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Mr. Burns - B

- c.c. PS/Sir K. Bloomfield - B
- Mr. A.W. Stephens - B
- Mr. Chesterton - B
- Mr. Elliott - B
- Mr. Spence - B
- Mr. Daniell - M
- Mr. Wood - B
- Mr. J. McConnell - B
- Mr. N. Hamilton - B
- Mr. Bell - B

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 29 JAN 1988
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PDG - SINN FEIN : PRIVATE OFFICE GUIDANCE

You will have noted that the PDG paper we have circulated on our strategy towards Sinn Fein touches on the specific review of the (Central Secretariat) guidance on "Approaches to Government by Members of Sinn Fein", which PUS has been invited by the Secretary of State to review (and I have been commissioned to advise on). I do not think that it is appropriate or necessary for PDG to consider the details of that "review", but it may be helpful to let you and others know of our current thinking.

2. The essential ingredients of the Guidance seems to be:
 - a) No personal contact by Ministers with Sinn Fein representatives (i.e. no 'intentional meetings');
 - b) No Ministerial replies to correspondence, but "curt, formal and short Private Secretary replies";
 - c) Official contacts, as necessary and appropriate, but kept to a minimum;
 - d) No hospitality or other courtesies.

3. Unless the outcome of our PDG discussion suggests that we should treat Sinn Fein more like a legitimate political party, there would seem to be no case for a more 'forthcoming' approach.

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Should we, however, without necessarily making a policy change, seek to be tougher? There would seem to be no scope for 'toughening up' on (a), without hindering Ministerial freedom to move around Northern Ireland. We could, in theory at least, decide that there should be no contacts whatsoever with Sinn Fein, i.e. no replies to letters or correspondence or any other sorts of contacts. In other words, Sinn Fein representatives would be regarded as 'beyond the pale' - this would be hard to justify in the absence of proscription; and, apart from the potential legal difficulties, it would mean that constituents of Sinn Fein representatives would be 'unrepresented' in relation to the executive. I would propose to recommend strongly against such a change. There are some very minor changes that could still be made, almost entirely in the area of correspondence, I think. It seems to me that the existing guidance is about right, although I should be content to incorporate minor changes such as the use of departmental (rather than Private Office) writing paper and the omission of typed names. However, for the reasons that the Secretary of State has already hinted at, I believe that replies, at least to Mr. Adams, should continue to be sent from the Private Office rather than a departmental official. Quite apart from the risk of undue 'exposure', particularly in Belfast, there is the consideration that it would be odd to afford to Mr. Adams a 'privilege' (correspondence with departmental officials) which we do not afford to Unionist MP's on grounds of propriety. There is the further point on correspondence which PUS has raised, on your advice, that we should not send out (to Mr. Adams) in response to enquiries, copies of documents which can be obtained elsewhere (e.g. Hansard, although the same would not, I think, be true of Northern Ireland Office press releases).

4. As to the further handling of our review, I suggested earlier to you that it might be combined with some Ministerial consideration of our broad strategy towards Sinn Fein. Whether that will be appropriate at the moment, I am not sure. We could, if PUS agrees, submit a short paper containing the meat of our PDG paper and concluding (if that is PDG's conclusion) that our

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strategy towards Sinn Fein should continue broadly as at present, which argues for little change to the guidance on Ministerial contacts. There could be Annexes of historical material, the existing guidance and recommendations for minor, detailed changes. However, it may be that a different, 'straight bat' approach will now be appropriate, and we should simply put to PUS and Ministers our advice on the guidance alone.

5. I should naturally welcome any comments that you or PDG members may have.

(Signed)

D.C. KIRK
Constitutional and Political Division

27th January 1988
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