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Confidential

Meeting with Nigel Warner, 8 June 1998

I had dinner with Nigel Warner of the NIO in Belfast last Monday. Warner was a political adviser to Mo Mowlam when she was in opposition and came into the NIO with her. He is reputed to be one of the few within the NIO who in constant contact with the Secretary of State and who enjoys her full trust and confidence.

Resistance in the NI administration

Warner told me that he had just learned that there had been another leak of a confidential NIO document, full details of which have since been disclosed to media. He admitted that it would be damaging to the Secretary of State.

This revelation provided the opportunity for me to stress the growing concerns in Dublin at evidence of resistance within the NI administration to the full and balanced implementation of the Good Friday Agreement. I stressed that the Good Friday Agreement required a change in attitudes within the Northern Ireland administration which, notwithstanding the unquestionable integrity of the vast majority of its officials, tended, as a body, to be instinctively unionist in sympathy and reluctant to upset the status quo. I cited, as one current example of this attitude, the apparent refusal of the NIO to take seriously nationalist objections to Stormont as the site of the future Assembly, while at the same time accepting that unionist objections made Maryfield an unsuitable venue for any future Secretariat. I argued that the resistance to change at official level placed an added responsibility on Ministers to ensure the delivery of the Agreement.

Warner defended the integrity and impartiality of the NI administration, while conceding that there were a small number of people within the system who were resistant to the prospect of change.

I raised the question of how nationalist Ministers in the new Executive could be expected to relate to their civil servants in a situation where their loyalty could be open to doubt. In this context, I confirmed the importance which the nationalist parties attached to Ministers having the right to bring in political advisers. Warner was aware of this demand and, perhaps not surprisingly given his own background, appeared comfortable with it.

As regards the longer term, I accepted Warner's argument that a more fundamental change in attitudes within the administration would require the building of mutual trust and would take some time. However, I expressed the personal view that there would not be true balance within the NI administration until it was possible for persons of nationalist as well as unionist outlook and aspirations to take up senior positions within the administration (accepting, of course, that as public servants, such persons would not be entitled to use their position to pursue their personal political agenda).

Policing Commission and Prisoner Legislation

Turning to the practical implementation of the Agreement, I expressed concern about the British Government's handling of the appointment of the Policing Commission and the publication of the Sentences Bill. I cited, in particular, lack of adequate advance consultation with the Irish Government which meant that we were effectively presented with a fait accompli in both cases. Warner defended the British approach on the general grounds that it was necessary to assuage unionist concerns and that no damage had been done to the substance of the Agreement.

Indeed, he expressed concern that the British Government would be criticised for not having gone far enough in making prisoner releases conditional on decommissioning. I stressed the importance of sticking to the terms of the Good Friday Agreement and the devastating impact on nationalist opinion of any attempt to resile from its terms.

Warner mentioned the likelihood that the British Government would be challenged over the apparent inconsistency between their position on early releases and the position of the Irish Government in regard to the killers of Garda Gerry McCabe. I conceded that this case raised awkward questions for both Governments. However, I asked what was the British Government's position in relation to the loyalists who kicked to death an RUC officer in Ballymoney last summer. He said that he would check this out.

Appointment of the Shadow Executive

I asked Warner about the latest British thinking about the timing of the appointment of the shadow Executive, given David Trimble's statement earlier that day that it could be the end of the year before an Executive would be appointed. I stressed the serious problems that would arise within republicanism if there was any attempt to prevent Sinn Féin from taking up Ministerial posts. I also pointed to the fact that the longer it took before Sinn Féin were allowed to take up their Ministerial positions, the greater would be the demands for evidence of a start to decommissioning. Conversely, the more that decommissioning became a precondition for implementation of the Agreement, the less likely it was to occur.

I warned against any assumption that the SDLP and the Irish Government would be able to conduct business as usual (by respectively agreeing to the appointment of the First and Deputy First Ministers and by identifying North-South implementation bodies) against a background of a refusal by the UUP to allow Sinn Féin to assume the ministerial positions to which they were entitled on the basis of their electoral support.

Warner's response was worrying. He did not dismiss the notion of some, perhaps considerable, time elapsing between the appointment of the First and Deputy First Ministers and the appointment of the Secretariat. He argued that the appointment of Ministers was a matter for the Assembly to decide and that it might indeed take some time for arrangements to be agreed. He mentioned that Minister Paul Murphy was currently conducting a round of meetings with the parties on arrangements for the Assembly but that ultimately the British

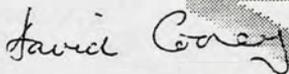
Government would have no say in these matters and it would be for the parties to agree among themselves on what they wanted.

I pointed to the British Government's responsibility to facilitate the smooth establishment of the shadow Assembly. I asked whether it would not be possible to reduce tensions by agreeing in advance, and perhaps specifying in the provisional Standing Orders to be laid down by the Secretary of State, that there should be ten Ministers in the shadow Executive, in addition to the First and Deputy First Ministers, and that the shadow Executive should itself be mandated to bring forward proposals for the division of Departmental responsibilities.

Warner seemed doubtful, urging that we await completion of Paul Murphy's consultations with the parties. He hinted that the SDLP had not indicated any particular concern as regards the appointment of the Executive at their meeting with Murphy earlier in the day. He expressed the confidence that, ultimately, the parties all had too much invested in the Agreement to allow it to fail.

Parades

We had a brief discussion on parades. Warner said that the British Government would be taking a different approach to Drumcree this year and would keep its distance. He understood that the Parades Commission was obliged to announce its decision at least five days before the parade was due to take place. Revealing what I took to be an expectation that the Commission would find against the marchers, he said that it would then be a question of whether those affected by the decision would be prepared to break the law. He expressed the hope that there would be no great appetite for this.



David Cooney
10 June 1998