



# An Chartlann Náisiúnta National Archives

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AN RÚNAÍOCHT ANGLA-ÉIREANNACH

ANGLO-IRISH SECRETARIAT

BÉAL FEIRSTE

BELFAST

COPY TO:

6 June 1996

- MR. O'DONNELL
- MR. HICKEY
- MR. BROSNAN
- MR. FAY
- MR. BAILEY

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Mr. Sean O hUiginn  
 Second Secretary  
 Anglo-Irish Division  
 Department of Foreign Affairs

Discussion with the Chief Constable on Parades

Dear Second Secretary

The Chief Constable and his Deputy, Ronnie Flanagan, and his Personal Assistant, Chief Superintendent Gerry Sillery, came to dinner in the Secretariat last night. The conversation ranged principally over recent political developments and on the parades issue. The Joint Secretary will report separately on the former.

The key point of interest to emerge was that, while the RUC are hoping that advance agreements can be reached to prevent confrontations at Garvaghy Road and Lower Ormeau Road on the Twelfth, the Chief Constable is prepared to route the Orange parades away from these areas (albeit reluctantly) if such agreements are not forthcoming.

At the outset we asked the Chief Constable for his view of the likely developments as regards parades this Summer. He responded to the effect that his view of forthcoming events was anything but optimistic. He stressed the need for compromise on both sides of the community on parading issues. He repeated the usual line about 3,000 parades taking place each year but only something in the region of a dozen giving rise to controversy.

Turning to the particular, he felt that the compromise which had been reached on the Garvaghy Road in early July last year between the local Orangemen and the Garvaghy Road residents, which had avoided further trouble after Drumcree, was a good example of what he had in mind. A lot of the good coming from that compromise had been adversely affected by the irresponsible dance through Portadown by Messrs. Paisley and Trimble, giving the impression that they had paraded through the Garvaghy Road, which, of course, they had not.

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In response to his suggestion for compromise on both sides we reiterated the view that parades should not take place where they are not welcome. Annesley responded to the effect that this was an approach which was not always acceptable from a police point of view. Decisions as to whether or not a parade should take place was a difficult and delicate one, often requiring last minute decisions based on policing considerations. He instanced an Orange parade through Pomeroy a few years ago. Pomeroy is a 98% nationalist town but it does have an Orange Hall and a Protestant Church. The obvious option for the RUC would have been to ban the march. This would have required them to erect, in effect, a band of steel around Pomeroy. However, such a policing arrangement would have left the RUC vulnerable to sniper attack by local IRA activists and, accordingly, it had been decided that the lesser of two evils was to permit the march through Pomeroy, knowing that it could cause offence to local people.

We enquired about intelligence we had received to the effect that if the RUC block the marches on the Garvaghy Road on 8 July next, Loyalists had plans to blockade every road out of Portadown with cars and other vehicles. Flanagan responded to the effect that they had received intelligence to this effect also, but said that the RUC were determined to prevent such action by being present on the ground in sufficiently large numbers to prevent such an occurrence. He also said that the route out to the church in Drumcree could just as easily be used by the marchers on their way back. There were no good operational reasons why they should be permitted on the Garvaghy Road. Flanagan also told us that the Garvaghy Road residents have informed him that they are going to erect a fun-fair on the Road on 12 July next to physically block the Road to Orange marchers in case the RUC make the wrong decision.

We enquired as to what would be the RUC position on the march. The Chief Constable responded to the effect that he would have as many men as would be required, supported by the Army, present on the ground on the 12th to ensure that the RUC re-routing requirements were fully met. We enquired as to alleged undertakings given to the residents last year to the effect that the parade would be the last which would go down the road. Flanagan put this down to a misunderstanding of the position conveyed to the local residents by Brendan McAllister of the Mediation Service for Northern Ireland. Having reached agreement with the RUC on the compromise, McAllister sought to read more into the decision that had been taken and had commented to local Garvaghy Road residents that history was being made there that night, that the march would be the last such parade down the road. Flanagan was emphatic that no such undertaking had been given by the RUC.

On the question of the Ormeau Road. Flanagan said that an agreement had been reached with representatives of the Ormeau Road on 10 July last, to allow for a limited participation of local Orangemen without bands through the area on the 12th. However, because film of the Paisley/Trimble Portadown dance had appeared on television they had come under pressure from locals, and particularly the local IRA, and had to renege on the compromise. It will be recalled that the RUC seized the bridge and blocked off Nationalist housing entrances onto the road during the night of 11 July and permitted the Orange marchers to go through on the following morning. There was quite a deal of protests from Nationalists who complained about being locked into their own areas for the morning. In

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previous conversations Flanagan had admitted that seizing the bridge the night before a march was a tactic which could be used only once.

We asked specifically whether the Orange march on 12 July would be permitted on the Lower Ormeau Road. The Chief Constable responded that it would not, and that whatever level of force as was required would be deployed, as described above in relation to the Garvaghy Road.

The Chief Constable went on to say that there had been a huge effort by him and his senior officers and by people in the NIO to achieve as much compromise as possible between communities with a view to avoiding confrontation at parades. The first indications were that the residents on both Garvaghy and Lower Ormeau Roads were at least open to the idea of compromise. However, Martin Mehan of Sinn Féin had stepped in and had ordered that there should be no compromises. What was required by the IRA was confrontation on these issues. Support for the IRA was diminishing rapidly in Nationalist working class areas. It was his view that the IRA would wish to see confrontations between Nationalists and RUC, thus giving them cover to resume their activities, which was their true aim. He stressed the need for everybody in Nationalist circles to urge the need for the compromise on routing etc. He complained that he had never once heard John Hume criticise the protesters who promote confrontation at these marches.

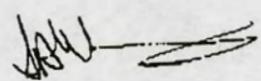
We enquired of the Chief Constable as to his views on the proposal put forward by Archbishop Eames for an independent tribunal to decide on whether parades should be allowed, banned or re-routed. He replied to the effect that the Force was in favour of the proposal. However, further probing revealed that his view was that such a tribunal could have an advisory role only. The final decision would have to rest with the RUC and while they would have to take due account of the recommendation of the tribunal, the circumstances on the ground on the day of the march might require a contrary decision. It would be difficult at times to "police" another person's decisions. Any such decision would be subject to judicial review. He added, as an aside, that where there is a clear-cut compelling reason for banning a march the practice now is to tell the marchers well in advance. This compares with the practice hitherto of delaying a decision until just before the march. The purpose of the change is to allow for judicial review before the date of the march. They have not lost a judicial review yet. [Note: A judicial review does not decide whether a decision was or was not a correct one, merely that all the necessary administrative requirements have been adhered to].

Finally, the Chief Constable went on a brief ramble through his period as Chief Constable and said that he was satisfied beyond a shadow of doubt that he had in place an excellent system of middle managers who could ensure fairness and equality to everybody in the community. In all his seven years he had not seen any partiality towards one side or the other. Briefly in response we acknowledged the efforts of the RUC in recent years to bring a sense of balance into the policing in a difficult situation. Due to the lateness of the hour, and bearing in mind his upcoming retirement, we refrained from pointing out the numerous

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reasons why there was such deep resentment to the RUC within the Nationalist psyche, but we did point out that the recent welcome developments would not erase memories of the downsides such as shoot-to-kill policies, the Stalker/Sampson Report and years of sectarian attitudes by the RUC.

Yours sincerely



S. Magner