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Part on 13

FROM: P JOHNSTON
PS/SIR JOHN WHEELER
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C.C.B.

- cc: PS/Secretary of State (L&B) - B
- PS/Sir John Wheeler (L&B) - B
- PS/Michael Ancram (L&B) - B
- PS/PUS (L&B) - B
- PS/Sir D Fell - B
- Mr Legge - B
- Mr Thomas (L&B) - B
- Mr Watkins - B
- Mr Bell - B
- Mr Canavan 9.1 - M
- Mr Maccabe - B
- Mr Stephens - B
- Mr Brooker - B
- Mr McKervill - B
- Mr Clarke - B
- Miss McGimpsey, SPOB - B

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Steven McCourt. 28132
Stewart-Cole.
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MR STEELE - B

MEETING WITH SDLP DELEGATION RE: HANDLING OF APPRENTICE BOYS PARADE

The Minister was grateful for the briefing provided by Miss McGimpsey for his recent meeting with an SDLP delegation to discuss the handling of the Apprentice Boys Parade in Londonderry on 12 August. The delegation included Pat Devine, John Tierney, Mark Durkan, Mary Bradley and William O'Connell. You and Mr McKervill provided official support.

Summary and Atmosphere

2. This was essentially a listening exercise by the Minister and because the SDLP delegation had taken so long to arrange this meeting, much of the heat had gone out of the issue. The delegation put forward their concerns about RUC handling of the Apprentice Boys Parade in a very balanced and articulate way with only a hint of acrimony. The Minister listened carefully, confirmed that he could not interfere in operational matters, said that he believed that responsibility for parades as a public order issue must remain with the RUC but he would take the delegation's views on board and translate them to the RUC.

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Detail

3. Councillor Devine opened by saying that he was speaking as leader of the SDLP group on Derry City Council and the delegation carried the authority of all 17 Councillors. He was now talking in a calmer atmosphere but there was still concern at the events of that "very dangerous day in Derry in August". The fact that threat of power of numbers forced an unwise decision from the police has not fully been left behind by the people of Derry. Councillor Devine explained that marches have particular resonance in Derry and it was not easy to encourage a spirit of reconciliation with Loyalists "stomping around the walls in a triumphalist fashion causing fear". The Councillor believed that the people of Derry had demonstrated "tolerance" of Orange and Black marches especially bearing in mind that the City side was 95% nationalist. The problem, as he saw it, was that the marchers insisted on full routes and were not prepared to show restraint in order to come to a fair settlement and not march at the section of the walls which overlook the Bogside. The SDLP view was that the RUC had backed-down under a threat from the Apprentice Boys that the city would be brought to a stand-still if they were not allowed to march the entire length of the walls. The SDLP wanted respect for the rule of law but the RUC decision, allowing bullying to prevail, made it difficult for them to have respect for the rule of law. Councillor Devine hoped that the events of August would not be repeated.

4. Councillor Tierney said that the handling of the parade by the police had to be questioned. He was from the Bogside and had never called for the march to be stopped, but simply that part of it be omitted. The RUC came to the SDLP at the 11th hour and asked them what the compromise would be. They felt that they compromised as far as they could in that they were simply asking for the march not to take place over 100 yards of the walls. Councillor Tierney explained that the vast majority of people were against the march and if it had not been for who had organised the protest (inferring Sinn Fein) then there would have been many more on-the-walls

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protesting. He was convinced that if the march was allowed to go ahead again, there would be many more protesters on-the-walls. Councillor Tierney said that the delegation were all responsible people, all were former Mayors who had made strenuous efforts to meet with the Apprentice Boys to negotiate a way through. However, the Apprentice Boys had refused to meet them. The Councillor criticised the police handling saying that they had been promised that they would be given advance notice of any police decision to allow the marchers through but this had not happened. Councillor Tierney was frightened that next year might get out of hand and he hoped that something could be done. Mrs Bradley had interjected that there was concern for Lundy Day in late December.

5. Councillor O'Connell stressed the damage to community relations and community confidence in the police which had been caused by the events of that day. He believed that the march had been badly handled under ACC Hall and he felt sorry for local Commander Tom Craig because all the good work he had done on community relations had been overturned in a few hours. The people had been grateful to Sir John for having the walls opened but now this seemed to have backfired.

6. Mark Durkan said that it was important to recognise the depth of feeling in the City. The SDLP were anxious to get away from the idea of contentious space and for that reason were trying to seek an approach which maximised an agreed route. Mr Durkan felt that police management had been extremely poor; they had failed to take early decisions which could have been taken several weeks beforehand. Now the fear was that the full route of the walls (which the Apprentice Boys did not expect to get in the first place) was a precedent - a "traditional" route. ACC Hall had lectured the SDLP that they were taking too localised a view of events and that Roman Catholic estates might suffer if a protest prevented the parade from going through. The decision that "might equalled right" meant that if there was 15,000 people on-the-walls next year, there was likely to be 15,000 people on the bridge. The RUC had admitted

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that the SDLP solution would be the ideal outcome but why, they queried, had that not been reflected in the decision? Mr Durkan wondered whether it might be possible to change the legislation from putting the emphasis on avoiding the threat to the public order with some wording perhaps related to a decision which was "conducive to the public good".

7. The Minister said that he very much appreciated the way the delegation had chosen to express their concerns and anxieties. He did understand their difficulties as he also understood very difficult and complicated decisions which the RUC have to make relating to people's right to march. He would stress that of the 3,000 marches in the Province last year nearly all were managed by the RUC in a way which avoided trouble; only 9 resulted in a public order problem and they were largely in the high profile flash points of the Lower Ormeau Road and Portadown. The Minister explained that he had many years of involvement in dealing with the difficult area of marches and public order elsewhere in the United Kingdom; all experience had demonstrated that legislation or bureaucratic structures could not replace the need for the police to be in the primary role and for the most vital ingredient to be the management of human relationships. The police needed to deal with the situation with a) good intelligence which identify the trouble-makers, b) a working relationship, with organisers and stewards and possibly a 'contract of understanding' and c) an agreement of a route.

8. The Minister said that he would take on board the SDLP comments and make his own enquiries. It would be dishonest for him to suggest that he could promise an instant solution or to indicate new legislation or bureaucratic structures which he did not believe would help. However, he would look at the situation to see if there was anything which Government could do to make the management of these events better in the interest of all the community subject, of course, to the ultimate decision being with the RUC on the basis of operational judgements.

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9. The delegation said that they were grateful for the Minister taking the time to listen to their concerns, they hoped that something could be done because community relations with the RUC had been greatly damaged. Mr Steele asked if Derry had considered using mediators as had happened on the Garvaghy Road or the Ormeau Road. The question was somewhat side-stepped and Councillor Tierney said that mediation would require a compromise on the existing position and they simply could not see what compromises there were left for nationalists in Derry. Councillor Durkan said that he feared that mediation would be about how the protest was managed rather than how the route might be directed in such a way as to avoid protest. Councillor Tierney also said that there were rumours that some of the protestors had been cautioned and that charges were likely to follow; this would cause considerable resentment as none of the marchers would be charged. It was explained that while the Minister took note of these views it was not for Government but rather the police and the prosecuting authorities to make a decision on charges and prosecutions.

Conclusion

10. The Minister was quite impressed by the considered approach of the SDLP which was much more progressive than when he had seen them before (under the gaze of Sinn Fein). The Minister was surprised at the allegation that the police did not know that a protest was going to take place until the SDLP representatives informed them of it. After the meeting the Minister discussed the matter with Mr Steele and Mr McKervill. Sir John would like to conduct a bit of a charm offensive with the Apprentice Boys perhaps visiting their museum or having the Governor (?) to lunch or dinner to show an interest in their culture. From that position of respect and understanding for their history and culture, Sir John would like to engage the leadership of the movement in a discussion on

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international perceptions of the organisation when an agreed route cannot be found because of lack of flexibility. (Mr McKervill is looking in to possible opportunities).

SIGNED

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19 December 1995

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