



Ref. A086/1655

PRIME MINISTER

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Cabinet: Northern Ireland Assembly

C(86) 16

Subject to the resolution of points left outstanding by the meeting of OD on 9 June, Cabinet should be guided to conclude, in line with the view of OD, that the Northern Ireland Assembly should be dissolved as quickly as possible.

2. The Cabinet will consider a memorandum <sup>Mag A.</sup> by the Secretary of State for Northern Ireland (C(86) 16), which takes account of the OD discussions. The Attorney General will be present to advise on the outstanding legal points.

3. The following aspects require discussion -

a. Whether to dissolve the Assembly. Does Cabinet agree with OD that the Assembly should be dissolved, because elections at this time would be disruptive and would stimulate the flagging unionist campaign against the Anglo-Irish Agreement, and because the Assembly's performance for many months has been shameful? The Secretary of State for Northern Ireland's memorandum reports that the Unionists are planning to depart from usual practice by not going into recess during the marching season.

b. Timing. OD agreed with the Secretary of State for Northern Ireland that the matter should, if possible, be got through Parliament in time to dissolve the Assembly before the marching season gets going in earnest on about 12 July.

c. Outstanding points from OD:

i. Can the Parliamentary Process be completed on time? (Secretary of State for Northern Ireland, Lord Privy Seal, Chief Whip).

ii. Has the Secretary of State for Northern Ireland concluded that he should write in advance to the Speaker of the Assembly?

iii. Is it certain that the Northern Ireland Act 1982 provides for the Assembly's dissolution by Order in Council at any time? Does the Act specify the reasons which would justify this? Is it certain that new elections do not follow automatically from dissolution and that dissolution is not subject to judicial review? (Secretary of State for Northern Ireland, Attorney General, Lord Chancellor.)

d. Presentation. OD concluded that the following points should be stressed:

i. This is dissolution, not abolition, of the Assembly.

ii. The Government remain fully committed to the Anglo-Irish Agreement and the aim of devolution.

iii. The Government remain willing to discuss with Unionists the four matters on which you offered dialogue on 25 February - devolution and a roundtable conference, the future of the Assembly, the handling of Northern Ireland business at Westminster and new means of consultation between the Government and Unionist leaders.



iv. The Assembly for many months has not carried out its proper functions (scrutiny of Northern Ireland Departments and preparation of proposals for devolution) and has exceeded its functions by attacks on the Anglo-Irish Agreement.

v. The Unionist leaders turned down the Secretary of State for Northern Ireland's offer two weeks ago of talks about the assembly.

vi. The Government's willingness to hold new Assembly elections at an appropriate time.

e. SDLP. Has the Secretary of State for Northern Ireland managed to persuade Mr Hume to undertake to participate in future elections to the Assembly?

MS

for

ROBERT ARMSTRONG

11 June 1986