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NOTE OF A WORKING DINNER HELD IN PARLIAMENT BUILDINGS
ON MONDAY 20 APRIL 1998

Present: Mr John Semple
Mr P Carvill
Mr G Loughran
Mr R Spence
Mr P Small
Mr C Gowdy
Mr D Watkins
Mr T McCusker
Mr D Ferguson
Mr D Crabbe

File Inter-Dep: Gowdy

Progress towards a new Administration

1. Mr Semple opened the discussion by stating that there was a great deal of work to be done between now and the establishment of a devolved administration, much of it within an extremely short timescale. He noted that Tony McCusker was chairing an inter-departmental group which was addressing many of the devolving issues. However, there is a raft of other issues, many at a strategic level, which will need to be addressed both at senior level within Departments and inter-departmentally. Co-ordination and information flow would be difficult as the pace of development of the issues gathers momentum, hence the need for this meeting.
2. Turning to the issues to be addressed, Mr Semple encouraged free-ranging discussion. The following points were noted.

Referendum

- ♦ It was noted that no formal Government campaign would be taking place but Ministers would undoubtedly be looking for opportunities not only to encourage voting but to adopt a positive approach towards the Agreement.

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- ◆ Propriety guidelines for civil servants during the course of a Referendum campaign would be issued shortly from CPG.
- ◆ It was noted that the NIO would be briefing staff on the content of the Agreement - it was felt that such detailed briefing would be inappropriate for NICS staff and encouragement to read the Agreement in detail should be the order of the day.
- ◆ Legal aspects on Government advertising either to promote a yes vote or even to promote participation in the Referendum were currently being examined by the Director of Communications, Tom Kelly.
- ◆ Line to take if tackled publicly about support for a yes vote or any other aspect on the Agreement generally should be along the lines of pointing towards the Secretary of State and Prime Minister's warm endorsement of the Agreement.

Election Bill

- ◆ It was noted that some complications on the financial side had now been sorted out (with the majority having to be paid from the NI Block).

Settlement Bill

- ◆ Likely to be laid during the Parliamentary recess. However, this would depend on the House of Lords.
- ◆ It was noted that there was no power of general competence as in the Scottish model.

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Shadow Assembly

- ◆ Some fundamental issues yet to be sorted eg where will it meet in the interim and in the long term.
- ◆ There was a need to perhaps consult with parties to address some fundamental issues pre-election.
- ◆ Proposal to split Central Secretariat and bring in a fresh (untainted?) team to support the Shadow Administration in the interim period.
- ◆ Need to sort out relationship with Direct Rule Ministers - would this be purely consultative?
- ◆ Note that many of the parties have expressed a wish to have 'awkward' decisions taken before devolution.
- ◆ Concerns over the workings of committees - would safeguards be built in as in US model?
- ◆ Noted that the line of authority is very clear for Ministers and for committees, all power derives from the Assembly itself.
- ◆ The North/South co-operation aspects would dominate the work of the Shadow Assembly in the interim period.
- ◆ It was noted that the new Assembly will operate more like a Parliament than a local authority.

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- ◆ Need to offer help to the parties as soon as possible to facilitate their understanding of working arrangements etc - this at least to help build confidence.
- ◆ Need to assume minimum collective responsibility will be the order of the day.
- ◆ In addition to Tony McCusker's inter-departmental group drawing up options there would be a need for a paper to be drawn up by NI Perm Secs collectively, pro-actively looking at the options for Departments.
- ◆ New Ministers/Committees would not look kindly at a protective approach.
- ◆ Such a paper would safely assume a larger number of Departments and would also need to define the role of the Minister. Need to promote partnership with Ministers.
- ◆ Paper should be prepared to table options eg non-current Departmental work (Women's Minister? Law Reform?).
- ◆ Also need to ask potential new Administration what do they want?

North/South Co-operation

- ◆ Departments will be heavily involved in the development of North/South co-operation, not so much in identifying what it would be but how it will operate to best effect.

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- ◆ Such work will need to be carried out quickly and through the summer of 1998. Any discussions with the Irish can only be on a one to one basis at informal level, to safeguard the integrity of negotiation by the Assembly.
- ◆ Irish Secretary Generals are the models of what NI Perm Secs might become?!
- ◆ Need to take account of staff fears etc (eg mobility rules to operate in the South; can they be forced to work with or in another jurisdiction?).
- ◆ Need to allay the fears of staff as regards any pre-determined agenda.
- ◆ Need to brief downwards, Permanent Secretary-Senior Staff-cascading downwards to all staff.
- ◆ Needs to be stronger information flow eg notes of inter-Departmental group meeting etc being promulgated more widely.

Civic Forum

- ◆ Need to make preparations for the Civic Forum, possibly building on the energies created in the District Partnerships.
- ◆ DOE to lead on this, drawing on District Partnership experience.
- ◆ Whilst there may not be much political stomach for a Civic Forum, it needs to be treated seriously.

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Financial Dowry

- ◆ Three potential sources of goodwill assistance post-Agreement have been identified viz Chancellor's Initiative/US (through IFI plus?) and EU.

Transitional Arrangements

- ◆ Need for each Department to establish a transitional unit to focus exclusively on the key issues leading up to devolution.
- ◆ Such a unit would need to co-ordinate with inter-Departmental group representatives.
- ◆ Broader staffing issues need to be addressed to prevent a log-jam occurring.
- ◆ Staffing implications for the Assembly have been looked at by CPG and will potential involve transfer of Forum and Talks administration staff, at least initially.
- ◆ Staffing of the Executive still needs to be addressed fully.

Employment Equality Review/Rights

- ◆ Will there be a Department of Equality?
- ◆ As regards rights, the law will be reserved but the practical application could be transferred.
- ◆ Would these issues fall to the office of the First Minister and Deputy First Minister? (ie looking after the Equality Commission, TSN, Language etc)

- ◆ In addressing this, it must be borne in mind that equality law must be pure.
- ◆ Potential for a Department of Employment (Labour Affairs) and Equality?
- ◆ Need to ensure that community relations does not get lost in all of this and retains a focus and life of its own.
- ◆ Need to take account of community development issues and fund accordingly.

Legislation

- ◆ Legislation calendar needs to be addressed to sort out what needs to be got through Parliament before February 1999 and what can wait until after devolution (George Gray/Doreen Brown looking at this).

Way Ahead

In closing, Mr Semple echoed the view of the meeting that this had been a useful forum and should be continued with a more rigid agenda on perhaps a fortnightly basis. Some issues had not been covered (eg victims, economic and social issues, and others). It was agreed that future meetings would take place in a similar format but with an agenda promulgated in advance along with any relevant papers to be addressed.



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