



# An Chartlann Náisiúnta National Archives

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Meeting with Seamus Mallon, 2 March 1987

I met Seamus Mallon in Newry on 2 March.

The following were the main points which we covered:

Emergency Provisions Bill

The Select Committee's consideration of the Bill would be concluded on 3 March.

Scott told Mallon that he was personally persuaded that there was no need to retain the internment provision. However, he expected that King would resist its deletion. If this proved to be the case, he (Scott) would drop a clear hint at the Committee's final session that he was conveying a decision with which he personally disagreed.

Mallon expects that the fruits of the Committee's work will be no more than a couple of minor amendments to the Bill. He is not unhappy with this, however. He has found the whole experience of sitting on this Committee a valuable and stimulating one. Warming to his theme, he said that "there has never been anything like this before" and that the exercise was of far greater significance for Northern Ireland than people realised. It had tested his own stamina, requiring him to engage not in "rhetoric" (as in the Commons) but in detailed argumentation on very specific issues with Ministers, experts and "the likes of Enoch Powell". He has clearly relished the confrontation with Powell, however. In contrast to what he sees as Powell's laborious and time-consuming pedantry, Mallon has been pushing the "human angle" and reminding people of realities on the ground in Northern Ireland. He has taken pleasure in emphasising Powell's remoteness from Northern

Ireland realities (e.g., by beginning his own contributions, "Speaking as someone who lives in Northern Ireland"). He has also taken a more sardonic pleasure in reminding Committee members that he alone among them has the distinction of having been arrested twice under the EPA. Mallon also noted with amusement that, in heading off Powell's proposal that the IRA should be outlawed, he received support not only from Labour but also from the Tories.

The exercise has of course also brought in some useful publicity for Mallon. (Indeed, when confined to bed last week with the flu and prevented from delivering a prepared intervention, he saw no reason why the text of his remarks should not be issued to the media regardless - "nobody batted an eyelid!"). He had sharp words for the London-based Irish correspondents, however. None of them had attended even a single sitting of the Committee, despite its obvious importance for Northern Ireland.

Mallon mentioned that the Government intend to table some amendments of their own, including one on the closure of cross-border roads (on which, he has been told, "they are under pressure from you people"). I briefed him on the position we had taken on this proposal and he was in full agreement.

#### Public Order Order

Mallon has heard that the Order will be debated very shortly, once the EPA is "out of the way". However, he has heard no date mentioned so far. Scott's office has told him that the only legislation of Northern Ireland relevance scheduled for next week is the Industrial Relations Bill. As the Budget will take up most of the following week, he is inclined to the view that the Public Order debate may not be debated until the last week of March. As it happens, this time would suit him personally - he has scheduled a fund-raising visit to the U.S. (Nashville, Boston and possibly Philadelphia) for the period

12-21 March. Mallon assumes that, if the Government really intend to implement the Order as from 1 April, they will be able to arrange quick clearance through the Privy Council in order to meet that deadline.

Mallon expects that the Unionist MPs will come into the chamber to protest at the Order. In a way, he would be happy if they did - "it would show everybody else what we're up against". He also expects that the Unionists will try to stage rallies all over the North in the run-up to Easter in order to test the Government's determination to enforce the new measures.

Mallon is clearly a little uncomfortable, however, at the fact that he will be "offside" with Labour in supporting the Order. With incidents such as the raid on the BBC's Glasgow offices fresh in their minds, Labour will oppose on civil libertarian grounds any strengthening of police powers. Mallon is not sure what position the Alliance will take but will check this with David Alton. Only the Tories will be supporting the Order. Mallon expects that Sinn Fein will try to exploit to their own advantage the difference of opinion between Labour and himself and his alliance with the Tories on this issue.

He believes, however, that he has no option but to take this stand. He is already on record as having urged a strengthening of police powers to control parades during the debate on the UK Public Order Act last year. This view, he is happy to note, has been accepted in the Public Order Order. The Order is, in his opinion, an essential piece of legislation for Northern Ireland and it is one of the major achievements of the Agreement. The line he will take in the debate (which he assumes will be a fairly brief one) is that people in Northern Ireland have a right to live their lives in peace and to be protected from the menace of triumphalist parades. If this involves a strengthening of police powers, so be it. He is conscious that there will be those who will contrast the party's traditional reluctance to recognise and support the RUC with its readiness, in the context of the Public Order Order,

to give that same police force extra powers. But he feels that this is a political price worth paying.

I briefed Mallon in detail on the contents of the Order, including the last-minute changes notified to us (which he accepted without much difficulty). I briefed him also on the observations furnished by the Irish side in relation to the 'incitement to hatred' provisions. He was in agreement with all the positive elements which I drew to his attention. Those on which he focussed particularly were:

- the deletion of the obligation on the RUC to have regard to the desirability of not interfering with a public procession "customarily held along a particular route";
- the creation of two tiers of control in the RUC in relation to parades;
- the strengthening of the Secretary of State's powers to ban parades;
- the powers given to the police (under the 'incitement to hatred' heading) to enter premises to seize relevant written or other matter on foot of a warrant and to use reasonable force if necessary.

Also under 'incitement to hatred', Mallon will query the exclusion of "nationality (including citizenship)" from the list of grounds for "fear". This was included in the UK Act to take account of National Front activities and, as in his view the latter organisation also poses a threat in Northern Ireland, it should be included in the Northern Ireland Order as well.

In his contribution to the debate, Mallon will also challenge any attempt by King or Scott to suggest (with a view to appeasing the Unionists) that the Order involves nothing more than the extension of the UK Public Order Act to Northern

Ireland. He will focus on the differences and explain why, in his view, these differences are absolutely essential. With an eye to the threatened Loyalist campaign against the Order, he will recall for his listeners the violence sparked off by various Loyalist parades last year and will say to the Government, "You have brought in the right laws - now show us that you intend to use them".

### The Labour Party

Mallon was, as usual, critical of the UK Labour Party, in particular Archer and Bell.

He suspects (despite Kinnock's protestations to the contrary) that Labour are prepared to contemplate a deal with the Unionists in the event of a hung Parliament. In a speech which he delivered in Oxford three weeks ago (but which was reported in the "Irish Times" only last week), he warned Labour against entering any such deal. He has signed on to do a monthly column for "Tribune", Labour's left-wing newspaper, and will devote his next contribution (he penned one on the Agreement a couple of weeks ago) to the same theme.

He also suspects that certain elements in Labour are prepared to do a deal with Sinn Fein. He is aware that there have been further talks between Labour and Sinn Fein since the former's recent visit to Belfast. However, the furore over the invitation to Gerry Adams to address a Labour group in London has shown that, in opening up to Sinn Fein, Labour are "shooting themselves in the foot". Mallon believes that, whatever about Archer and Bell, Neil Kinnock has no interest in a closer relationship with Sinn Fein as it would cost Labour a lot of votes in the areas where they are losing ground to the Alliance. Sinn Fein, therefore, are probably "barking up the wrong tree" if they think they can win over Labour. There is, of course, the further consideration that Labour's record in office has shown them to be notoriously unreliable as far as

their policy on Northern Ireland is concerned. Mallon intends to remind "Tribune" readers (in his forthcoming contribution) of the unhelpful role played by Labour Governments at different times in the history of Northern Ireland.

#### Contact with the RUC and Army

Mallon has taken the initiative in arranging a meeting with the local RUC Divisional Commander (Lally) and the commanding officer of the local Army regiment (the Prince of Wales' Own) to discuss the problems created recently by Army checkpoints on the outskirts of Newry. The meeting has been scheduled for 5 March. He has had a number of meetings with the RUC Divisional Commander before but this is the first occasion for several years on which he has dealt with the local Army commander. (Note: information from the Secretariat suggests that the particular issue of Army checkpoints around Newry has now been resolved but it is likely that Mallon will go ahead with his meeting nevertheless).

#### Elections

While Hume is "euphoric" about Sinn Fein's poor performance in the recent general election, Mallon believes that it will not affect their standing in the North and that the SDLP, accordingly, can draw no particular comfort from the result. He has, however, come round to the view that the best way of handling Sinn Fein is to ignore them altogether. "If we start taking them seriously, or show that we are worried by them, we're finished".

As regards West Belfast, the particular line of attack which he favours is that the SDLP will give the people representation at Westminster whereas Adams will not. Whatever flirtation Sinn Fein may enter into with the Dail, it would be political

suicide if Adams were to propose taking his Westminster seat. This is the card which Joe Hendron must play - and Mallon admitted that he would dearly like to have the job of "putting this message across" to West Belfast voters.

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4 March 1987.

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