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## FUTURE POLICY GROUP

### AN INTEGRATION SOLUTION

#### INTRODUCTION

1. We have already prepared a Paper on "a Devolutionary Solution". We now submit the outline of a solution involving the integration of Northern Ireland into the United Kingdom. Some of us favour such a solution on its merits, because we see it as a means to give real union of Great Britain and Northern Ireland while assuring to all the people of Northern Ireland full United Kingdom standards in every sense, and because we think any devolutionary pattern would be so hedged about with safeguards and restrictions as to be of little meaning or utility. Others of us, while supporting a devolutionary settlement in principle, accept that it could be made impossible to work through the fixed refusal of some substantial element in the community to operate it on the available terms.

#### INTEGRATION DEFINED

2. We would define an integration solution as being one under which
- (a) ministerial authority for the operation of central government services in Northern Ireland (including those which have hitherto been the responsibility of the Government of Northern Ireland) would rest exclusively with Ministers responsible to the United Kingdom Parliament; and
  - (b) the United Kingdom Parliament would enact all future laws relating to Northern Ireland (although this would not exclude the possibility of devolving a part of the legislative process).

#### MINISTERIAL RESPONSIBILITY

3. Under integration, there would be two possible patterns for the discharge of executive responsibility in Northern Ireland. The first of these, which might be called the "Enoch Powell" pattern after one of its principal proponents, would distribute all the functions hitherto exercised by Northern Ireland Departments and their Ministers amongst the most appropriate United Kingdom Departments. There would, no doubt, continue to be a substantial Civil Service establishment in Northern Ireland, but these officials would be "provincial" staff of parent Departments in London.

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4. We do not consider this to be a practical approach. When an area has enjoyed a degree of self-government for more than 50 years, is comparatively remote from the centre of government, and has developed its own distinctive patterns of services and of law, we do not consider it sensible to switch to a far more centralised system than that which operates in Scotland or Wales. Moreover, the political shortcomings of the existing devolutionary pattern should not obscure its considerable administrative and practical benefits, as, for example, in the field of industrial development, where the speed and flexibility of the system have been fortified by inducements more substantial than in Great Britain. In addition the existence of a complex of Departments in Northern Ireland had enabled interlocking strategies related to the particular needs of the Province to be developed and applied. We think that any solution should be designed to preserve such benefits.

5. Accordingly we favour the alternative approach, that of adapting to Northern Ireland the "Scottish Office" pattern. The main elements of a solution along these lines might be as follows -

- (a) Having regard to the preservation of these benefits of local administration referred to in the preceding paragraph, we would wish to see a transfer of functions to United Kingdom Departments only where future patterns of law and administration could be expected to conform entirely with those in the rest of the United Kingdom, or where there were overriding reasons of policy or of convenience, such as access to centralised expertise (eg the existence of the Inspectorate of Constabulary might point to vesting police responsibility for Northern Ireland in the Home Office).
- (b) In some cases existing departmental functions might with advantage be transferred to a functional Board (as in Ireland before 1921) so as to enhance the element of local involvement.
- (c) A separate Department of Finance might well be unnecessary but there could be advantages in some form of Treasury representation in Northern Ireland.
- (d) Civil Servants in Northern Ireland might become members of the UK Civil Service.
- (e) Subject to these qualifications, the functions of the Northern Ireland administration would remain as at present, although they might be allocated to a different structure of departments. For example there might be a place for a Home and Health Department. The general position, however, would be somewhat on the current Scottish lines.
- (f) All of these Departments or functional Boards would be responsible to a Secretary of State (who would maintain a Northern Irish Office in London)

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and his subordinate Ministers. There should be a Minister of State (Lords) as a fairly permanent "anchor man" in Belfast, and Parliamentary Under Secretaries allocated (as in Scotland) oversight of particular Departments. If some or all of these Ministers could be selected from Members representing Northern Ireland constituencies or from Northern Irish Peers, so much the better. It is appreciated that such selection could present substantial difficulties to a Labour administration.

## LEGISLATION AND PARLIAMENTARY OVERSIGHT

6. Hitherto the Northern Ireland Parliament at Stormont has had the two main traditional parliamentary roles -

- (a) running review and scrutiny of executive acts, making Ministers (through Parliamentary Questions, Motions, Adjournment Debates etc) answerable for the discharge of their executive functions; and
- (b) enacting legislation within the powers devolved upon it.

7. It goes without saying that, under a "Scottish Office" pattern of executive responsibility, Northern Ireland Office Ministers would have to be fully answerable to the Westminster Parliament. Nor would it be feasible to separate ultimate legislative authority from the discharge of executive powers. On the other hand, Parliament has already recognised, through the Scottish Grand Committee system, the special interest of Scottish Members in matters relating exclusively to Scotland.

8. We would regard it as axiomatic that, in the context of an integration solution, the number of Northern Ireland Members at Westminster should be increased to its full population proportion (or even to a slightly higher level) and that over a period further Northern Ireland Life Peers should be created. Such an increase in the number of Members would facilitate the establishment of a Northern Ireland Grand Committee (with Members from Great Britain added as may be necessary to establish the proper balance of parties), and this we would regard as a minimum recognition of the special Northern Ireland interest in its own legislative business. If, however, some form of Northern Ireland Assembly were to be established for other purposes, it could play a part in the legislative process (see paragraph 13 and Appendix).

9. At this point account must be taken of the re-organisation of services in Northern Ireland following the Macrory Report. A vital part of this re-organisation is the transfer to Ministers, answerable to Parliament, of responsibility for major services which have hitherto been in the area of local government (eg, education and libraries; the personal social services; planning; water supplies and

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sewerage; roads). This has been based on the assumption that there would continue to be, at Stormont, a democratic forum to which Ministers would be accountable, with the Northern Ireland Parliament serving as the "top tier" of the new structure.

10. On one hand it could be argued that the entire Macrory pattern only makes sense in the context of a continuing pattern of regional government, and that, in the event of integration, local government organisation in Northern Ireland should be reviewed yet again, so that those services which are operated by local authorities in Great Britain would be similarly operated in Northern Ireland. This, however, would be to throw back into the melting-pot a reorganisation which has already taken years to mount, and to introduce further elements of uncertainty for the very large staffs concerned.

11. The alternative is to let the general Macrory pattern stand, ie -

- (a) District Councils for purely local environmental services;
- (b) Area Boards for Education and Libraries and Health and Personal Social Services;
- (c) Departmental management, through a pattern of Area Offices, of "development" services such as planning, roads, and water and sewerage,

but to consider whether any local forum for review and discussion of categories (b) and (c) should be established.

12. Our general view is that the establishment of such a forum would be desirable, because we are convinced that Westminster is a too remote forum in which to raise detailed questions about services intimately affecting people's lives - services, moreover most of which elsewhere in the United Kingdom remain in the ambit of local government.

13. One possibility would be to establish in Northern Ireland an Assembly or Convention comparable with that envisaged for Scotland in the Report (1970) of Sir Alec Douglas-Home's Scottish Constitutional Committee (see Appendix for a summary of these proposals).

14. It is, of course, true that in one sense such an Assembly or Convention would be without "teeth". It would not have control of Supply; it could not dismiss the Executive on an adverse Vote. On the other hand, no Government could lightly ignore a view overwhelmingly expressed by elected representatives assembled in a body of this kind.

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15. Such a system would also make heavy demands on the Ministers. The Secretary of State would have his Cabinet obligations (themselves of vital importance to the part of the country for which he was responsible) to fulfil, and House of Commons Ministers would have pressing claims to meet from the Whips, particularly in the event of a tiny Westminster majority. Accordingly, the availability of a Minister or Ministers adequately to service a local Assembly would not be easily assured.

16. If, for these or other reasons, the idea of a local Assembly were to be a non-starter, we would not consider this to necessitate a reversal of the whole Macrory concept. After all, in the management of the "Area Board" services defined in paragraph 11(b) there will be not only substantial local participation but the involvement of an important elected interest through the representation of District Councils. While this is not true of departmentally managed services (11(c)) other means, such as the appointment of nominated advisory bodies, possibly including representatives of local government, could be considered. Moreover the District Councils, apart from their somewhat limited direct functions, are intended to be a sounding-board for local opinion on the development of the regional services, and could continue to play that role in an integration setting.

17. Clearly there could be no bar, under any pattern of integration, to the questioning or debating of any Northern Ireland matter at Westminster. Any Northern Ireland Assembly would be in addition to, and not in substitution for, that forum.

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## APPENDIX: THE DOUGLAS-HOME REPORT

This envisaged -

- (a) as a minimum the establishment of a Consultative Assembly or Convention, able to
  - (i) co-ordinate regional views on contemporary issues and help to form a Scottish opinion;
  - (ii) meet the Scottish Ministers, in order to review and to consult upon the state of the nation;
  - (iii) express an opinion at a preliminary (eg, "Green Paper") stage on legislative and financial proposals concerning Scotland;
  - (iv) question the Scottish Ministers on the implications of national and local decisions;
  - (v) comment on the Scottish estimates; and
  - (vi) debate matters of concern to Scotland.
  
- (b) Preferably, so as to give it in addition the character of a legislative Convention, the assembly should take what would now be the House of Commons Second Reading, Committee and Report stages of "Scottish business" (of the kind now referred to the Grand Committee), with the House of Commons Third Reading and all House of Lords stages retained at Westminster. Bills would probably be referred to the Convention on a Government Motion, so that in the last resort the Executive could get its business through entirely at Westminster, if need be.

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