

**CONFIDENTIAL**



Reference..... 52/7

2 126/1985C

1 Mr Bloomfield  
SINN FEIN: PUBLIC OFFICE

1. Thank you for sending me the draft attached to your minute of 26 June. It does, I think, fully capture the flavour of the discussion.
2. On Para 6 it might be useful to say that surprisingly DHSS was given a choice first time round from 11 of the 26 Councils. This happened on both sides of the political divide, although more consistently where there was a strong SDLP presence. Belfast, however, with 5 seats, allocated all to DUP or OUP. I agree with the conclusion in para 8. There is no point legislating for a choice if it cannot be exercised for the intended purpose.
3. I have been considering whether it might be possible to ensure that every District Council had at least 2 representatives in an Area Board, and then to require them to nominate from both majority and minority groups in the Council. To preserve the present ratio of membership with other groupings would make the Boards very unwieldy, but in the case of the Western, Southern and Eastern Board it would be possible by an increase of 3/5 members to provide at least dual representation in all cases and keep the district council element to below 40%. The Northern Board, with 10 constituent councils provides an insoluble problem unless we were to tolerate a Board of 50 members which would be ridiculous. However it might be worth giving some thought to this approach.
4. I am both attracted and repelled by the idea of a declaration against violence. The Executive is not a real analogy: these people wanted to get in. Now some people may prefer martyrdom by exclusion. I am sceptical about the ability to draft a declaration which is less than bland and which will at the same time catch those who support awful deeds and those who voice unspeakable sentiments (and we have had a few of those in the past week too). The Incitement to Hatred legislation has largely failed because of the twin difficulties of defining the offence and providing evidence. In my experience, attempts to establish tests of acceptability for office have generally failed, or have benefitted most those whom it is wished to exclude. This is why I would argue for the narrower, but more objective disqualification of a conviction.

  
M N HAYES

1 July 1985

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