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FROM: S J LEACH
ASSOCIATE DIRECTOR POLICING AND SECURITY

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6 June 1997

cc PS/Mr Murphy (B & L)
PS/PUS (B & L)
PS/Sir David Fell
Mr Steele
Mr Thomas
Mr Bell
Mr Stephens
Mr Watkins
Mr Wood (B & L)
Mr Brooker
Mrs Brown
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C 11/6
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10/9/6
cc for [unclear]

PS/MR INGRAM (B & L)

PS/SECRETARY OF STATE (B & L)

PROSPECTS FOR DRUMCREE

It is clear that the Drumcree church parade planned for 6 July will be the key public order event this summer, with potentially very wide political and security reverberations. An outcome which had even an element of local agreement and accommodation would be a great confidence-builder, while a resolution imposed (or attempted) against physical opposition from one of the parties would evidently have major repercussive effects throughout Northern Ireland. This submission considers what contribution the Government might make to help bring about a successful result.

2. There are a number of positive elements in the current situation:

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- i. The Secretary of State and Mr Ingram have been notably successful in building personal relationships with both sides in their recent round of "listening" meetings.
- ii. The Parades Commission Chairman has been vigorous in pressing those concerned to consider options for accommodation. Thus, the Commission is undertaking a series of meetings with influential Portadown figures, leading up to a public meeting in the Town Hall on 12 June, in the hope of stimulating dialogue.
- iii. The Chief Constable continues to exert his influence as far as possible on significant figures on both sides, with a view to prompting the movement necessary to produce some real prospect of local accommodation. He continues to encourage religious and other leaders, notably Archbishop Eames, to play a full and constructive part. (Perhaps in response to this, we understand that Eames and Archbishop Brady are contemplating writing to the Garvaghy residents and the District Orange Lodge asking them to set out the minimum outcome they could live with.)
- iv. In their recent meetings with Sinn Fein, officials have argued strongly that they should use their influence to underwrite a peaceful summer.
- v. The Armagh County Lodge have sent a conciliatory letter to every resident of the Garvaghy Road area, explaining their position in

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reasonable and moderate terms. This has been welcomed by the Secretary of State and others.

3. It must be said, however, that these positive factors seem to be clearly outweighed by the **negative** elements in the current situation:
- i. There is no functioning process of mediation which might lead to a local accommodation - nor, realistically, is there any prospect of surmounting the core difficulty that no authoritative Orange figures will meet a group including Brendan McKenna; while McKenna himself will not step aside, even temporarily, to facilitate a meeting. Great effort and ingenuity has been expended in recent weeks to try to get round this problem, but to no avail. The unfortunate "outing" by John Hume of the initiative he was developing with Saulters means that any flexibility which might have existed in the Orange position has now disappeared.
 - ii. Even if a wholly unexpected change of policy **did** allow a meeting to take place, there is no indication that this would actually lead to an accommodation. If anything, attitudes have hardened - on the nationalist side, as a result of the Hamill murder; and on the Orange, as a result of the alleged triumphalism and intimidatory behaviour of the McKenna/Duffy victory parade on the evening of 23 May. (The appalling murder of Constable Taylor shows that this increasing hardness in loyalist attitudes is not confined to Portadown.) So even if a meeting did take place under current circumstances, it would almost certainly affect only the **presentation** of the contrasting positions (enabling one side or the other to claim

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the moral high ground); the substantive positions would remain intransigent.

- iii. The Commission do not realistically expect that their public meeting initiative (which was advertised in Portadown last week) will mark a decisive breakthrough. Brendan McKenna is demanding that it be re-located from the Town Hall to a nationalist venue, while the District Lodge may boycott the occasion because of fears that they could be disadvantaged by some stage-managed gesture by McKenna to which they could not respond. Loyalists who do attend could well include LVF supporters looking for trouble; and there is a risk that any contact between the communities brought about by this meeting could be of a distinctly physical nature.
- iv. The Chief Constable continues energetically to pursue a range of possibilities, but has made clear privately his view that there is little prospect of a successful local accommodation. Any letter from the two Archbishops is unlikely to elicit more than a restatement of familiar positions (all four Church leaders were of course fully engaged last year, but ultimately without success).
- v. The County Lodge letter does not seem to have caused a grass-roots change of heart in the Garvaghy Road, although it **has** helped to improve public perceptions of the Orange position. McKenna, strengthened by his electoral success, exerts considerable control over the Residents' Coalition and shows no sign of softening. And, despite urging by officials, Sinn Fein may well judge that it would

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benefit them more to use their influence to **provoke** confrontation at Drumcree rather than to restrain it.

4. We may therefore be heading into a final lap in which intransigent positions will be maintained, local agreement will not be available and the Chief Constable will in the end have to choose between competing evils in coming to his operational decision. That decision could, of course, be a request to the Secretary of State to ban the march. But, whether or not such a request is ultimately made, there could well be a case for the Secretary of State to **decide to intervene herself** in order to stimulate the search for an accommodation in the period leading up to 6 July. This would not represent any compromise of the Chief Constable's operational independence, but rather a recognition that the outcome at Drumcree will have huge implications for the Government's ability to achieve its objectives in Northern Ireland, and that a passive stance by Government as the crunch approaches might well stimulate significant criticism. It would also build on the one clearly positive element in the current scene: the Secretary of State's success in building relationships with both sides.

5. One model for Ministerial intervention would be for the Secretary of State to invite the Orange Order and the GRRRC to meet under her chairmanship in the attempt to find a middle way. However, while such an invitation would clearly carry great authority, this might not be sufficient for Orange representatives to eat their words over McKenna, or (even if they did) for there to be much chance of a positive outcome. At the least, such a high profile initiative would probably best be preceded by **paving discussions** undertaken at a lower level. As noted above, a current initiative in this area is being mounted by the Parades Commission. This must clearly run its course - and it should be evident after the 12 June public meeting whether it offers the hope of a viable process which could be reinforced.

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6. If that is not the case, then an attempt at mediation by **officials**, under the Secretary of State's direction, would seem to be the next step. This would not be unprecedented (Mr Steele met the residents last year, though only after the stand-off had begun) and would surely be seen as a justified proactive move in circumstances of great difficulty. A possible model might be as follows:

- i. The Secretary of State would announce that, prompted by her concern - which she believes is shared by the vast majority of people in Northern Ireland - to secure a peaceful outcome at Drumcree, and thereby help to ensure that the rest of the marching season passes off peacefully, she is inviting representatives of the GRRC and the Orange Order to engage in discussions with her officials to see what ground could be found for local accommodation. She would not rule out the possibility of becoming personally involved in these discussions. They would be arranged at least initially so that the two sides need not meet - ie in proximity format, taking place on different days, or whatever. (It would clearly be important if possible to pre-cook this announcement so that both sides actually agreed to take part - and to adjust the proposed arrangements if that would achieve participation. But, if one side or the other tried to scupper the exercise by setting unreasonable conditions, it might well be worth going public with the offer anyway so that public opinion could judge who was acting in good faith.)
- ii. These discussions would clearly be focussed on **achieving a compromise**, and might also explore with each side what **balancing measures** could be put in place to compensate for the outcome which each side opposed. Thus, with the residents, we

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could explore how (if at all) a march down the Garvaghy Road could be stripped of the resonances which they find offensive; while for the Orange Order we would explore how a failure to get Orange feet on the Garvaghy Road on 6 July might be off-set by other developments.

- iii. The chances must be that such a process would not in practice lead to a local agreement (and might not even get off the ground if one side or the other refused to participate). But nonetheless, it would show that the Government had gone the extra mile. And it might also give a sense of what measures associated with a march, or a re-routing/ban, might **in practice** reduce the negative consequences locally - and in the Province as a whole - of the operational decision which is eventually made. (If this approach is agreed, advance work could be done to identify and assess the value of possible measures - for example, the feasibility of a long-term initiative to help regenerate community relations in Portadown, to demonstrate that the Government is not simply interested in a quick fix solution.)

7. I understand that neither the Parades Commission nor the RUC would have any difficulty with an effort at mediation by officials under the Secretary of State's direction on the lines proposed.

8. One further aspect is worth mentioning. An important element in the Drumcree endgame will be demonstrating the balanced and reasonable nature of the operational decision which is finally reached and enforced. It might help to achieve this if a possible compromise solution could be brought into the open to build **public**

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consensus and develop pressure against any side perceived as unreasonably recalcitrant. It would then be easier not only for Ministers but also for influential opinion-formers **outside** Government to weigh in in support of the Chief Constable. Careful planning would however be needed to ensure that any public discussion of possible compromises assisted rather than hindered the Chief Constable's pursuit of his operational objectives.

Conclusion

9. The Secretary of State is invited to agree that officials should work up more detailed proposals for

- (a) a statement by her, and the parameters for an effort at mediation by officials under her direction, on the lines set out in para 6 above; and
- (b) whether and how public consensus might be built around a possible compromise solution, to facilitate the Chief Constable's eventual decision.

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