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CONFIDENTIALAonad Idir-Rannach um an Tuaisceart
Inter-Departmental Unit on the North
of IrelandMinutes of Fifth Meeting held on 15th October, 1970
at the Department of External AffairsPresent

Mr. S.G. Ronan, Chairman
Mr. E. Gallagher
Mr. D. Ó Súilleabháin
Mr. J.F. MacInerney
Mr. F. O'Riordan
Mr. J. Small, Secretary

Department of External Affairs
Department of External Affairs
Department of the Taoiseach
Department of Finance
Department of External Affairs
Department of External Affairs

Recent Developments

Mr. Gallagher briefed the meeting on the main developments of interest to the Unit since its previous meeting on 10th September. Referring to the main reforms still to be legislated - housing and local government - he said that the Housing Executive Bill as it stood was most unsatisfactory and that it would have to be extensively amended or replaced altogether by a more acceptable draft. We had so informed the British and requested them to redraft that Bill themselves and also the local government reforms to follow since Mr. Faulkner could not be relied upon to put forward genuine proposals. Mr. Gallagher also mentioned that we had, once again, in our conversations with the British, made a strong case for the reintroduction of proportional representation in the North for local government and Stormont elections. There had been no negative reaction from the British on this occasion which could possibly be interpreted as meaning that they were seriously considering its introduction.

Dealing with the RUC, Mr. Gallagher stated that the introduction of public prosecutors in the North, as advocated in the Hunt Report, was urgently needed as there continued to be an apparent lack of uniformity in the existing situation where the RUC determined the nature of charges preferred. For example, there was evidence that charges meriting a fine only, e.g. drunk and disorderly behaviour, were frequently being brought against members of one section of the community whilst similar offences were being dealt with more harshly in other cases, e.g. as disorderly conduct, which carried a six-months mandatory prison sentence. The introduction of public prosecutors would help to minimise such selectivity and make the administration of law more even-handed.

Mr. Gallagher also adverted to a considerable improvement in the situation along the Border as a result of recent discussions with the British on the subjects of road spiking and Border violations by British troops.

Reference was made also to the Taoiseach's proposed meeting with the British Prime Minister to take place in New York later in October.

Studies

(a) Response to circulars: The Chairman informed the meeting that nine Departments had so far replied to the Unit's circular letter of 24th July requesting information on the nature and extent of existing cooperation between Government Departments and Ministries in the North. A dossier containing copies of these replies was given at the meeting to every member of the Unit and copies of future replies could be added to this collection as and when received. When all Departments had replied the information they supplied could be summarised in one document. It was decided that reminders should be issued to those Departments that had not yet responded to the circular.

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The Chairman also stated that of the eight Departments circularised by the Unit on 12th August requesting certain comparative studies, only one (Department of Labour) had replied. The deadline set in the circular was 1st November. Mr. Gallagher mentioned that Mr. Eddie McAteer, the former Nationalist M.P. for Derry had asked the Department of External Affairs for data on wage rates North and South and it was proposed to send him the relevant information but not the covering report from the Department of Labour. There was no objection to this.

(b) Status of County Income Studies: With regard to the status of the county income studies now in progress in respect of the Six Counties the Chairman said that he was unsuccessful in his attempts to contact Professor Fogarty of the ESRI in the matter because he was temporarily out of town but that he would get in touch with him on his return. Mr. MacInerney referred to an unsuccessful attempt by Mr. Cromien of his Department to obtain the information sought by the Unit. The difficulty was that the studies in question were being done by two individuals in the North.

(c) General North/South comparative study: Mr. MacInerney stated that from a general North/South comparative study of living standards, growth rates, structure of employment, etc. the results were not very favourable from our point of view. However, the matter was being examined again and in greater depth.

Information Activity

(a) Recent Developments: Mr. O'Riordan informed the meeting that progress was continuing favourably in the information field. He would be going to London on the following week for discussions with the Ambassador and Press Officer on the situation there.

(b) Extension of RTE reception to the North: With regard to the question of the extension of RTE reception in the North the Chairman informed the meeting that a memorandum on the subject was being submitted to the Government on the following day by the Department of Posts and Telegraphs. The first step was to raise the matter at a political level with the British on account of the Stockholm Convention. Mr. Gallagher said that all we needed at this stage was sympathetic consideration at political level.

(c) Unit's relations with the public: The Chairman adverted to previous correspondence with the Dublin Junior Chamber of Commerce and copies of the latest letter from that body containing information on the subjects considered by the Cross Border Chamber of Commerce Committee in recent years were distributed to the members of the Unit. It was decided that the letter of acknowledgement should provide some encouragement for the continuation of such activity by the Committee by asking if it is concentrating on any particular area in its deliberations.

Constitutional Studies

(a) The Irish Constitution: The Chairman referred to the fact that the Taoiseach had recently agreed that the Unit could proceed cautiously with its studies on the Constitution. Mr. Ó Súilleabháin pointed out that any activity by the Unit in that area should be quiet and in a soft tone. A general discussion followed as to how the Unit should approach the matter. Mr. Gallagher felt it would be unwise to go back over the 1967 report of the Committee on the Constitution and that instead of thinking about details in the Constitution the Unit should look at the matter from a different angle altogether. A way of doing this would be to look at methods of changing the Constitution other than by referendum. Also, thought might be given to the formulation of a general amendment which would not only provide for membership of the EEC but also international agreements of a constitutional nature with Britain,

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for example. Such a general amendment would have the merit of accommodating our aspirations in regard to the North as well as the EEC. It was agreed that a draft recommendation to this effect to the Taoiseach should be formulated in the Department of External Affairs for consideration at the next meeting of the Unit.

(b) Minority Safeguards in Other Countries: The Chairman suggested that an analysis of Constitutional and legal safeguards for minorities in countries like Belgium and Canada could be carried out in the Department of External Affairs when the relevant material came to hand and then circulated to members of the Unit. This was agreed.

Objectionable Laws and Administrative Practices

(a) Circular: The Chairman stated that arising out of a decision at the previous meeting he had sent a circular letter to all Government Departments on 6th October calling for greater consciousness of the North and Unionist feelings there in the formulation and implementation of policy. A copy of that letter which was approved by the Taoiseach is annexed hereto and is an amended version of the draft circulated at the Unit's meeting on 10th September.

(b) Identification of objectionable laws: A brief discussion took place on the question of certain laws in the South that are regarded by some people as an infringement of personal rights and freedoms and a barrier to reconciliation and reunification. The laws on contraception and censorship were mentioned in this connection as well as divorce which is, however, governed by constitutional rather than legal provisions. Mr. Ó Súilleabháin referred to a recent article in the Church of Ireland Magazine by Senator Neville Keery about a Church of Ireland General Synod Standing Committee statement alleging the existence of discrimination against Protestants in the South. Mr. Gallagher said he had received from Senator Keery a copy of his statement and suggested that the Unit should return to the subject again when the promised memorandum from the Standing Committee was received by the Unit. This was agreed.

(c) Non-recognition of teaching service in the North: The Chairman informed the meeting that arising out of a complaint received in the Department of External Affairs from a teacher who had worked for eighteen years in the North it had been discovered that under the present regulations of our Department of Education only five of those years could be recognised for incremental purposes in the South. This appeared to be an unfair regulation when applied to people like the complainant and certainly was against the spirit of and at variance with the one-nation concept that the Unit's circular of 6th October just referred to sought to instil in the public service. In fairness to the Department of Education, however, it was necessary to point out that its exchange of correspondence in the matter with the Department of External Affairs pre-dated the circular in question. Mr. O'Riordan felt that the regulation could conceivably be particularly hurtful to schools of the minority religions here which were short of teachers. There was general agreement that the Unit should pursue the matter especially in view of the fact that on the Department of Education's own admission only 8 to 10 teachers on average from the North take up teaching posts here in secondary schools each year in accordance with the terms of the scheme. It was decided in this connection that the Secretary of the Unit should contact the person in the Department of Education dealing with the matter.

Irish language requirements

(a) Recruitment to the Civil Service: Mr. Gallagher referred to the difficulties posed for Northerners by the Irish language requirement stipulated by the Civil Service Commission for entry to the Civil Service. This problem was accentuated since the abandonment of the

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special examination for Executive Officers and its replacement by Leaving Certificate results. This placed Northern candidates at a great disadvantage because they take the GCE and not the Leaving Certificate examination. A possible solution would be to accept provisionally applicants who had the requisite educational attainment but not sufficient proficiency in Irish and afford them the opportunity of reaching the required standard of proficiency in Irish during the probation period. Mr. Ó Súilleabháin said that from his conversations with the Civil Service Commission he felt that they were aware of this problem. He added that although the Taoiseach's Department had an overall concern in the consideration of the question of the preservation and wider use of the Irish language it was the Department of Finance that had been given responsibility for the implementation of this policy. It was agreed that Mr. MacInerney would refer this matter for consideration by his Department.

(b) Irish markings on imported pottery: The Chairman informed the meeting that difficulties created by the Merchandise Marks (Restriction on Importation of Ceramic Ware) Order, 1969, had been brought to the attention of the Department of External Affairs. This Order had made it compulsory for Northern as well as foreign suppliers to mark pottery with the words "Tír a dhéanta" preceded by the name in Irish of the country in which the goods were manufactured. A list entitled "Names of Countries in Irish and English" which accompanied the Order included "Northern Ireland - Tuaisceart Éireann" and thus purported to give it the status of an independent country. There was a consensus that the use of the Irish language in this way to restrict the importation of certain goods was a misuse of the language, particularly in regard to the North which was not a country. Belleek pottery would be one of the Northern firms affected by the Order. Mr. Ó Súilleabháin informed the meeting that the Order had been considered **no less** than three times by the Government. The Unit, however, agreed to make a recommendation for the exclusion of the North from the provisions of the Order.

Other Business

(a) Use of the term "Six Counties": Mr. Gallagher suggested that there was much to be said for dropping the term "Six Counties" in favour of "Northern Ireland" as it was offensive to many people in the North. Mr. Ó Súilleabháin said that it was the practice of the Taoiseach to use "Northern Ireland" when referring to its Government, Premier etc., but when referring to the area the expression "Six Counties" was often used. The stand had been taken that no instruction was to be issued prescribing which description of the area was to be used officially. The Chairman explained that the term "Six Counties" was a political rather than a legal concept and did not enter into Acts, Agreements, etc., and mentioned that the more neutral terminology "North of Ireland" had been used fairly widely ever since the referral of the situation in the North to the United Nations last year. Mr. Gallagher said that RTE appeared to have a standing instruction to use the term "Six Counties". Mr. Gallagher felt that by our dropping "Six Counties" the Unionists might be less prone to refer to the area as "Ulster". Furthermore, the term "Northern Ireland" is not offensive to the minority in the North. It was agreed that enquiries should be made of the Central Statistics Office to see what their current practice is in this regard in their official publications such as Trade Statistics etc. A recommendation could then be put to the Taoiseach by the Unit suggesting the substitution of "Northern Ireland" for "Six Counties" in official publications.

(b) Ulster '71: There was a brief discussion on this matter and it was decided that we should be careful to avoid any official action next year, such as the transfer of the Lane pictures to Belfast, that could be used by the Unionist propagandists as an indication of support for the Ulster '71 celebrations.

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Next Meeting

The next meeting of the Unit was arranged for Thursday, 12th November at 10 a.m.

Circulated to

The Taoiseach
The Minister for External Affairs
and Members of the Unit.