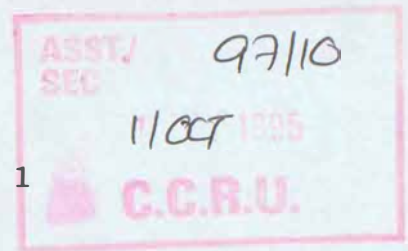


C O N F I D E N T I A L



FROM: N P PERRY
SECURITY POLICY AND OPERATIONS DIVISION 1
10 OCTOBER 1995

Mr. Cansas..
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RA

- cc: PS/Sir John Wheeler (B&L) - B
- PS/Michael Ancram (B,L&DENI) - B
- PS/PUS (B&L) - B
- PS/Sir David Fell - B
- Mr Legge - B
- Mr Thomas - B
- Mr Steele - B
- Mr Bell - B
- Mr Leach - B
- Mr Watkins - B
- Mr Williams - B
- Mr Brooke - B
- Mrs Evans, HOLAB - B
- Mrs Brown - B
- Mrs Collins - B
- Mr Maccabe - B
- Mr Marsh - B
- Mr Stephens - B
- Mr Brooker - B
- Mr Canavan - B
- Mr Smyth, AIS - B
- Mr Pope - B

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PS/Secretary of State (B&L) - B

PARADES: REVIEW OF 1995 MARCHING SEASON

The Secretary of State will recall that, at the last SPM, Mr Steele reported that officials would be reviewing the 1995 marching season to identify any lessons to be learned from it.

2. Mr Steele's working group on parades held its first meeting last month, and advice to Ministers on options for addressing the marches issue over the coming months will come forward shortly. The purpose of this submission is to provide Ministers with a factual overview of this year's marching season and to point up some of the problem areas, in preparation for the forthcoming IGC.

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Review of the 1995 marching season

3. Despite the adverse publicity, statistically this year's marches went well. So far there have been 3,135 parades - 2,447 loyalist, 270 republican or nationalist and 418 'other' (including parades by the Boys' Brigade and trades unions, which are also subject to the notification requirements of the Public Order Order). Of these, only 11 parades (0.3% of the total) were classified by the RUC as having resulted in disorder, 4 of them on the Ormeau Road. In all, 20 parades were subject to re-routing requirements by the RUC and two to other conditions. By comparison with many previous years, these figures are extremely low. In one sense, therefore, the 1995 marching season continued the significant success which the RUC has enjoyed in policing away difficult parades.

4. However, the statistics conceal a number of negative features which gave rise to concern. These fall into two linked categories: the impact of contentious parades on community relations, and on politics more widely; and their effect on the police in operational and CR terms. Neither is new, but the difficulties paradoxically appear to have been felt all the more acutely because of the ceasefires - not least, perhaps, because people felt themselves freer to indulge in provocative behaviour and words.

Community Relations

5. As usual, the controversy over marches was a reflection of wider tensions as well as a contributor to them. The boost reportedly given to Mr Trimble's leadership challenge by his involvement at Drumcree, for example, was indicative of a general hardening of attitudes within the unionist community since the publication of the Framework Documents: while Sinn Fein deliberately set out, both directly and through community groups, to use the parades issue to discredit the RUC, put pressure on HMG and the unionists, present both themselves and the wider nationalist community as victims of repression, and provide a 'safety valve' for republican activists.

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6. The confrontations on the Ormeau Road, at Drumcree and in Londonderry not only raised the temperature significantly during and in the immediate aftermath of the marches themselves, but also had a knock-on effect in terms of souring the community relations atmosphere more generally. The result has been an increase in sectarian attacks, and in particular a marked rise since July in the number of arson attacks on Orange Halls, churches and other premises. The disorder, along with the violence which followed Pte Clegg's release on 3 July, also tarnished the positive perception of Northern Ireland which had been built up in recent months.

The Role of the RUC

7. The RUC again found themselves caught in the middle, politically and operationally. At a practical level, this had significant resource implications. Even though the vast majority of parades passed off peacefully, the RUC regularly faced the possibility of disorder, as well as the need to close roads and manage traffic and crowds at practically all parades. Those parades which threatened or resulted in disorder required the deployment of large numbers of officers - over 1,000 at Drumcree - with others in reserve. Indeed, at one point over the Twelfth police resources were so stretched that there was a real possibility of troops having to be deployed on public order duties, a highly undesirable step operationally and politically. This also represented a significant financial burden, though precise costings are not, because of the RUC's inadequate management information systems, available (a situation which should be improved by the MARS system by the end of 1998). The level of additional police overtime over the period - which is not a true reflection of the costs involved, as the major cost of policing parades is met from the normal duty rosters of RUC officers - was probably of the order of £6 million. The policing requirement of parades is likely to form a significant part of the overall manpower case which the Fundamental Review puts forward next year.

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8. There was some criticism of the RUC's tactical handling of a number of public order situations (eg allegations of excessive force being used on the Ormeau Road on 5 July and in Londonderry on 12 August). These complaints are being dealt with through existing procedures, and this submission does not attempt to address the policing of particular incidents. It is worth noting, however, that the scale of the violence with which the RUC had to deal was often considerable: nearly 1,000 petrol bombs were thrown in July (a period which included the Clegg riots), 237 vehicles were hijacked, 147 baton rounds were fired and there were 176 arrests; in all, over 160 officers were injured in public order incidents in July and August.

9. More generally, criticism of the RUC focused on procedural issues and the application of judgement, and in particular the process by which decisions on parades were reached, and the timing of those decisions. Despite protracted negotiations with parade organisers and local residents, and the involvement of mediation groups - all of which achieved a good deal of often unpublicised success - the RUC's decisions in the most difficult cases were inevitably disputed by one side or the other. As a result relations were strained, not just with the more extreme elements on both sides, but between the police and groups which have generally been supportive, such as the SDLP in Derry who were sharply critical of the RUC's decision on the Apprentice Boys march. This year's marching season therefore represented a set-back to the good progress which the RUC has been making towards winning cross-community confidence: an opinion poll in August suggested that 58% of Catholics were unhappy with the RUC's handling of parades, in contrast to the approval of 71% of Protestants. The RUC themselves have expressed disquiet about the position in which they found themselves.

10. Linked to this was criticism of the way in which the Public Order Order was implemented. There were calls for the RUC to give greater weight to 'disruption to the life of the community' in reaching decisions on the routing of parades, and for the Secretary

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of State to be readier to exercise his power to ban controversial parades. The RUC's focus on public order considerations, some argued, was counterproductive, in that groups on both sides now realised that the greater the disorder they could threaten the more chance they had of a decision in their favour. Judicial review of the Secretary of State's decision not to ban parades on the Ormeau Road was twice threatened this year, but came to nothing.

Proposals for Change

11. Various proposals for change were put forward, by a range of opinion. The suggestions included the establishment of an independent tribunal to decide on parade routes (Steve McBride (Alliance), Chris McGimpsey (UUP), Peter O'Reilly (SDLP)); a voluntary moratorium on all parades (Mr Spring); greater intervention by the Secretary of State (Democratic Left); charging organisers with the costs of policing parades (Mark Durkan (SDLP)); and a review of the Public Order Order (Chairman of PANI, the SDLP, the Irish). The Irish continued to call for marches not to go where they are 'not welcome', and to press for greater account to be taken of political and community considerations in decisions on the routing of parades. They plan to raise the issue again at the forthcoming IGC - see para 14 below. DCC Wallace and the Chief Constable also suggested informally the possibility of a tribunal to decide on routes, though it is fair to add that the RUC are also conscious of the practical difficulties involved.

NIO Review

12. Against this background, officials from the security and political commands and from Central Secretariat met under Mr Steele's chairmanship on 14 September to review the position. The meeting noted the difficulties which had arisen, and also the fact that even where parades had passed off peacefully they had not necessarily been welcome. The ceasefires offered an opportunity to look at the issue afresh. At the same time the group recognised that the problem needed to be kept in perspective: disorder in 1995

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had been on a much lesser scale than in the past, and changes to existing arrangements were worthwhile only if it were clear that they would actually improve the situation. There had also been some encouraging signs - the involvement of mediation groups, voluntary re-routing by some parade organisers, the publication by the Orange Order of an explanatory booklet which contained some suggestions as to how complaints against parades could be reduced - which might be built on.

13. The Group identified a number of possible ways of proceeding, including a political initiative aimed at the political parties and community leaders with the objective of involving them in identifying solutions; changes to the implementation of the Public Order Order; establishing a commission or tribunal to take decisions on parade routes; strengthening and formalising the role of arbitration/conciliation groups in disputed parades; and maintaining the status quo, with the RUC continuing to deal with controversial parades as a public order issue. Separate advice on these options will be submitted shortly.

IGC

14. The Irish will raise the parades issue at the forthcoming IGC, and will press for changes to our current approach. They will also be very keen to participate fully in any formal review which is set in hand. While their views will certainly need to be taken into account in any such exercise, the handling of this, given the political sensitivity of the issue, will need careful consideration. The Secretary of State will not be in a position at the IGC, in the absence at this stage of firm conclusions on the way forward, to do more than note Irish concerns and indicate that we will be looking at any lessons to be learned from this year's marching season (the Chief Constable will be present to deal with questions about individual parades). Briefing and lines to take for the Conference are being forwarded separately.

Recommendations

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15. The Secretary of State is therefore invited:

- (a) to note the outcome of the 1995 marching season, and the difficulties encountered during it; and
- (b) to note that further advice on options for addressing the parades issue will be submitted separately.

[signed]

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