers decline all structured contacts with Sinn Fein (though not always with individuals in the UDP and PUP). The present policy also excludes senior officials from meeting Sinn Fein or the Loyalists except in exceptional circumstances and with Ministerial approval.

The scope for change

7. In my own view there is now a clear and compelling argument that provided Michael Ancram's first meeting with Sinn Fein confirms that they are prepared to work seriously in exploratory dialogue, Ministers should now relax the policy to allow senior officials to meet Sinn Fein and the two Loyalist parties in their own right on social and economic issues. This would, at a stroke, allow us to deal with many - though not all - of Mr O'Muilleoir's requests; it could help, in a modest way, to bind Sinn Fein closer into constitutional politics while avoiding dialogue with them on the more controversial issues of politics and security; but still allow Ministers plenty of room to defend themselves against allegations of concessions to Sinn Fein by explaining that the ban on contact with Ministers outside XD remains in place, and that political and security issues are not on the agenda.

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8. This approach would not, of course, deliver Councillor O'Muilleoir the main prize he is seeking - meetings with the Secretary of State, Michael Ancram and Baroness Denton. It is worth remembering, however, that Ministers would not normally meet delegations led only by a district councillor, or deputations of councillors which speak for only one party on a Council. In short, if Mr O'Muilleoir were in any party other than Sinn Fein we would not expect to accord him meetings with Ministers. Moreover, on a more substantive level it might be perceived as premature to offer meetings with other Ministers until we see what success Michael Ancram has in XD. If Sinn Fein engage constructively across a range of matters it might be desirable to deploy other Junior Ministers in XD on matters of departmental interest or to agree to meetings with Junior Ministers outside XD/LXD. Much will depend on what Unionist opinion would tolerate at the time; Ministers might also regard it as vital that no early action is taken to undermine the distinction, on which they have placed much weight recently, between their readiness to engage in XD and their position that Sinn Fein have not yet done enough to be treated on all fours with other, constitutional parties. As a consequence of this, there should be no question of the Secretary of State having any substantive contacts with Sinn Fein for the present.

A more radical approach?

9. The above approach is designed to draw a balance between the two conflicting propositions, which have always influenced the Government's approach to Sinn Fein over recent years, of a reluctance, on the one hand, to treat them like other constitutional parties until their bona fides as a democratic party have been firmly established; and, on the other, a recognition that they cannot be ignored altogether. If Ministers were looking for a more ambitious approach, an alternative would be to declare that since the Government has now crossed the threshold of accepting face-to-face meetings with Sinn Fein, all future requests for meetings, on any subject, would be treated on their merits. On the

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face of it this would appear to be a more forward approach; it would imply that Ministers at any level - certainly including the Secretary of State - could, in principle, be available for meetings. In practice, however, the reality might be somewhat different if Ministers wanted it to be. There need not be an opening of the flood-gates, just greater feasibility at the margins. Presentationally such an approach could have considerable benefits in terms of reducing the current pressures on HMG from the US, Irish Government and Nationalist community to treat Sinn Fein more favourably; it might make for a smoother passage at the Washington Conference. On the other hand, some in the Unionist community, particularly the DUP, might perceive it as a collapse of Government resolve before Ministers had achieved their objectives in XD. The proof of the pudding would, of course, be in the eating; the real test would be whether Ministers started agreeing to meetings, either at their own level or involving officials, which previously they had refused.

Correspondence with Councillor O'Muilleoir

10. He has written to the Secretary of State, Michael Ancram and Baroness Denton re-opening requests for various meetings with Ministers or senior officials that have been refused over the past six to nine months. These are to do with -

Secretary of State

- (i) the occupation of the Whiterock industrial estate by the British Army;
- (ii) the Government's failure to accord Irish language parity of esteem;

Michael Ancram

- (iii) DENI's refusal to fund the move of Lasalle School to a new site in Andersonstown;

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- (iv) DENI's failure to recognise or fund six of the nine Irish medium schools in the North;

Baroness Denton

- (v) the ban on funding to Conway Mill;
- (vi) IDB's record in West Belfast;
- (vii) Springvale Fujitsu Fulcrum Project;
- (viii) as with the Secretary of State, the occupation of Whiterock industrial estate and the withdrawal of troops from West Belfast.

Mr O'Muilleoir also asked Mr Crozier, the Chief Executive of the T&EA for a meeting to discuss the role and remit of the Agency; sought a meeting with IDB and DED officials to discuss harnessing the peace dividend (8 November); and wanted to meet DED officials to discuss job creation in the Upper Falls (2 March).

11. If Ministers were to adopt the policy change recommended in paragraph 7 above this would clear the way for meetings between officials and Sinn Fein on (ii), (iii), (iv), (vi) and (vii) above, as well as the meetings with officials mentioned in paragraph 10. These would all fall in the category of meetings on social and economic issues. Ministers would not, however be agreeing to meetings to discuss Conway Mill or the Whiterock industrial estate since these relate to issues of security policy (points (i) and (v)). (It should be noted however, that our handling of Conway Mill, in the context of this correspondence, could be affected by Ministerial decisions on Mr Watkins' submission of 28 April). If meetings were to take place between Sinn Fein and officials we would assume that Sinn Fein would be treated in exactly the same way as other parties, in terms of the level of official representation. It would be invidious if they were to be treated any more favourably.

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12. If Ministers adopted the more radical approach in paragraph 8 then it would be for consideration whether they accepted more meetings than those mentioned in paragraph 11 or at a higher level.

Conclusions

13. Ministers will wish to consider whether they are content with the new approach outlined in paragraph 7. In doing so they may wish to take a view on the comparative merits of the alternative option in paragraph 8. If Ministers are content with the approach in paragraph 7 then I recommend that the Secretary of State's office sends a single, composite reply to Mr O'Muilleoir covering all the issues. I attach a draft. As is mentioned above, the reply should not issue before Michael Ancram's first meeting in XD.

14. Ministers are therefore invited to -

- consider the merits of the two approaches in paragraphs 7 and 8;
- agree that - if they prefer the approach in paragraph 7 - senior officials should now be authorised to meet Sinn Fein and the two Loyalist parties in their own right, on social and economic (but not political or security) issues, subject to Michael Ancram's first meeting with Sinn Fein confirming that they will work constructively in XD;
- note that this approach would provide a way for many, though not all, of Councillor O'Muilleoir's requests to be dealt with, but at official rather than Ministerial level (paragraph 11);
- approve the attached draft reply.



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15. If Ministers agree to move ahead with this change we will issue revised instructions to the Northern Ireland Departments and produce Q&A material for when the news breaks. It may also be necessary to advise No 10 of the change in advance and, as a courtesy, inform the Irish (and the PUP and UDP).

signed David Brooker

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DRAFT

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April 1995

LETTER FOR SIGNATURE BY PS/SECRETARY OF STATE

You wrote separately, on 25 April, to the Secretary of State, Michael Ancram and Baroness Denton. I have been asked to thank you for your letters and to reply on their behalf.

The Secretary of State has decided that, in the light of your party's serious engagement in exploratory dialogue, he is content that officials from the Department of Economic Development, the Industrial Development Board and the Department of Education should meet you to discuss the issues that you have raised and that are of social and economic interest to the people you represent. This would not, however, include the army's use of the Whiterock Industrial Estate, which is a matter relevant to security policy, nor the funding of Conway Mill, the Government's policy on which has already been clearly stated on the public record.

If you would contact the Ministers' offices in the Department of Economic Development and the Department of Education arrangements for the meetings will be put in hand.

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