

Monday  
14 September 1998

THE NEW  
NORTHERN IRELAND  
ASSEMBLY

---

Matters referred by the Secretary of State

INTERIM REPORT FROM THE

FIRST MINISTER (DESIGNATE) AND DEPUTY FIRST  
MINISTER (DESIGNATE)

---

## 1. Introduction

- 1.1 At the first meeting of the New Northern Ireland Assembly (the Assembly) on 1 July 1998, it was resolved that we should be invited to consider and, after consultation, make proposals regarding the matters referred to the Assembly under Section 1(2) of the Northern Ireland (Elections) Act 1998 and any other matter connected with the future business of the Assembly, and to report to the Assembly by 14 September 1998.
- 1.2 The matters referred were contained in a letter from the Secretary of State dated 29 June 1998 and read on to the Assembly's official record by the Initial Presiding Officer. In summary, they were as follows:
- ◆ basic structures, including agreement on the number of Ministerial posts and the distribution of executive responsibilities between those posts;
  - ◆ preparations for establishing the British-Irish Council and the North-South Ministerial Council and associated implementation bodies;
  - ◆ the resolution of Standing Orders and working practices; and
  - ◆ the establishment of the "consultative Civic Forum".
- 1.3 The Assembly has received a separate report on Standing Orders from the Committee which it set up to look in to the matter. This report covers the remaining matters referred by the Secretary of State.

## 2. **Background Material**

2.1 In response to the Assembly's invitation and in order to assist our deliberations we sought and received the following background papers prepared by officials:

- ◆ options for Departmental structures and Ministerial portfolios, submitted on 17 August 1998;
- ◆ an analysis of proposals for establishing a consultative Civic Forum, submitted on 18 August 1998;
- ◆ a technical assessment of possible areas for co-operation under the auspices of the North-South Ministerial Council, submitted on 24 August 1998; and
- ◆ the operation of the British-Irish Council, submitted on 4 September 1998.

2.2 Copies of these papers have been placed in the Library and additional copies are available on request.

### **3. Consultation with the Parties**

- 3.1 Using the papers submitted by officials as a basis for a preliminary discussion, but without at this stage forming our own views on the issues which they covered, we convened a plenary meeting of Party representatives on Monday, 7 September for the purposes of preliminary consultation. The meeting was attended by representatives from the following parties:

**Alliance Party**  
**Progressive Unionist Party**  
**Social Democratic and Labour Party**  
**Sinn Fein**  
**Ulster Unionist Party**  
**Northern Ireland Women's Coalition**

- 3.2 We followed this on Wednesday, 9 September and Thursday, 10 September with a series of bilateral meetings with representatives from the following parties:

**Alliance Party**  
**Democratic Unionist Party**  
**Progressive Unionist Party**  
**Social Democratic and Labour Party**  
**Sinn Fein**  
**UK Unionist Party**  
**Ulster Unionist Party**  
**Northern Ireland Women's Coalition**

- 3.3 The meetings on all 3 days provided us with an extremely useful opportunity to explore initial perspectives on all of the issues under consideration. They also allowed us to take views on how the



consultation process might be taken further before we formulate definitive proposals.

#### **4. Summary of Views**

- 4.1 The outcome of each meeting was inevitably incomplete since it was mainly exploratory in nature. Much of the discussion focussed on Departmental structures because of time constraints. In addition, Parties have formed outline positions but wish to develop their thinking and commit it to paper for our consideration. Others have already prepared material on some of the issues and indicated that they would submit it to us shortly.
- 4.2 In these circumstances, it is obviously not possible for us to put firm proposals at this stage on any of the matters referred to us by the Assembly. However, there were a number of themes, and encouragingly in some areas, some convergence of view during what we both found, for the most part, an interesting and stimulating initial exchange. We felt it would be helpful to summarise these themes for the Assembly now in order to stimulate further debate.

#### **Departmental Structures**

- 4.3 There was a general acknowledgement that in normal circumstances Departmental structures would be built around a clear programme of Government and that they should be configured in such a way as to deliver the key themes and policies of any new administration in as efficient and effective a way as possible.

- 4.4 The development of such a programme will be a pressing and significant task for the Executive Committee. In the meantime, there was support to varying degrees for some changes to present Departmental structures in time for devolution. This could be achieved by bringing together existing, discrete blocks of functions in new Departmental arrangements.
- 4.5 It was also evident from some of the suggestions put forward by Parties that it would be possible to move reasonably quickly – agreeing on an initial configuration from 7 to 10 Departments, while at the same time building in sufficient space for a process that would allow incoming Ministers to develop a clear understanding of their portfolios and the key policy issues that they will face early on in the life of the new administration. It is worth adding that this, in turn, would allow Ministers, acting collectively through the Executive Committee, to undertake a comprehensive review of policy and to reflect on the need for further, perhaps more significant structural changes under devolution.
- 4.6 As to the options for the number of Departments, the range ran from a remodelling of the Department of the Environment, leaving the other Departments intact, to a more challenging re-cast of the existing structures. In this latter regard, there are a number of permutations around the 10 Departmental model and arguments could be advanced for each of them. Clearly, however, a judgement has to be made. It was generally agreed that that judgement should be objective and as far as possible seek to provide some parity or equal weighting between Departments in terms of significance and importance.

- 4.7 A common theme in our discussions was the need to have a strong focus on co-ordinating action on key cross-cutting issues, such as equality (including new TSN and promoting social inclusion) children and the family, and EU matters. Some believed that these should be taken forward at the centre, perhaps under the Office of the First and Deputy First Ministers. Others felt that some of the matters merited a Department in their own right.
- 4.8 The handling of these cross-cutting issues is important. We will wish to look further at ways in which the administration can enhance and promote integrated policies, while at the same time ensuring that, where appropriate, functional responsibilities remain in the relevant Departments.
- 4.9 There were also some helpful ideas on junior Ministers, particularly in the context of handling some of the key cross-cutting issues or areas in which a co-ordinated response would be needed. However, there were clearly divergent views on the method of selection and concerns about how this would work in practice.
- 4.10 A number of parties expressed support for a wider examination of the system of public administration, particularly QUANGOS, and of the relationship and balance of responsibility between central and local government. However, there were views about how such an examination would be taken forward. In particular, there were some concerns that it would become a highly complex and protracted process and a desire to avoid the inertia that could develop from a comprehensive review at this stage. We will want to consider this further.



## North-South Ministerial Council

- 4.11 In the limited time available during the bilaterals it was not possible to deal in any detail with the substance of the material contained in the paper that was presented to the Parties. The discussion did, however, highlight the fact that much more detailed work was necessary. Most Parties indicated that in the meantime they would forward detailed proposals on both the substance and process issues of North-South co-operation.
- 4.12 As to the process, it is anticipated that the inaugural meeting of the North-South Ministerial Council will take place in the near future, when we hope there will be a substantive exchange across a range of matters with Irish Ministers. We have requested our officials to engage with their Irish Government counterparts to work on practical and other arrangements for the meeting.

## British-Irish Council

- 4.13 Parties noted that the British and Irish Governments were in the lead on taking forward arrangements for establishing the Council, including its method of working, and other practical details for the inaugural meeting, which is expected to take place around the same time as the inaugural meeting of the North-South Ministerial Council. Much will depend on the availability of the Prime Minister and the Taoiseach at that time. Our officials will be in discussion with their British and Irish counterparts on the involvement of the Assembly's representatives and we will report further.



4.14 Meanwhile, it is our understanding that an initial work programme is in the process of being drawn up. Unfortunately, because of time constraints, we were unable to take the views of Parties on what that programme might contain, but we invited them to offer suggestions.

#### Consultative Civic Forum

4.15 Substantive discussion on the consultative Civic Forum was also limited. However, we were encouraged by the initial ideas coming forward. For example, there was some support for the view that the Forum should be as representative of civic society as possible and should provide a voice for those groups which have not traditionally had one. There were also a number of suggestions as to what the sectors to be represented might be, and whether the membership of the Forum should be fixed or be flexible enough to bring in the relevant people for specific topics. Other issues which we discussed included the location of the Forum and how the appointment process should operate. More generally, the meetings with the Parties provided us with a useful opportunity to clarify our own personal role in relation to the Forum, which is to determine the sectors to be involved, to develop guidelines for the appointment of representatives and ensure the provision of the appropriate administrative support.

4.16 In view of the time constraints at our meetings, we invited the Parties to submit more detailed views in due course, particularly on how we can best ensure that the consultative Civic Forum is fully representative of society in Northern Ireland.

## **5. Conclusion**

5.1 We are grateful for the co-operation of the Parties over the past week of our initial consultation and for the thoughtful and constructive approach by all those who offered contributions to assist our thinking. We also welcome the various offers of more detailed written observations and look forward to receiving them in due course. In this context, we have invited the independent Members of the Assembly to give us their own personal views, if they wish.

5.2 Clearly, there are complex and challenging issues confronting us all in shaping the future governance of Northern Ireland; but we are greatly encouraged by the start that has been made. We will reflect carefully on the meetings to date, on the debate in the Assembly and on the further material we receive. Thereafter, we will consider how best to make progress and we will report further to the Assembly in due course.

14 September 1998

ISBN 0 9534288 1 8