

FROM: The Strand One Secretariat

TO: The Strand One Parties

DATE: Monday 23 March 1998

MINUTES OF THE STRAND ONE MEETING HELD ON 9th MARCH 1998

We attach for your consideration the draft minutes of the Strand One meeting held on 9th March.

Strand One Secretariat

Northern Ireland Negotiations

Str 1(98) 13th Mtg.

STRAND ONE, THIRTEENTH MEETING
9 MARCH 1998*Minutes*

1. The thirteenth meeting of Strand One commenced at 10.30am on Monday 9 March, with Mr Murphy in the Chair and Alliance, Labour, NIWC, PUP, SDLP, UDP and UUP all present. There were two three hour sessions of intensive discussions. The morning session continued discussion of the Government's Strand One Synthesis Paper (dated 2 March). In the afternoon the Government introduced two new papers on Criminal Justice and Policing with the discussion focusing on the Policing paper.

Morning Session

2. The meeting began with the SDLP expressing sympathy to Bronagh Hinds on the death of her sister, on behalf of all participants. The PUP asked for an adjournment of one hour to enable them to meet with party colleagues to discuss alleged mistreatment of loyalist remand prisoners by an RUC DMSU the previous Friday. Mr Murphy said that in the absence of any dissension he was prepared to grant the PUP's request. The meeting resumed at 11.50am. Mr Murphy invited participants to give their reviews on the remaining sub-headings within the Strand One synthesis paper.

3. Alliance favoured STV elections with 5 members being returned from each parliamentary constituency. They did not want a top-up arrangement as it would diminish proportionality and didn't sit well with a STV election. They did indicate, however, that they had not totally ruled out an 18x6 arrangement.

4. The NIWC advocated STV together with a list system, as a compromise. They indicated their willingness to discuss their proposals with other parties on a bilateral basis. The PUP proposed an 18x6 arrangement with a top-up of 20 for the first term at least. The UDP supported the PUP proposals. They felt that the more people one could involve the more likely the institution would be a success. They wanted it to be as broadly representative as possible.

5. Labour said that they did not want to see a list system used in elections which would be similar to that which operated for the Forum. They advocated STV based on 18x5 but were willing to consider 18x6. They wanted to see a top-up of 20 seats, distributed on a formula designed to achieve full overall proportionality.

6. The UUP suggested that it was not possible to look at an Assembly in isolation. Northern Ireland already had 18 Westminster MPs, 3 MEPs and 582 local councillors. A new Assembly with a membership of more than 90 would give Northern Ireland over 700 elected representatives which they considered to be too many. They were also concerned that dual membership could lead to conflicts of interest and suggested that some check should

be applied to prevent this happening. They also doubted whether an Assembly of more than 90 seats would have all members sufficiently occupied.

7. The SDLP favoured STV and 5 seats for every parliamentary constituency. They were concerned about top-ups especially if they did not help proportionality. If an Assembly was going to rely on weighted majorities participants should be careful of systems which skewed the political make-up of an Assembly. They also thought it was improper to have most members representing geographical constituencies while the top-up members did not have such responsibilities.

8. All parties would be content with a 4-year term for the Assembly although both the PUP and UDP supported the notion that the first term should be longer (a year to 18 months) to allow for a bedding-in period. The PUP suggested that Westminster MPs should have the opportunity to stand for the Assembly given the experience that they could bring to a new institution. A number of participants pointed out that it would be important to avoid Assembly elections clashing with other elections, e.g. Europe and local government.

9. Most parties indicated that they favoured unicameral institutions although the NIWC expressed strong support for a bicameral arrangement with the second chamber, known as the Civic Forum, providing an opportunity for the widest range of interests in Northern Ireland to engage constructively in the democratic process. The second chamber would be complementary, consultative and subservient to an elected chamber. Labour indicated that they now saw merit in what the NIWC were proposing. Alliance explained that they had not entirely ruled out a second chamber but they certainly had not been convinced of the necessity for one.

10. Mr Murphy adjourned the meeting at 1.30 pm. The final question on the synthesis paper covering 'links with other institutions' was left for discussion at another time.

Afternoon Session

11. Mr Murphy opened by introducing the Government's two papers on Criminal Justice and Policing. The ensuing discussion focused on the Policing Paper.

12. The UUP stated that under current circumstances the existing police force was the only possible model because it had provided stability; it would be unwise to alter the RUC without a more conducive political situation. The UUP expressed concern about increasing political control over the RUC as power had shifted from the Police Authority to the Secretary of State. They advocated strong community involvement in the Police Authority to act as a buffer between the RUC and the Government; a structure that could be encouraged under a new local administration.

13. Alliance acknowledged the good work of the RUC but recognised that some changes were necessary. They proposed a single unitary police force so that the same rules would apply everywhere; relevant political structures, such as a responsible Assembly with no operational role; an annual policing plan; an improved CPLC network to spawn a Police Commission and; a successor body to the current Police Authority. This framework would address the need for grassroots involvement and greater accountability.

14. The UDP supported the transfer of policing to an Assembly and recognised the importance of 'acceptability' to both nationalists and unionists, and saw that the CPLCs could contribute. Symbolic shifts were not enough; the police should reform in response to a political settlement but confidence would be slow to build.

15. The SDLP welcomed the paper and the opportunity for debate that it presented. They proposed a fundamental reappraisal of the police through dialogue in order that it should have the support and allegiance of the whole of Northern Ireland. The Government's paper went some way towards recognising this by addressing consent, accountability, the ethos of the police and the broader legal framework. The SDLP saw the linkage of policing and criminal justice as a distant but realistic possibility. On an organisational level they endorsed a unitary policing structure with strong regional elements with police living in the communities they serve. The SDLP also expressed support for a number of Government suggestions including Crime Prevention Initiatives, diversionary programmes, multi-agency partnerships and 'contact points' designed to improve communities' access to the law. Training should be influenced by outside organisations such as social services.

16. On the question of an Independent Commission to review the role of the police, the SDLP were supportive on condition that it is a meaningful, independent, possibly international body to report back to a post-settlement administration. They also supported improved North/South co-operation since this would formalise contacts that already exist.

17. The PUP suggested that the police had become distant from the community that they serve. To redress this they suggested a strong, representative, apolitical and socially-representative Police Authority with an independent Complaints Authority. In practical terms the PUP envisaged a unitary force under the name of the RUC, accountable solely to the Police Authority with policemen on the beat and not in Land Rovers. The police should reflect the religious make-up of the population. This should be accompanied by a move away from emergency policing: the de-scheduling of offences, the abolition of Diplock courts and a normalisation of PACE, alongside fundamental retraining.

18. The NIWC welcomed the Government's paper and proposed a shift in focus to service-orientated policing and better police/judiciary co-operation. They also advocated the extension of the Independent Law Reform Advisory Committee's remit to include civil as well as criminal law. The NIWC sought clarification of the 'standards' mentioned in the

document. They suggested that training should apply throughout the ranks and not just to recruits. Accountability also needed to be addressed since it was not clear to whom the police should report and the issue of lodge membership should also be considered. On the subject of a review of policing the NIWC thought that people might be cynical about another commission. They also had concerns about the suggestion that quotas might determine the make-up of a reformed police force. *check this - we asked 14
question - are quotas legal?*

19. Labour suggested that the police should be answerable to a representative Police Authority made up of community representatives as well as councillors. They stressed the importance of impartiality but foresaw practical problems with increasing Catholic representation at a time when the force was being downsized. They looked forward to more debate on the subject.

20. In conclusion Mr Murphy brought the meeting to a close, commenting that the discussion had been a useful start, although the Criminal Justice paper had yet to be debated, and promised a second Synthesis Strand One paper. He said that he would be available for bilaterals in Belfast on Monday 16 March.

STRAND ONE SECRETARIAT