

URGENT

(CORRESPONDENCE)

Reference: COR/352/1999

Raised By: [REDACTED]

Subject: DISPUTE WITH CLANMIL HOUSING ASSOCIATION

ACTION REQUIRED

Please provide advice and a draft reply for signature by the Private Secretary to the First Minister.

TO BE WITH PRIVATE OFFICE NO LATER THAN 14/01/2000 - Noon

Referred To:

Date Referred:

PS/MR DODDS
(DSD)

29/12/99

Copied To For Information

- PS/First Minister
- PS/Deputy First Minister
- PS/Mr Semple
- Mr Hunter
- Mr McCusker
- Mr Lavery
- Mr Campbell
- Mr Kerr
- Dr Gudgin
- Mr Canavan

Margaret A 2575197

Herewith some

Clanmil papers for filing

Thanks

Ken 7/1

Mr Walker 6/1/2000

Greg

To associate with 'Clanmil' papers. We have not been asked for my input but I still wish to provide Mr Canavan with a note about what we know. Margaret is passing 'Peter Robinson' correspondence - (check) Ken 6/1/2000

Roy McGivern (Private Office)

THE OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

Parliament Buildings Tel: 028 9052 1590



20th December, 1999

The Right Hon. Mr David Trimble, M.P. MLA.,
FIRST MINISTER,
Room 8, Parliament Buildings,
Stormont Estate,
BELFAST BT4 3XX.

Dear Mr Trimble,

I am writing on behalf of the tenants of [redacted] to ask for your advice. As a result of mistakenly interpreting the Flags and Emblems Legislation, the tenants were asked by the Housing Association to remove the portraits of the Queen and her consort from the Common Room. In spite of a ruling by the Fair Employment Agency that in this context the portraits could not be considered a contravention of the Legislation Clanmil persists in its attitude.

The flats in [redacted] were erected about 20 years ago by the Royal British Legion to provide sheltered accommodation for ex-servicemen and their dependants. Until about six years ago Applicants had to provide proof that they were entitled to tenancy. This means that when this request was made more than three-quarters of the tenants were ex-service connected. We want to emphasise that we went to great lengths to ensure that our objections were on neither religious nor political grounds, but out of respect for an organisation that could not be accused of such bias. Perhaps the only organisation that could make such a claim. These portraits were part of the Royal British Legion tradition.

This persistence on the part of Clanmil has caused great distress - a far cry from the atmosphere that sheltered accommodation is meant to provide. It is such a waste of time and energy on the part of Clanmil in a situation which will resolve itself in the near future. As the present inservice tenants - all in their seventies and eighties - die off, they will be replaced by those who have no connection with the originators of the scheme. The portraits will have no significance.

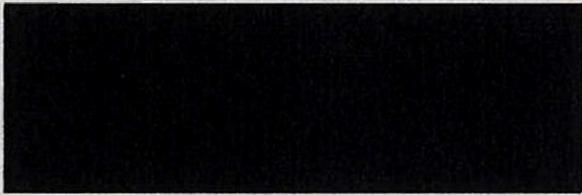
Another reason given by Clanmil for their removal was that the portraits could cause offence to workmen. We had a large gang of workmen in during renovations, - joiners, plumbers, electricians, painters. They worked very happily for months and showed no sign of feeling intimidated.

Can you please advise us how to resolve this situation?

(2)

It is actually provoking the kind of resentment
we are all trying to put behind us.

Yours sincerely,

A solid black rectangular redaction box covering the signature area.

CLANMILL HOUSING ASSOCIATION

Keith Brown responded to my fax.

[REDACTED] is the same property the FEC had advised on before. Mr Brown is keen to point out that at no time did the FEC give a "ruling". It advised Clanmill that on balance it didn't feel the display of portraits etc was sufficient to found a case of discrimination. Ultimately only a Tribunal could decide on such a matter.

There is no "Flags and Emblems" legislation but this can be deal with under the public order legislation.

CLANMILL HOUSING ASSOCIATION

I spoke to Keith Brown, the Director of Advice and Information in the Equality Commission (Tel 500679).

He is familiar with the Clanmill HA as they contacted the FEC over a year ago.

Clanmill took over British Legion properties and have no association with the previous organisers. Some time ago they approached the FEC about problems they had encountered with a British Legion property in East Belfast. Essentially Clanmill wished to set up a neutral atmosphere in their accommodation and in redecorating decided not to replace certain military regalia and portraits of members of the Royal Family in communal areas. Residents objected first to David Irvine who did see their removal as a problem and then Peter Robinson who wrote to the FEC about the matter.

Keith Brown said he felt that Clanmill wanted the FEC to support their stance in removing the various emblems but the FEC were reluctant to become involved as they did not think there was really a case under the legislation.

They have had no contact with the Association for some time but understood they were consulting with residents. There may also have been a problem with residents suggesting staff were responsible for the removal of the emblems etc.

Keith Brown is happy to speak to you if you need any more information. He suggested it might be useful to speak to [REDACTED] in Clanmill if necessary.

Margaret Fraser - N. Brown
let Keith Brown see the
copying attached. Is this the same
property that is referred to in your
note? Did the FEA give a
reply as mentioned in the 1st
para. of the letter? I am not
sure what legislation is being referred
to. Thank you 4/1/2000