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NOTE OF A MEETING BETWEEN THE SECRETARY OF STATE
AND A DEPUTATION FROM THE ULSTER UNIONIST PARTY
AT 2 30 PM ON 12 DECEMBER 1972 AT STORMONT CASTLE

Present: The Secretary of State Mr A B D Faulkner
 Mr Howell Sir George Clark
 Mr McDowall Mr Herbert Kirk
 Mr Stevens Senator J L O Andrews
 Mr Robert Babington
 Mr J O Bailie

The Secretary of State explained that, in these follow-up discussions to Darlington and the Paper for Discussion, he was basically intending to listen to the views of political parties and that any comments he gave would be his personal opinions only.

LAW AND ORDER

Mr Faulkner said that the position of his party remained as at Darlington and as explained in their Policy Document. Basically the Unionists felt that, in any new structure, control of the Police must remain with the Executive in Northern Ireland working through the Police Authority. They realised that, in the present circumstances with the Army in a preponderance, Westminster was entitled to control the security situation but, when things returned to normal and the Army presence was reduced, control must devolve back to Northern Ireland. The Secretary of State pointed out that there was a difference between administrative and operational control and, although he recognised there must be a Northern Ireland involvement in the former, he felt that, at least for the foreseeable future, operational control would properly remain at Westminster. The Secretary of State added that he did not rule out further talks with Mr Faulkner on this point.

Mr Faulkner maintained that, in any settlement, a Northern Ireland Attorney General should be reinstated with responsibility for County Courts and Petty Sessions. The Secretary of State said that he noted this point.

Mr Faulkner said that, prior to Direct Rule, his Government had a Joint Security Council, including officials from HMG. He considered that, in any future settlement, this Council should be re-constituted with Ministerial representation from Great Britain. The Secretary of State said that he noted this point.

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Mr Faulkner said that he fully supported any action aimed at preventing intimidation and private armies from whatever source. He thought that in the last two weeks there had been a revival of IRA activities and he was most distressed by the spate of assassinations. The Secretary of State explained that many of the murders are not sectarian but were among the criminal fraternity. He too was of course most worried by the murders, which was why he had set up his Task Force. The Secretary of State further explained that he has just received the Diplock Report and that he personally considered that some form of arrangement similar to the present Detention of Terrorists Order would obviously need to continue for the present.

"THE IRISH DIMENSION"

Mr Faulkner said that he thought his understanding of this coincided with the Secretary of State's. The formation of a Council of Ireland would depend basically on possible changes by the Government of the Irish Republic; if that Government recognised Northern Ireland's right to run its own affairs he would have no objection to the formation of such a Council consisting of representatives of the two Governments. Sir George Clark asked what responsibilities any Council would have, and the Secretary of State explained that he envisaged co-operation in the economic sphere in the first instance but, of course, at a later stage he could see no objection to joint action against terrorists in Border areas.

NORTHERN IRELAND BORDER POLL.

Mr Faulkner asked for the date of the Poll and the Secretary of State said that he would be making an announcement in Parliament this Thursday. In answer to questions, the Secretary of State said he could not as yet give a date for the White Paper, neither could he say whether it would precede or follow the Poll. Mr Faulkner emphasised that his party were firmly of the opinion that the Poll should be held before the White Paper is published; the Secretary of State noted this point. Sir George Clark raised the question of postal voters and wondered what arrangements would be made for them in the Poll. The Secretary of State said that he would be considering widening the scope of postal voting as a

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counter to possible intimidation.

Senator Andrews wondered whether the Secretary of State envisaged periodic plebiscites, and the Secretary of State replied that he had not formed any strong views. He noted the Senator's point that periodic plebiscites would give rise to great uncertainty in the community.

THE QUEEN'S REPRESENTATIVE

Sir George Clark asked that any new Constitution should include a place for the Governor; this would please traditionalists such as himself.

THE NEW CONSTITUTION

The Secretary of State emphasised that the settlement, which would be outlined in HMG's White Paper, would not accept all the proposals in the Ulster Unionists' Policy Document. Mr Faulkner said that his party's proposals were not immutable but that there were certain fundamentals which, from his point of view, must be agreed. Basically these were:

- a. who should control security (see paragraph under heading "Law and Order"); and
- b. the form of the Executive.

In his opinion, on the latter point, a two-tier Government is necessary without general power sharing. He felt that it is not possible to share power between, on the one hand, a majority party in favour of a continuance of Northern Ireland and, on the other, representatives of parties who would want to destroy that State. In his opinion, in any new elections the Opposition Members of the new Assembly would consist of such extremists as this. The Secretary of State noted this point and said that personally he was not so worried as to what powers were evolved to any new Assembly but how the Executive handled its powers from it. The Secretary of State added that he appreciated the Committee system outlined in the Unionist Policy Document was a radical advance on anything they had previously proposed and on anything that had existed under Stormont, but if with this system the Executive consisted solely of one

party, he thought it unlikely that the arrangement would be acceptable to major Opposition groups in Northern Ireland. Mr Faulkner, Senator Andrews and Sir George Clark emphasised that, when reporting the Unionist attitudes to his Cabinet colleagues, the Secretary of State should make clear that the grass-roots of the party would not accept anything more radical than had already been proposed and that if the Unionists' proposed constitutional settlement is not used as a basis by HMG it is most unlikely that the present leadership of the party could hold its position; the Secretary of State would, in the event of the present leadership being ousted, be faced by a more extreme leadership.

POSITION OF THE SECRETARY OF STATE IN A NEW CONSTITUTION

The Secretary of State said that, at least initially, he thought the Northern Ireland Office would continue in any new settlement. If the situation then devolved it could of course be phased out. Likewise, the position of the Secretary of State would remain for the present as a Minister with a position in the Cabinet of Her Majesty's Government.

REPRESENTATION AT WESTMINSTER

The Secretary of State said that he thought feeling in the Conservative Party favoured, in any settlement, increased representation of Northern Ireland MPs at Westminster. In answer to questions, he pointed out that there were fears that, if the number of MPs was increased, there could be a situation whereby Republican Members held the balance of power in the House of Commons.

PROPORTIONAL REPRESENTATION

The Secretary of State noted Mr Faulkner's point that, in any new Assembly - and especially one with an increase of Members over the old Stormont - his party did not desire elections under a PR system.

ECONOMICS

Senator Andrews said that the White Paper should, apart from giving a constitutional settlement, outline a plan for the re-construction of Northern Ireland, ie economic aid.

Robert Stevens

ROBERT STEVENS
13 December 1972