



Prime Minister

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Agree not to pursue this for the time being. *And 30/x*

ANGLO-IRISH JOINT STUDIES: IRISH VOTING RIGHTS IN NORTHERN IRELAND

pt 4

At the meeting of OD(AI) on 8 October there was some discussion of the restrictions on voting rights for Irish citizens in Northern Ireland local elections. It was agreed that I should consider whether we might be justified in changing the residence requirements in return for some concessions from the Irish.

I should make clear first that voting rights in Parliamentary elections in Northern Ireland as in Great Britain apply equally to British subjects and Irish citizens. They are not at issue. However voting rights in Northern Ireland local elections are a different matter.

There is at present a complex combination of statutory requirements, enacted during the time of Stormont, relating both to residence and nationality. Under the residence requirements a voter must have been continuously resident in Northern Ireland for three months up to the qualifying date; and also, if not born in Northern Ireland, the voter must have resided in the United Kingdom for seven years. In addition, under the nationality requirements, the vote is only available to British subjects or persons who were on the Northern Ireland Electoral Register prior to 1962. This restriction was introduced by Stormont in 1962, from which date Irish citizens (unless already on the register) lost their entitlement to vote in NI local elections.

Thus, no amount of modification of the residence requirements alone will give Irish citizens the vote in NI local elections that they enjoy in Parliamentary and GB local elections. It is the nationality requirement that affects and is objectionable to the Irish. However to change the nationality requirement, particularly as an outcome of the joint studies, would take us into direct confrontation with the Unionists. Paisley would be presented with a highly emotive issue that he would fully exploit by charging us with allowing citizens of a "foreign" and "hostile" country to have a say in Northern Ireland's internal affairs. If our relationship

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with Dublin continues to develop, we may eventually reach a stage where we might consider allowing Irish citizens the same voting rights in NI elections as they have in GB. But I am convinced that do so at the present time would inflame Unionist suspicions and make our work in improving relations with the Republic considerably more difficult.

There remains the possibility of relaxing the residence requirement, even though it would be of no direct help to us in our dealings with Dublin. I see no objection in principle to removing the requirement for seven years residence in the United Kingdom. It is an out-moded provision that serves no useful purpose and disfranchises British subjects now resident in Northern Ireland but who were not born there and who, for one of any number of reasons, have resided outside the UK at some point over a period of seven years. However I have reservations about taking such action at the present time. Any amendment to the law of this kind, however insignificant, would be linked to the joint studies. It would therefore arouse Unionist suspicions while not achieving any compensatory improvement in our relations with the Irish. I would prefer therefore to wait for an occasion when the seven year residence requirement can be repealed without unnecessarily souring the political atmosphere.

An opportunity to remove the residence requirement could be provided by any Representation of the People Bill dealing with electoral law in general. Were such a Bill introduced as a result of the Home Secretary's review of electoral law and procedures the Irish might well press us to remove both the residence and the nationality requirements and we should need to be prepared for this.

Copies of this minute go to members of OD(AI) and Sir Robert Armstrong.

J P

28 October 1981

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