

c)26: 878

DESK IMMEDIATE

FROM: DAVID FERGUSON
13 NOVEMBER 1998

cc PS/Deputy First Minister

~~PS/Mr Sample~~

Mr Sweeney

Mr Lavery

Mr Campbell

Mr Larkin

Mr Logue

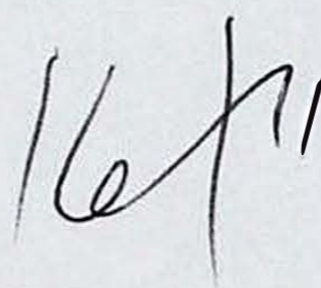
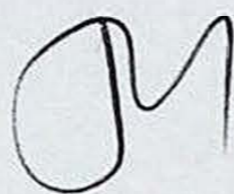
PS/First Minister

CONSULTATION WITH THE PARTIES: LETTER TO DR PAISLEY

1. I attach, as requested, an open letter to Dr Paisley on the round of consultations with the Parties. I also attach a copy of the transcript of an interview last night with Peter Robinson and Dermot Nesbitt.
2. As you will see, I have cast the draft as a joint letter with the Deputy First Minister, which I suggest would carry more weight.

DAVID FERGUSON

DAVID FERGUSON
☎ (5) 21014



13/11/98 12:33

DRAFT

Rev Dr Ian R K Paisley MP MEP

CONSULTATION WITH THE PARTIES

We are both disappointed and concerned about your Party's distortions in the media overnight and this morning.

You will recall that in a resolution at its first meeting on 1 July the Assembly invited us to examine matters referred by the Secretary of State – Departmental structures, preparations for the North/South Ministerial and British Irish Councils and the Civic Forum – in consultation with the Parties and to report back. In response to this, we commissioned a set of papers from officials on all 4 matters over the summer months and at the beginning of September we invited all of the Parties to a round-table meeting to discuss the material and the range of issues which it covered.

Your Party declined, as indeed did the UKUP and the independent Assembly members (later to form themselves in to a new Party grouping, the UUAP). We indicated, however, that we were more than willing to have separate bilateral meetings with you and the others to hear your views, and these were arranged with your Party and the UKUP. We subsequently submitted an interim report to the Assembly, on 14 September, following our initial round of consultations.

In our joint statement to the Assembly on 26 October, we indicated that we wished to initiate another round of intensive consultations with the Parties on the same basis as previously. A meeting was arranged for 29 October, and again your Party (and the UKUP and UUAP) declined the opportunity to attend. However, we received written observations from you on the matters concerned (for the first and so far only time) on 27 October and we had a second bilateral with your Party on 2 November.

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Since the 29 October meeting we have had several more round-table sessions – three on 2 November (one of which included the Taoiseach and other representatives of the Irish Government), one on 6 November and one yesterday, 12 November. There have also been two meetings of a sub-group of the round-table discussions to examine a particular aspect of Departmental structures relating to employment, training and education and to report back. The work of this sub-group is now complete. Under no circumstances could the sub-group be described as having an executive function. Yesterday's session focussed on preparations for the British Irish Council, which is primarily the responsibility of the British and Irish Governments, and on arrangements for setting up the consultative Civic Forum. Indeed, it has been agreed that another sub-group of the round-table participants should look in more detail at this latter issue.

You were aware from a letter earlier this week that this meeting was taking place and you were invited to comment, if you wished, on the matters under consideration. You have also been aware that the other meetings were taking place. Indeed, they have all been a matter of public knowledge. Moreover, we have throughout sought to ensure that you (and others not participating in the round-table discussions) have received all of the material under consideration, including aide-memoires of our discussions, so that you can participate as fully as possible in the debate which we have been taking forward. It is therefore misleading and grossly inaccurate to represent the process in the way in which you have done.

This is a genuinely open and transparent process of consultation with all of the Parties, in line with the Assembly resolution. We are determined to press it to a

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conclusion; and when we do we shall bring our report to the Assembly for consideration and for debate. The facts stand for themselves. In the circumstances, we have decided to release this letter to the media for the record.

DAVID TRIMBLE
(FIRST MINISTER DESIGNATE)

SEAMUS MALLON
(DEPUTY FIRST MINISTER DESIGNATE)

13/11/98 12:29

FROM: DAVID FERGUSON
12 NOVEMBER 1998

cc PS/First Minister
PS/Deputy First Minister
PS/Mr Semple
Mr Sweeney
Mr Lavery
Mr Campbell
Mr Larkin
Mr Logue
(without enclosures)

Dr Paisley, DUP
Mr McCartney, UKUP
Mr Watson, UUAP

*M
16/11/98*

**MATTERS REFERRED TO THE ASSEMBLY:
FIRST AND DEPUTY FIRST MINISTERS' CONSULTATION WITH THE PARTIES**

1. The First and Deputy First Ministers (Designate) have asked me to let you have for information and comment, if you wish, copies of papers which were circulated overnight last night and this morning for this afternoon's round-table discussions.
2. The papers are:
 - (a) a revised aide-memoire on Departmental structures;
 - (b) a working group report on the employment/training/education interface;
 - (c) a paper on legal services;
 - (d) a paper on public health and environmental protection; and
 - (e) a letter and attachments from the Minister for Political Development, Mr Paul Murphy MP, about the British Irish Council.
3. Copies of these papers are enclosed, along with a copy of a synopsis of views on the Civic Forum which was requested at this afternoon's meeting.

DAVID FERGUSON

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☎ (5) 21014

FROM: DAVID FERGUSON
12 NOVEMBER 1998

cc PS/Mr Semple
Mr Sweeney
Mr Lavery
Mr Campbell
Mr Larkin
Mr Logue



PS/First Minister
PS/Deputy First Minister

CONSULTATION WITH THE PARTIES: PHONE CALL FROM DR PAISLEY

1. I was called out of today's round-table session with the Parties to take a phone call from Dr Paisley who wanted to speak to me urgently.
2. It was a somewhat disjointed conversation. He started with a complaint about a letter from Quintin Oliver (which I had not seen) inviting applications for funding from a surplus of £100k left over from the 'Yes' campaign in the Referendum. He went on to complain about two documents which he appeared to have in his possession – the working group report on employment, training and education and the revised aide-memoire – neither of which had at that time been sent to him officially since clearance was only obtained at the beginning of the round-table session.
3. His complaints centred on:
 - (a) process – he and his Party were deeply concerned that the Assembly was being sideline and ignored by sub-committees and working groups which had no mandate to consider matters like structures, let alone make decisions on them; and
 - (b) substance – he was equally concerned that discussions on structures appeared to be at such an advanced stage and that his Party's views were not being taken into account.
4. On process, I gently reminded Dr Paisley that the First and Deputy First Ministers had embarked on a round of consultations with the Parties as they had been asked to do in the 1 July resolution. His own Party (and others) had decided for their own reasons not to join in the Plenary sessions but the First and Deputy First Ministers had offered them the opportunity in a series of bilaterals (of which they had had two with the DUP) to make their views known. Moreover, it was not true to say that the round-table discussion and the documentation for them were secret. The First and Deputy First Ministers had made available to the bilateral Parties all of the material that had been discussed in the round-table sessions, where

appropriate with the permission of the concerned Parties. It was true that the documentation for today's meeting had not yet been released to the DUP, UKUP and UUAP; but that was simply a matter of protocol and courtesy. The First and Deputy First Ministers had wanted to seek the other Parties' agreement to its release and that had been given, as in the past. The material would be released to the 3 Parties by close of play - a matter of hours after the others had received it.

5. As to substance, I recalled that Mr Robinson had submitted written views a few days after the First and Deputy First Ministers' statement in the Assembly on 26 October (a bilateral with the DUP was held a few days after that, on 2 November); and I was sure they would welcome further views on the matters under consideration today. As to those matters, and indeed other matters such as Departmental structures, I very much doubted if any formal decisions would be reached today. That was not really the purpose of the exercise. Whatever the outcome, however, there remained a requirement on the First and Deputy First Ministers to present a report on all of the matters under consideration for debate and approval in the Assembly. Again, I was sure that the First and Deputy First Ministers would want to take full account of the DUP's views before presenting such a report.
6. I concluded by asking if Dr Paisley was asking for another bilateral meeting with the First and Deputy First Ministers to discuss process and substance. He neither agreed nor declined; but he did ask me to come back to him when I had conveyed the details of the telephone call to the First and Deputy First Ministers.
7. I should therefore be grateful if you would put this note to the First and Deputy First Ministers and let me have instructions on how they would wish to respond. It seemed to me, reading between the lines of what Dr Paisley was saying and his general tenor, that while he was concerned about some of the material he had seen and might attempt to make some mischief publicly about the process he was also signalling that he did not want to be left too far behind what was going on and did want to make a contribution to the outcome. This suggests another bilateral meeting as soon as possible with him and his colleagues, if only to clear the air.

DAVID FERGUSON

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