

CC: PS/PUS (L & B) 'M'  
 PS/Sir E Bell ✓  
 Mr Merifield  
 Mr Angel 'M'  
 Miss Davies  
 Mr Gilliland  
 Mr Abbott 'M'  
 Mr Edis

① Sir E Bell  
 ② \* POC 2/2

PS/Secretary of State (L & B) 'M'

#### THE UUP AND THE ASSEMBLY

1. The Alliance led moves to get the UUP into the Committee system of the Assembly are continuing. The UUP Assembly Party yesterday accepted a written version of their agreement with Alliance (see below), negotiated by Mr Napier and Mr McCartney. Molyneaux, Napier and Paisley (who they persuaded to join them) saw the Speaker together at 6.00pm yesterday to deliver the Alliance/UUP conditions for his remaining in office: we do not know the outcome - Mr Kilfedder may be sleeping on it.

2. Earlier, Mr Kilfedder nominated Paul Maguire (Alliance) and Jim Allister (DUP) to the new Business Committee. It had been feared that he might try to nominate UUP members as well, and throw the UUP into another fit of frustrated anger. The Business Committee met yesterday evening (without UUP members) and agreed business for today, and that the Assembly should not meet tomorrow, Thursday.

3. Mr Napier has told me that the written agreement with the UUP is on the following lines:-

- (a) Alliance and the UUP would meet the Speaker to tell him their view of his role (see (b) below);
- (b) Alliance agree that in certain defined circumstances they will sign a motion declaring that the Speaker's powers are as laid down in the 1982 Act and Assembly Standing Orders. The motion (already drafted) is in simple terms and though it does not openly criticise the Speaker, it leaves no doubt that it censures him;
- (c) no such motion is to be put down unless Mr Kilfedder refuses to accept the definition of his role or fails to comply with it;

- (d) 'failure to comply' is defined as acting or making a statement outside the terms of the 1982 Act or the Standing Orders, without the agreement of the Assembly;
- (e) the timing of the tabling of any censure is to be agreed between Mr Molyneaux and Mr Napier;
- (f) the agreement covers future misdeeds of Mr Kilfedder, not past ones;
- (g) the UUP will forthwith fill the places in Committees assigned to it and do all it can to make the Assembly work.

4. Mr Napier said that point 3 (e) was the crucial one. His own party were anxious to have some control over the UUP's timing of a censure motion: for example, they would not accept that the UUP had a right to force the issue by tabling a motion and expecting Alliance to follow. The UUP would no doubt prefer not to give Mr Napier what might seem a veto. Whatever the final agreement, there is likely to be ample scope for argument over what does or does not constitute an actionable faux pas by Mr Kilfedder.

5. Mr Napier continued that if the agreement was implemented, it would take effect over about a week: ie the UUP would probably join the Committees next week.

6. Two Alliance members are unhappy with what they see as a surrender to the UUP. One of them - Maguire - has refused to endorse the agreement. According to John Cushnahan, he will be disciplined and removed from the Business Committee to which he has just been appointed.

7. It is difficult to get a coherent account of these manoeuvrings from the UUP side. As you know, William Thompson resigned from the UUP Whip over the weekend in protest at his party's continued reluctance to put its weight behind the Assembly. Ken Maginnis and Ray Ferguson are in similar disquiet. But everyone believes that if the agreement is not carried through it will be a long time before the UUP join the Committees.

*D E S*  
D E S BLATHERWICK, PAB, 2 February 1983

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