

CONFIDENTIAL

HCS/6/1

cc PS/PUS (L&amp;B)

Mr Innes:

## OCCUPATION OF GOVERNMENT BUILDINGS

1. As we had agreed in earlier discussion I met DCC Michael McAtamney of the RUC today to review the experience of the "switchboard occupation" at Parliament Buildings on 15 May, and to establish whether improvements could be made in the handling of such incidents.
2. In the course of our talk I reminded Mr McAtamney that there could be early decisions about the future of the Assembly. In the event of a decision to dissolve, it was entirely possible that some Assembly members would protest by refusing to leave Assembly premises at dissolution, or by other unacceptable forms of activity within Parliament Buildings. We would keep in close touch with him to ensure that adequate contingency plans would be made in good time.
3. We then went through the chronology of the "switchboard" episode, noting that
  - (a) the possibility of some form of trouble at Parliament Buildings had been raised by Security Branch, Rosepark with RUC Stormont the previous evening (14 May);
  - (b) the initial contact about DUP members roaming the building had come from DOE to Stormont RUC at about 8.45 am;
  - (c) police officers who had arrived at the building (Inspector O'Neill and Sergeant Elwood) had been aware of the occupation of the switchboard itself, and the request of DOE that the occupiers should be removed, from about 9.15 am;
  - (d) police were aware by, at the latest, 10.50 am that the Secretary of State personally wished the occupiers to be removed as soon as possible; and
  - (e) in practice, it was only after the successive arrival on the scene of a Chief Inspector, a Superintendent, the Deputy Divisional Commander and ultimately of ACC Steenson that the door was forced at 11.51 am and the occupiers persuaded to leave.
4. Mr McAtamney agreed that all of this had been far too slow-moving. We agreed that, for the future, Departments faced with the improper occupation of Government premises should both
  - (a) refer the situation to the RUC on the spot, requesting action; and
  - (b) in parallel inform LOB of the position, so that they could make contact as appropriate with Operations Department, with ACC Whiteside or with Mr McAtamney himself to ensure that the situation was being handled with sufficient sense of urgency.

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**E. R.**

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5. Mr McAtamney also agreed that police on the ground were sometimes a little uncertain about their powers to act on private premises, even though Section 3C of the Public Order Act (NI) 1951 makes such specific provision for "protection of public buildings and activities". He will consider whether it is desirable to issue further guidance within the force on that matter.
6. If you (and PUS to whom this is copied) are content I will now write to all my Permanent Secretary colleagues advising the sort of parallel action envisaged in paragraph 4 above.

*KPB*

**K P BLOOMFIELD**

4 June 1986

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sub-section, any instrument or other thing in respect of which he is so convicted shall by the conviction become forfeited to the Crown.

Endeavours to break up public processions.

[**113A.**—(1) Any person who for the purpose of preventing or hindering any lawful public procession or of annoying persons taking part in or endeavouring to take part in any such procession hinders, molests, obstructs or acts in a disorderly manner towards, or behaves offensively and abusively towards, those persons or any of them shall be guilty of an offence against this Act.

(2) If any member of the Royal Ulster Constabulary reasonably suspects any person of committing or being about to commit or of having committed an offence under sub-section (1) of this section he may require that person to declare to him immediately his name and address, and if that person refuses or fails so to declare his name or address or gives a false name or address he shall be guilty of an offence against this Act.]

Obstructive sitting etc. in public places.

[**113B.**—(1) Any person who, by sitting, kneeling or lying down in a public place, wilfully obstructs or seeks to obstruct traffic or wilfully hinders, or seeks to hinder, any lawful activity, shall be guilty of an offence against this Act.

(2) Sub-section (2) of section 3A of this Act shall apply to an offence under sub-section (1) of this section as it applies to an offence under sub-section (1) of that section.]

Protection of public buildings and activities.

[**113C.**—(1) Any person who—

- (a) enters any public building as a trespasser; or
- (b) not being engaged in the discharge of duties, or the performance of obligations, connected with activities normally carried on in a public building or in part of a public building, wilfully neglects or fails to comply as soon as is practicable with a direction to leave that building or that part being a direction given by—
  - (i) a person authorised in writing by a body or authority owning, or lawfully occupying or using, the building or any part of the building to give such directions with respect to that building or that part; or
  - (ii) a member of the Royal Ulster Constabulary at the request of any person so authorised; or
- (c) knowingly interferes with the carrying on of any lawful activity in any public building;

shall, without prejudice to the operation of any other enactment or rule of law, be guilty of an offence against this Act.

Provided that nothing in paragraph (c) shall operate to penalise—

- (i) any lawful picketing carried on outside a public building; or
- (ii) any other lawful act done;

by or on behalf of a trade union in contemplation or in furtherance of a trade dispute.

(2) A member of the Royal Ulster Constabulary, if so requested by a person authorised to give directions for the purposes of paragraph (b) of sub-section (1) of this section with respect to any building or part of a building, may remove from that building or that part any person who commits an offence under that paragraph in that building or that part.

(3) A person authorised to give directions for the purposes of paragraph (b) of sub-section (1) of this section with respect to any building or part of a building shall, if so required by any person to whom a direction is given under that paragraph to leave that building or that part, produce his authorisation to give such a direction.

(4) References in this section to a public building include references to any building which is owned, occupied or used for any purpose by or on behalf of a government department or a local or public authority or for the purposes of any grant-aided school or institution for further or higher education or which is occupied or used for parliamentary, judicial or police purposes, to any part of such a building and to any place or thing which is within the curtilage of such a building and, for the purposes of this section, any place which is—

- (a) part of the Stormont Estate within the meaning of the Stormont Regulation and Government Property Act (Northern Ireland) 1933; or
- (b) part of the demesne and other lands referred to in section 1 of the Government Property (Amendment) Act (Northern Ireland) 1955;

1933 c.6

1955 c.2

shall be deemed to be within the curtilage of a public building.

(5) For the purposes of sub-section (4) "local or public authority" includes any local authority or any authority, committee or board appointed wholly or partly by a local authority and any board, commissioners or other body authorised to supply services under any statutory provision whether of a general or special nature and any other public authority, board, commissioners or body of any kind constituted by or under any statutory provision, whether of a general or special nature and in this sub-section "statutory provision" has the meaning assigned to it by paragraph (f) of section 1 of the Interpretation Act (Northern Ireland) 1954.]

1954 c.33

4.—(1) Any person who at a lawful public meeting acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together shall be guilty of an offence against this Act.

Endeavours to break up public meetings.

(2) If any officer or constable of the Royal Ulster Constabulary reasonably suspects any person of committing an offence under this section, he may if requested so to do by the chairman of the meeting require that person to declare to him immediately his name and address,