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Title: Memorandum from Muiris MacConghail, Head of Government Information Service, to Secretary, Department of the Taoiseach and Dermot Nally, Assistant Secretary, concerning the operation of the Northern Ireland Constitutional Convention and reporting views of Maurice Hayes, Assistant to the Convention's Chairman as to the style of the chairmanship of its Chairman, Sir Robert Lowry

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1. Mr. Donlon & met Messrs. Oliver and Hayes
your way with to 30/4/75

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Note:

Confidential

Rúnaí
Rúnaí Cúnta (Mr. D. Nally)

Mr. Donlon & met Messrs. Oliver and Hayes
on 28th April.
We discussed the arrangements for the Convention
with them and told them of what had been done for
the EEC Summit in Dublin - showing them
the set-up in the Castle etc.

Mr. Hayes in general discussion said that the
expectation was that the Convention would go on until
July. Nobody was particularly keen on taking the medium
Maurice Hayes, formerly Assistant to the Executive and now
one of the two Assistants to the Chairman of the Convention,
called on me last Sunday (23 March). He raised a number of
matters with me the substance of which I give below;

Secretary
for breaking it
up.
Both men said
that the contacts
had been extremely
useful.

1. Both himself and Dr. Oliver (the other Assistant to
the Chairman of the Convention) were anxious that no
message should be sent by the Irish Government to the
Convention as such. Hayes said that that of course would
not preclude the Taoiseach or Ministers making references
to the establishment of the Convention in the course of
speeches.

Further
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2. Hayes is concerned that the Chairman of the Convention
might adopt a ^{too} "judicial" approach to the proceedings,
turning them into a Court, while at the other end he is
concerned that because the Convention has now acquired the
services of the Parliamentary Clerks that the organisation
of it might well be turned into a Parliament.

3. Hayes thinks that Sir Robert Lowry's attitude at the moment
would be not to use his chairmanship on a "wheeler/dealer"
basis and that in the event of a clash would allow the
Convention to resolve its difficulties by majority vote.
This, says Hayes, could of course happen on the first day
and therefore end the Convention.

4. Hayes seemed to be more optimistic than I have seen him
recently about future prospects, but believes that the only
future for the Convention lies in its capacity to "fudge-over"
and that its ultimate objective must be to define more
precisely areas of disagreement. If this redefinition can
be accomplished he believes that his will be the most
important contribution that the Convention can make to

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to Constitutional developments in Northern Ireland.

5. As far as I can gather both himself and Oliver share a commonality of purpose in relation to the "fudging" role of the Convention.
6. Hayes is currently examining a number of methods of running the Convention and he seems interested in the possibility of utilising the mechanisms of the Council of the European Community, including the separate "tier" levels as between Heads of Government, Ministers and COREPER. He does not see that the Convention will meet in frequent plenary session but rather hopes to develop the notion of Committee groupings.

Hayes' appointment was made on the initiative of Frank Cooper (Permanent Secretary, Northern Ireland Office) He informed me that the Executive Office has now been totally disassembled and there are now no officers attached to it. Ken Bloomfield has replaced Oliver as Permanent Secretary, Department of Housing, Local Government and Planning. Hayes doesn't know whether he was pushed from the Executive Office or went voluntarily. Hayes thinks that Bloomfield will be the next Permanent Head of the Northern Ireland Civil Service.

As far as I can gather both Hayes and Oliver share joint responsibility for the Secretariat of the Convention. Oliver (biography enclosed) is some years senior to the Lord Chief Justice and was educated at the same school as him.

As far as I can gather from Hayes, both he and Oliver share the same approach to the Convention and are trying to work on Lowry to be less rigid in his approach to procedural matters. In regard to Hayes' own appointment he drew my attention to the tribute paid in the House of Commons to him by the Rev. Ian Paisley (see particular col. 988, 14 March, 1975). This tribute he takes as an indication that Paisley is prepared to do a deal and "he knows who he is going to do it with".

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Hayes also indicated that the Convention Secretariat are recommending that the heads of political parties would be allowed to employ on some basis (yet to be determined) professional advisors in the legal, economic and social fields, and while of course the Convention Secretariat would service the Convention as a whole, that the Secretariat were anxious to encourage the growth of professional advisors for obvious reasons.

Hayes felt that the Convention would sit as soon as possible after the Election in order to "put the members on the pay roll", which he identified as a critical problem.

As far as possible the Convention would try to facilitate the existence of Party groupings (by the payment of allowances for Advisors, for instance) and the minimum number in any party to form such a grouping would be determined by the number of seats gained by either the Alliance Party or the Faulknerite Unionists.

Hayes said that he and Oliver were anxious to maintain contacts with Dermot Nally and he suggested that a grouping might meet sometime in NewCastle.

M. MacC.
M. MacCnghail

26 March, 1975