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cc PS/SOS (B)
PS/PUS (L&B) - M
Mr Brennan - M
Mr Chesterton - M
Mr Spence

PS/Secretary of State (L) - 1

DISCUSSION WITH MR JAMES MOLYNEAUX MP

1. As discussed with the Secretary of State at his morning meeting of 18 February, I passed a message yesterday through Mr Kennedy (who was meeting Mr Molyneaux to discuss the future business of the "Committee on Government") that I would welcome an opportunity to have an early word with Mr Molyneaux in confidence. I received a favourable response to this sounding and went up to the Assembly to see Mr Molyneaux in Mr Kennedy's room at the conclusion of his discussions with the latter. We talked alone for about 20 minutes.
2. I said that I hoped that he would allow me to talk to him informally as Head of the Northern Ireland Civil Service. He replied that he welcomed my approach and would respect the confidence of our discussion. I went on to say that as Head of NICS two things at present concerned me. The first was that a number of members of my Service, up to the role of Principal, were on secondment to the Assembly and not at present usefully occupied. This was a very unsatisfactory situation - a waste of public money, bad for morale, and wholly wrong from the professional point of view. Secondly, I was concerned that he should understand the danger of seeking to involve Civil Servants in the exchanges about what were, at present, highly politically charged subjects. Permanent Secretaries had been invited to give evidence to Statutory Committees, and it could no doubt be presented as reasonable that they should be questioned on the "administrative aspects" of the impact of the Anglo-Irish Agreement, Conference and Secretariat on their Departmental work. In practice, however, it would be very difficult indeed to draw a line between the administration and the politics of these issues.
3. I went on to say that, while it seemed unlikely that any step to change the position of the Assembly would now be taken in advance of the forthcoming meeting with the Prime Minister, the position of the Civil Servants in the Assembly, or at least of those of them placed there to deal with its scrutiny work, would have to be resolved thereafter in one way or another. If there was not then the prospect of involving them in useful and valid work, I have little doubt that they would have to be withdrawn to their parent departments. As long as the Assembly itself had not been wound up that would not, of course, be an irrevocable step. Alternatively some proper basis could be found to keep the staff appropriately employed.
4. Emphasising that I was in no way committing Ministers - whose position at the moment remained as set out in Mr Cleasby's letter - I wondered whether there might be some ground for compromise here. Although the Secretary of State had in fact offered to discuss Agreement matters with the Chairmen of the six Statutory Committees, there was an impression that he did not want

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to accord the Assembly any role in pursuing details of the Agreement, even where these clearly had implications for the work of Northern Ireland Departments. For their part, by maintaining their boycott of Ministers and looking for evidence only from Civil Servants on politically controversial matters, Members of the Assembly were preventing any useful dialogue from taking place. Might it then be possible to consider evidence being given on appropriate matters to the six Committees by the Departmental Ministers responsible for them? Acceptance of this would, of course, mean dropping the boycott. But it would also mean an opportunity for Committees to examine some of the matters in which they were interested, and get an aspect of the scrutiny process off the ground again. Beyond that, of course, if the situation in the Assembly was to be held, the Assembly and its Committees would need to resume consideration of matters referred to them by the Secretary of State at an early date. I emphasised that this was simply an exploratory suggestion, which did not commit the Secretary of State. But if he were to indicate to me that progress could be made in this direction, I would then pursue the possibility with Ministers.

5. In reply Mr Molyneaux made it clear that everything depended on the tone and outcome of the meeting with the Prime Minister. If she had suggestions to make which showed a recognition of the significance of the by-election vote, and also showed some willingness to consider suggestions which would be made by Dr Paisley and himself, then a benign process could begin, with the protest action going no further and in time being wound down. He was himself moderately hopeful that the Prime Minister would react in such a way as to make this possible. It had to be appreciated that he had a very difficult problem of party management. If the Assembly moved back towards normality, without some matching action on the local government side, councillors would repeat points already made about "inequality of sacrifice". He would, however, reflect upon what I had said, take some soundings, and come back to me on the same confidential basis.
6. There can be no doubt that the period immediately after the Downing Street talks will be of crucial importance. The Assembly is to meet the following day and the reaction to the talks would become clear in the course of that debate. The 26th will also be day on which - if they do not act to strike a rate - the Belfast City Council would put itself outside the law. At my request Mr Kennedy is doing some work on the numbers of Assembly staff who could be shed if it is allowed to continue for the time being on a plenary basis but with its Committee system in suspense. He has made the point - I think rightly - that if the Secretary of State decides he must remove staff, he ought first to inform the Speaker, Mr Kilfedder, at a face to face meeting.

K P Bloomfield

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19 February 1986

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