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From A J Whysall  
CPL

379/10.

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Date: 15 October, 1997

- cc PS/Secretary of State (B&L)
- PS/Mr Ingram (B&L)
- PS/Lord Dubs (DoE&L)
- PS/PUS (B&L)
- PS/Mr Semple (Watkinson?)
- Mr Steele
- Mr Thomas (B&L)
- Mr Bell
- Mr Leach
- Mr Shannon
- Mr Stephens
- Mr Watkins
- Mr Beeton
- Mr Brooker
- Mrs Collins
- Mr Ferguson
- Mr Hill (B&L)
- Mr Maccabe
- Mr Smyth
- Mrs Rogers
- Mr Warner
- Ms Salters
- Mr Travis (B&L)

1. Mr Paine - today page 18.

~~2. Mr. M...~~

I have considered an update  
re page 17/18. No update  
action on 19/20.

AK  
2/10

to be his power

to have no mention

of public apps. as such.

~~2. Mr. M...~~

for info: action will

be needed when shortly

called upon. 16.10

PS/MR MURPHY (B&L)

**TALKS: MR MURPHY'S MEETING WITH UUP, 15 OCTOBER 1997**

1. Mr Murphy had a meeting with the UUP (Mr Trimble, Mr Donaldson and Peter King) today. Mr Ferguson, Mr Hill and I were also present.
2. The meeting had been arranged to discuss confidence-building measures: but Mr Trimble, clearly enraged by developments, led off on parades, complaining of bad faith by the Government on this and a range of other matters. There was some discussion on the latest proposals about recognition for victims. By the time we reached other confidence-building measures, the mood was better, though there was some complaints of delay and backtracking, and some new measures were added to the list. It was agreed to send the UUP a summary of the state of play on CBMs, with a view to a further discussion.

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### *Parades*

3. On entering the room, Mr Trimble immediately complained that he had been promised a briefing on parades (apparently in the Secretary of State's letter to him of 2 September), which it appeared would not be provided, or not until it was too late to secure any amendment. The Secretary of State, said Mr Donaldson, had given an undertaking to extend the Parades Commission's remit to other expressions of culture; but Dublin and the SDLP were briefing that they had an undertaking that the provision, though in the Bill, would never come into effect.
4. Mr Trimble indicated that in that event he would have to table amendments to the Bill in Parliament, and all possibility of co-operation would be lost. There was a complete lack of honesty in the NIO, and no sort of working relationship could be built up if it continued. This was another case where he would have to go to Downing Street. Mr Donaldson believed that it would be very difficult to conciliate the Loyal Orders on the basis of the provision that was apparently envisaged.
5. It was arranged that Mr Trimble would meet the Secretary of State about the issue later in the day.

### *Victims of violence*

6. Picking up the conversation of the previous day about victims of violence, Mr Donaldson took it that the Minister would be willing to approach Lord Molyneaux and Lord Fitt to participate in the proposed Commission. Mr Murphy expressed some doubts about whether Lord Fitt was appropriate. Mr Trimble interjected that both names would be acceptable. If, however, a nomination was sought from nationalists, they would wreck it. It appeared to him that the Minister's retreat from appointing Lord Fitt was a consequence of sabotage in the NIO. Mr Donaldson added that there was no need to go to the Irish or SDLP: this was "something you can do for us". The Minister said that it had to be something to cover all in Northern Ireland.
7. The UUP were anxious that there should be no delay. As to terms of reference, Mr Trimble and Mr Donaldson spoke of them covering both some sort of memorial for people who sacrificed themselves for the community, and the "welfare side for all victims". They made reference to point (f) in their letter of 10 September as a possible model, and undertook to provide a "slightly fuller version". Mr Trimble spoke of a need for broad terms of reference, permitting recommendations on any matter related to the body's remit.

### *Confidence-building measures: the Coopers & Lybrand Report*

8. Moving on to the CBM agenda, Mr Trimble said the Prime Minister had told him he was not happy with the progress that the NIO was making.

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9. Mr Trimble turned first to the Coopers & Lybrand Report into school funding. He was concerned that though the statement from Mr Worthington had included an undertaking of consultation about implementation, nothing further had been heard.
10. Moreover a proposal had gone out to Education & Library Boards for an adjustment under TSN of a highly arbitrary nature: it involved schools with less than 10% free school meal entitlement losing certain grants. This was against the thrust of the Coopers & Lybrand Report, and the 10% figure took out all the Protestant schools, whilst leaving in as many Catholic ones as possible. This was exactly the "dirty sneaky behaviour we are accustomed to expect from here". He is, I understood, writing to Mr Worthington.

*Local authorities*

11. A range of local authority issues were raised.
12. Our side said we understood that *powers in respect of land* would be incorporated into urban regeneration legislation currently being taken forward. *Certain other powers* envisaged would need to be looked at in the light of a Green Paper in production in England and Wales. Mr Trimble suspected further narrowing here of the scope of undertakings given. He asked for, and we undertook to provide, a memorandum as quickly as possible, setting out what was proposed and its likely progress. [Now to be incorporated in the general note agreed later].
13. Mr Trimble raised the question of *local authorities being empowered to form companies*, as was apparently possible in England and Wales. A general power merely to manage land would be limiting.
14. He also raised a question about the *business rate*. Towards the end of the last Parliament, proposals had been introduced in Great Britain for the derating of shops and community facilities in small villages. There was an undertaking from Sir Patrick Mayhew of an Order in Council as soon as possible in Northern Ireland to similar effect (as an aside, Mr Trimble said that the legislation, since it concerned a fiscal matter, ought to apply to the whole of the UK). He would like to see this proposal revived, but in a modified form, so that it benefited shops and facilities 'in rural areas *and* small villages' up to, perhaps, 2,500 inhabitants. Tying the relief to villages alone would be a problem in Northern Ireland, given the different local government structure in which there were no parishes; it would also introduce a bias against Protestants, patterns of residential settlement in rural areas differing between the two communities.
15. Mr Donaldson recalled that there had been an undertaking of a meeting with Lord Dubs over UUP proposals for a more "co-operative" attitude by DOE in respect of car parking and the like. Nothing had been heard of this. The

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Minister undertook to ask Lord Dubs to be in touch with Clifford Forsythe to arrange such a meeting.

### *Openness at Maryfield*

16. Mr Murphy indicated that Ministers had met to discuss the issue the previous day. They would come forward with proposals.

### *Funding of Community and Cultural Development*

17. Mr Trimble and Mr Donaldson were anxious for details of the *review* the Secretary of State had set in hand. Who was conducting it? Who would it be talking to? We undertook to provide details. Mr Trimble remarked that some existing programmes had been designed to have unequal impact as between the communities: that was so with the lines drawn around urban areas. We should therefore look at the design of programmes, as well as take up.
18. There was some obscure and inconclusive discussion of the *Somme Association*, where Mr Trimble acknowledged that there was weak management, but 'something further could be done'. He mentioned "using the Heritage Centre to take advantage of regimental museums". He also mentioned the *Ulster Tower at Thiepval* in France, and the apparently exemplary way that a Canadian monument called Newfoundland Park was conducted.

### *SACHR and the Employment Equality Review*

19. Mr Murphy mentioned that the SACHR report was under consideration. Mr Trimble had more general concerns about SACHR. It was not fairly constituted. The Chairman had behaved in an appalling way to Dermot Nesbitt, which if the relationship had been one of employer and employee would have entitled Mr Nesbitt to a large sum in damages for sectarian harassment.
20. If, as was proposed, the ECHR was incorporated into UK law, Mr Trimble thought there were questions about the future role of SACHR. Should there not be a UK-wide SACHR (as Charter 88 advocated)? Particularly if the scheme of incorporation were one under which primary legislation could not be overruled, there was a strong case for a body charged with making recommendations for bringing legislation into line with the convention; and it would "inevitably" have to have a UK-wide remit.

### *Other Measures*

21. Mr Donaldson was content with developments on *Police Reform*, since legislation to be by bill; and on *Firearms*.

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22. There was no substantive discussion on *quangos*, but in that context Mr Trimble remarked that he had been unable to establish whether the *legislation on Freedom of Information* would extend to Northern Ireland.
23. Mr Trimble pointed out that the Labour Manifesto *included proposals directed against foreign fund-raising by British political parties*. He assumed that Sinn Fein would be included: it was very important that they were. The UUP, he added, conducted no foreign fund-raising. Mr Murphy assumed that Sinn Fein would be included.
24. Mr Trimble turned to *prisoners*. He was not arguing for early release of prisoners; but if any generosity at all was shown, then the first person out of the gates must be Neil Latimer, the last of the UDR 4 to remain in prison. He had been wrongly convicted, and his case was constantly knocked back by the Life Sentence Review Board. The Minister undertook to pass the point on.
25. Mr Donaldson raised a pointed about "*stickers*" that applied to cars when travelling abroad; though after an intervention from Mr King, it appeared that the real concern might instead be with *European-type number plates*. Northern Ireland vehicles in one or other context currently carried "GB" markings. It appeared that Mr Burke had represented that vehicles registered in Northern Ireland should have a separate identifier. The Minister undertook to check the situation.

*Conclusion*

26. At the end of the meeting, it was agreed that it would be useful to send a note summing up developments across the board, and that there might be a further discussion (though no timing was decided).

*Action*

27. Might **IPL**, in conjunction with **Central Secretariat** take forward the work of producing the note, and perhaps also further briefing for the Minister for his next meeting? It may be that we should resist incorporating all the new issues raised at this meeting (some of which were little more than asides) into an ever-expanding agenda of confidence-building measures, unless we see advantage in that.
28. Some of the new points may, however, feature on the second list of CBMs that Mr Trimble is apparently to present to the Prime Minister, along with protests about the delay in dealing with the first list: see Mr Maye's note of Mr Semple's call yesterday on Mr Trimble.

(signed)

**A J Whysall**

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