

PA 182/85C NH 266/3

FOR.

CONFIDENTIAL

Mr. Hewitt - B  
Mr. J. McConnell, PAB - B  
Mr. Hamilton

UNDER/ 225/3  
SEC  
28 MAR 1988  
CENT SEC

c.c. Mr. Burns - B  
Mr. Chesterton - B  
Mr. Spence  
Mr. Coulson - B  
Mr. Wood - B

PRIOR NOTIFICATION OF NI MP's ABOUT MINISTERIAL VISITS

Not unreasonably, the Private Office have been pressing me for advice on this subject. I have had a further talk with Mr. Donnelly on the subject. I was grateful for the advice received from Mr. Hewitt and Mr. McConnell, and for Mr. Hamilton's minute of 14th March (not otherwise circulated), which reflected two PSG discussions which Central Secretariat had stimulated. Unfortunately, from my point of view, it appears there is a difference of opinion between Dr. Mawhinney (who favours my second option) and Central Secretariat (who favour the third option), whereas I am inclined to favour my first option. Does the attached draft square the circle? I should like, if at all possible, to submit advice for tomorrow's box. Does anyone have comments or wish more time for consideration?

D. C. Kirk

D.C. KIRK  
Constitutional and Political Division  
24th March 1988

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*McBarnes*

*MR. [Signature]*

*Mr. [Signature]*

*I'm content with the draft*

*M 1/4*

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PS/Secretary of State (L&B) - B    c.c. PS/Ministers (L) - B  
PS/PUS(L&B) - B  
PS/Sir K. Bloomfield  
Mr. Burns - B  
Mr. Chesterton - B  
Mr. Innes - B  
Mr. J. McConnell - B  
Mr. Wood - B

**PRIOR NOTIFICATION OF NI MP's ABOUT MINISTERIAL VISITS**

Your minute of 29th January (not to all, nor needed) asked me to resume our consideration, which was effectively suspended last summer, of the possibility that we might revert to the normal Whitehall practice, as laid down by the Cabinet Secretary, of notifying local MP's of Ministerial visits to their constituencies. It has taken a little time to gather together further advice. I hope that what follows is a balanced view of the options, in the light of which a Ministerial decision can be reached.

2. The NIO's own internal guidance not to notify MP's dates from the signing of Anglo-Irish Agreement. The concern which led to that guidance was of course the significant risk that demonstrations or worse would follow the notification of Unionist MP's of Ministerial visits to their constituencies. However, the 'ban' on notification also covered the SDLP MP's. (West Belfast is a special case and would, in any event, I believe, remain so). It was also intended - and Private Office have, I believe, sought so to ensure, although I am aware of no formal guidance - that Ministers of other departments should not notify NI MP's of visits to their constituencies, since Government policy towards the Province and its elected representatives should be seen to be indivisible.

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3. You suggested to me that circumstances might have changed sufficiently since the matter was considered last summer to point now towards a relaxation of the current regime. You indicated that the Secretary of State found the current rules somewhat irksome, and discourteous to his parliamentary colleagues. You subsequently recorded the disappointment of Mr. McGrady that he had not been notified in advance of a visit by Lord Lyell in his constituency. You also drew attention to an evident lack of uniformity in Ministerial practice and suggested that uniformity was now desirable.

#### Discussion

4. There have of course been some relevant changes in the political scene since the last general election. Unionist MP's, and not only the leaders, have been prepared on occasion to talk to Ministers, even if a formal 'boycott' of NIO Ministers remains in force. Ministers continue to write to Unionist MP's, although the letters are generally not addressed to them but to the PUS. There are signs that we may be able to return to more 'normal' relationships. The Unionist MP's are back at Westminster and playing an active role there. The Government continues to have regular contact with the SDLP.

5. Protest action against the Agreement is much reduced. There would seem to be considerably less risk of violent protest action. LOB advise that the RUC would be much less reluctant about our reverting to 'normal practice' than they were last summer. Indeed, the RUC would now be content on security grounds for local MP's to be notified, although they point out, not unreasonably, that there can be no guarantee that protest action will not follow. LOB support this advice. On the political front, PAB believe that advance notice of visits to certain Unionist MP's would be likely to lead to demonstrations. This is particularly true of those MP's with

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easy access to 'rentacrowd'. It could be, however, that in a few months' time, depending on the political climate, the risk of demonstrations against Ministers will have receded still further or even disappeared.

6. You also asked about notification of district councils, which is, strictly speaking, required by the Cabinet Office rules. The RUC and LOB see much greater problems in this area, and I believe we should in any event make no change at this stage, reverting to the matter in due course.

#### The Options

7. There seem then to be three main options:

- i) to revert to normal Whitehall practice in respect of visits by all Ministers to all constituencies (with exceptions only in respect of any visits by the Prime Minister, and no notification of Mr. Adams);
- ii) some form of selective notification;
- iii) doing nothing, but reviewing in six months' time.

8. The first option has the attraction of consistency, and conformity with normal Whitehall practice. It would be seen by Unionist MP's as a small indication of a return to 'normal business': some would welcome that privately; others would be contemptuous. There is some attraction, I suggest, in quietly making such a gesture. But it would also carry some risk that protest demonstrations would, on occasion, follow, and Ministers would need to be prepared to accept that risk. However, the embarrassment caused by the current practice in respect of some MP's would be avoided. There seems to be no reason why we should not keep the position under review, having made the change, although it would undoubtedly be difficult to chop and change.

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9. The second option could, indeed, take the form of 'chopping and changing', i.e. informing MP's selectively, as Ministers judged appropriate in particular cases. But it would seem extremely difficult to justify, and to implement, such a policy. There could perhaps be a case, as has been suggested to me, for notifying only SDLP MP's and Mr. Kilfedder. But how would we justify this, if questions were asked, to the other Unionist MP's? Such a system could lead to considerable controversy, and Ministers would need to weigh the risks - although I gather that there have been recent cases in which MP's have been informed of forthcoming Ministerial visits. In any event, I do not believe that it could be justifiable to notify MP's of visits by other Departmental Ministers, but not the NIO's (although the risk of demonstrations following must be much less): Government must be seen to be indivisible.

10. 'Doing nothing' is the safe option. It runs the risk of further criticism. That criticism should be manageable. But, if we now follow our own rules uniformly (as seems highly desirable), that will mean that one or two MP's who have recently been notified of visits, will not be notified next time round. We could justify that policy on the basis that caution about releasing information on Ministerial movements in NI is desirable, for reasons that MP's should understand - and we need to follow an uniform policy.

#### Recommendation

11. On balance, I recommend that we should take the bolder course (option i) and start to notify MP's uniformly as a matter of course. There would need to be the exceptions already mentioned (in respect of Mr. Adams and the Prime Minister) and there might in future be occasions, at the Secretary of State's discretion, for other exceptions. If that



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course is followed, we may need to draw up the ground rules quite carefully - e.g. timing and format of 'in confidence' notification - and CPL stand ready to give any assistance we can.

12. If the Secretary of State concludes that option (i) is too risky, option (iii) seems a more trouble-free course than (ii). In other words, we should apply the existing guidance uniformly (to minimise the risk of complaints) and take another look at the problem in the autumn. Selective notification (option ii) seems likely to be most difficult to administer and to court the greatest risk of controversy. It would be difficult to justify in public.

13. I have not sought to clear this advice with any other Ministerial offices. It seemed best to set out the options as best I could as a basis for the Secretary of State to consider further, as he sees fit.

D.C. KIRK

Constitutional and Political Division

March 1988

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