

E.R.

19/11

CONFIDENTIAL

① Sir Ewart
② POL
19/11

28/11

Mr Angel

cc: PS/Secretary of State (L&B) - M
 PS/Lord Gowrie (L&B) - M
 PS/Sir Ewart Bell (B) - M
 Mr Brennan - M
 Mr Bourn (B) - M
 Mr Merifield (B) - M
 Mr Buxton (B) - M
 Miss Davies, Cent Sec (B) - M
 Mr Doyne Dittmas (B) - M
 Mr Chalmers (B) - M
 Mr Gilliland (B) - M
 Mr Blatherwick, PAB - M
 Mr Jackson, PRBI - M
 Mr Abbott, CPL - M
 Mr Templeton, Inf Services (B) - M
 PS/PUS (B) - M
 Mr Boys Smith

APPROACHES TO GOVERNMENT BY SINN FEIN ASSEMBLYMEN

Thank you for your submission of yesterday's date.

2. Mr Woodfield has approved the guidelines set out in the paper, that is to say in paragraphs 9 to 13, subject to one drafting amendment suggested by Mr Bourn. In paragraph 10, the third and fourth sentences should be amended to read -

"In the case of correspondence with Government, the matter should generally be referred for consideration by a Minister; a reply, if any is called for, should be brief and neutral". It would be exceptional to recommend that Ministers should agree to a meeting".

(The amendment is underlined).

D BROOKER

PS/PUS

18 November 1982

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① Sir Ewart Bell 15/11
 US is wishing to approve
 this subject to your views 265/11

② POL

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DESKBY 9 30 AM 18 NOV

Mr Woodfield (L&B)-M

cc: PS/S of S (L&B) -M
 PS/Lord Gowrie (L&B) -M
 ✓ PS/Sir Ewart Bell (D) -M
 Mr Brennan
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 Mr Gilliland (B) -M
 Mr Blatherwick PAB -M
 Mr Jackson PRBI -M
 Mr Abbott CPL
 Mr Templeton Inf Servs (B) -M



APPROACHES TO GOVERNMENT BY SINN FEIN ASSEMBLYMEN

In your minute of 11 November to Mr Brennan, you asked that the guidance on the above subject should be submitted to you for approval, except that access to prisons should be submitted separately to the Secretary of State on his return. This note deals with non-prison matters. It was discussed at Monday's meeting of the Political Developments Group under Mr Brennan's chairmanship.

2. The broad policy has already been expounded by the Secretary of State in his Week-end World interview with Brian Walden. On being asked if he would be prepared to see Mr Adams the Secretary of State replied:-

"No, the position is absolutely clear. If they are prepared or Mr Adams or anyone else is prepared to talk about constitutional government, that means renouncing weapons and renouncing violence, then that is one state of affairs. As far as representing their electors is concerned and their constituents, then we have a form whereby they are able to make representations and are able to see Junior Ministers and they do get answers from

/ Ministers

"Ministers to letters that they write, and that we will of course continue to do ... we've always made a very clear distinction between talking to them on a constitutional basis and dealing with the problems of their constituents, because their constituents are people in Northern Ireland, they have been elected in this case by democratic means and we have obviously a duty towards those constituents and that we will fulfil."

3. The application of that broad policy will excite considerable interest. Although the handling of Mr Carron as a MP has been cited as a precedent, there are important distinctions. Though Mr Carron is now a Sinn Fein Assemblyman, he was elected to Parliament as an Independent. His Sinn Fein affiliations were well-known but he had no significant personal notoriety. The very rare interviews which he has had with a Junior Minister at the Northern Ireland Office form a limited precedent for receiving Mr Adams as the leader of a Sinn Fein Party at a time when Mr Adams and his Party are openly advocating support for the IRA's "armed struggle".

4. The arguments for a relaxed approach, at least on constituency matters, are both positive and negative. The positive is that the Government's long-term policy is to wean Sinn Fein and any other men of violence to constitutional politics. Even if there is no short-term prospect of success, involvement in politics may occupy people who might otherwise be busy with violence and could lead to divisions in the PIRA/Sinn Fein leadership. But whereas the Government wants to replace violence by politics, it is arguable that the more successful Sinn Fein are in running both together, the less tempted they will be to abandon violence and the stronger they will become. If Sinn Fein are treated much the same as the SDLP the inducement towards constitutional politics is weakened and the position of the SDLP the more liable to erosion. Any idea that Sinn Fein will be seriously tempted to compromise its long-term

/ objective

objective on account of dealing with Ministers on constituency matters is not only unrealistic but will be recognised as such and accordingly viewed with suspicion by Unionists.

5. The negative arguments are, however, more powerful. The Sinn Fein Assemblymen gained election through the democratic process. If they are denied the benefits of that success the Government will be accused of cheating and hypocrisy in its argument for the democratic process as against violence. Sinn Fein was de-proscribed by Mr Rees in 1974. Unless that decision is reversed, it will be argued that only evidence which will stand up in court concerning the personal involvement of individual Sinn Fein Assemblymen in violence would justify special adverse treatment. One can counter that access to Ministers is a convention not a right and is varied according to circumstances; that the Assembly is a different institution from Parliament and Parliamentary conventions do not necessarily apply exactly; that multi-membered constituencies mean that no elector is unable to pursue a grievance through Assemblymen because Ministers are not ready to receive one of several Members. But such general arguments will not make much headway against the simple appeal to democratic principle - especially in the United States and elsewhere abroad.

6. The substantial grounds for distinguishing Sinn Fein from other Assemblymen are threefold:-

a. Anti-constitutional - they reject not only the Assembly but refuse to recognise Northern Ireland as part of the United Kingdom or the institutions of the State. Their position has been made abundantly clear and those who voted for them were knowingly voting to have nothing to do with the United Kingdom or its institutions. Sinn Fein and their electors cannot reasonably complain at being taken at their word;

/ b.

- b. Violence - open support for violence distinguishes Sinn Fein from all but the most extreme political groups. The Communists and the National Front and even most Trotskyists are overtly more negative, or at least reserved, about violence. The fact that Sinn Fein are not proscribed means that criminal process is not thought appropriate, rather than implying respectability;
- c. Security risk - the general principle that individual Members of Parliament are not given information or facilities which would prejudice security has limited practical relevance to handling most MPs or Assemblymen. But, partly as a consequence of b, above, it will affect Sinn Fein Assemblymen. Access to prisons and the police are obvious examples.

7. The above considerations apply also ^{to} the substance and style of the reply as well as the level at which it goes. There could be advantages if Sinn Fein Assemblymen were less successful in advancing the interests of their constituents than other Assemblymen. It would be wrong in principle and lead to criticism for the Government to change established practices of treating requests on their merits. It would not be appropriate to promulgate a general policy of refusing an application because it was made by a Sinn Fein Assemblyman. Nevertheless there need be no reluctance to give a negative answer to a point raised by Sinn Fein Assemblymen when the merits justify a negative answer. Moreover it would often be natural for the replies to Sinn Fein Members to be drafted with greater reserve and brevity than those to other Assemblymen.

8. In the light of the above considerations we seek approval to guidelines as follows:-

TRANSFERRED

TRANSFERRED MATTERS

9. a. Correspondence

Letters from Sinn Fein Members addressed to Ministers about "transferred" matters should receive Ministerial replies. It will be for Private Offices to pay particular attention to the style, substance and possible political implications of the replies;

b. Meetings with Ministers

The Secretary of State has indicated that meetings be limited to Junior Ministers and constituency business. It will in practice be difficult to prevent a Sinn Fein Member or deputation straying from the subject, as we would like to define it, and making public capital of what they say. It would seem prudent not to agree too readily to Ministerial meetings but to try to deal by correspondence as far as possible or to try to work through interested parties in conjunction with other Assemblymen. If Sinn Fein Members press for a meeting they should be asked to set out first in writing the topics they wish to raise, a press officer should be present and a careful record made of what took place;

c. Approaches to Officials

The practice that elected members deal with Ministers only is much less rigorously applied than at Westminster and Assemblymen are likely to approach local offices of DHSS or DOE about individual constituency cases. Sinn Fein advice centres have been dealing with local offices before the Assembly elections. Where the approach concerns one or two individuals and does not appear to raise wider questions of policy, the local office should deal with it as it would for any other Assembly Member. Otherwise, or if in any doubt, the approach should be referred to the Minister's Private Office before any reply is sent.

RESERVED MATTERS

10. The Secretary of State has encouraged Government agencies such as the Police Authority to maintain a good relationship with the Assembly and its elected Members, while recognising that the obligation is less in the case of "reserved" than "transferred" matters. Since however law and order matters form the bulk of the "reserved" field this positive attitude extends only in small degree to Sinn Fein Members, and caution is appropriate. In the case of correspondence with Government, officials should refer approaches for Ministerial consideration; if a reply is called for, it should generally be Ministerial; the draft should be brief and neutral. It would be exceptional to recommend that Ministers should agree to a meeting.

11. Government agencies (Police Authority, Police Complaints Board, Training School Boards) have been advised to refer to the NIO if they should receive approaches.

12. The ROC will treat approaches from Sinn Fein Assemblymen with circumspection. In principle they will not be distinguished from other members of the public, and in any event will not be accorded interviews with any officer above the rank of inspector. The Army would hardly expect direct approaches; if they should be received, they would be directed to the local Civil Representative or to the police as appropriate. The Civil Representatives (who are on the strength of the NIO, but act as advisers to Army Brigade Commanders in their relations with the community) would deal with Sinn Fein Assemblymen as they do with other local contacts; that is, they would accept requests for assistance on behalf of local citizens on matters within their own competence (search damage etc), and refer matters of policy to the relevant Department.

EXCEPTED MATTERS

13. Sinn Fein Assemblymen may write to United Kingdom Ministers outside the Northern Ireland Office. The Assembly has no standing

matters. We do not wish to encourage any
to involve themselves in such issues, Sinn Fein
Other Departments in London will be advised, at
every level, that correspondence from Assemblymen
is a matter of routine, receive Ministerial replies,
is particularly inappropriate in the case of Sinn Fein.

See to the guidelines proposed advice on what should
be done and what can be disposed of locally will be issued
to Ireland Departments.

G.

G L Angel
17 November 1982