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ASST
SEC 15 FEB 1996
CENT SEC

FROM: P JOHNSTON
PS/SIR JOHN WHEELER
14 FEBRUARY 1996

cc: PS/Secretary of State (L&B) - B
 PS/Sir John Wheeler (L&B) - B
 PS/PUS (L&B) - B
 PS/Sir David Fell - B
 Mr Legge - B
 Mr Thomas (L&B) - B
 Mr Steele - B
 Mr Bell - B
 Mr Watkins - B
 Mr Daniell - B
 Mr Leach - B
 Mr Wood (L&B) - B
 Mrs Collins - B
 Mr Maccabe - B
 Mr Smyth - B

1. ~~cc to~~ ~~John~~ (6/2)
 2. in ~~Conf~~
 words fail me, but I
 doubt if it's worth
 challenging.

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MR D STERLING - B

POLICE OATHS IN THE BRITISH ISLES: FLYING OF FLAGS BY THE GARDAI

The Minister was grateful for your submission of 7 February on the above subject which he had the opportunity to discuss with you, Mrs Collins and Mr Mills on 9 February.

Summary

2. The Minister is opposed to changes in the RUC oath which no-one had objected to in 8,000 submissions to PANI. He was not prepared to rob the majority in Northern Ireland (both Catholic and Protestant) of their identity because of pressure groups/"politically correct". objections of a small minority. The Oath should remain the same form but work to be done in explaining that reference to the Sovereign is the guarantee of political impartiality. The Minister is not opposed to a small amount of Market Testing to see if the Oath does represent a 'chill factor'; necessary to get our 'ducks in a row' for possible legal challenges in the future. On flags, the Minister accepts that the flag being flown on Battle of the Boyne Day is an issue but should be left to the Police Authority to resolve; however the Government is definitely not neutral on the flying of the Union flag on the same days as it is flown in the rest of the United Kingdom.

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what about the 'in case'

Oath of Allegiance

3. The Minister noted the similarities between the Oath of Allegiance taken by the Garda Siochana and the RUC Oath in which the only substantive change is the deletion of "The Queen" and the insertion of "Ireland". The Minister's conclusion is that the oaths in Northern Ireland and the Republic, are the natural product of Irish policing history, the only difference being the defacto, State or Head of State within each jurisdiction; as long as it is the democratic wish of the majority of the people of Northern Ireland to remain within the United Kingdom then the oath should remain to the head of that state. Sir John took on board Mrs Collins' suggestion that the oath might be one of a range of factors which might make the police service less attractive to members of the Nationalist community. However, he saw no evidence to support this case and particularly noted that not one out of 8,000 submissions to the Police Authority had mentioned the Oath of Allegiance as having a negative impact on attitudes towards the RUC.

4. Mrs Collins pointed out that there had been a general backing away from initial Nationalist positions to a recognition of the inclusiveness of the symbols of the Royal Ulster Constabulary, ie Crown, harp, shamrock, green uniform etc. Sir John said that he absolutely defended people's right to an Irish identity and he no more objected to Nationalists flying a tricolour in Northern Ireland than he did to West Indians flying Jamaican flags in London. He also had no objection to Mr Mallon's constant references to the North of Ireland and if he wanted to refer to the Royal Ulster Constabulary as the Northern Ireland Police Service that was also alright. However, Sir John would not be party to robbing people or institutions of their identity because this would deprive them of their self esteem. In any case the Royal Ulster Constabulary is a world-wide brand name which should be defended.

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On the basis that there was no objections to the oath, that it had more in common with the Republic of Ireland than anywhere else in the British Isles and that a change would create unnecessary tension, the Minister said that he was opposed to any such change. He was not, however, opposed to some market testing to gauge possible negative impact, although he did not believe there was any (as had been demonstrated by the PANI submissions). The Minister would like details of any market research on the oath to be kept within a very tight network as he did not want a DUP type story emerging. We should also work up defensive lines explaining that the symbolism of the Head of State was actually a demonstration of neutrality.

6. The Minister would be grateful for details on proportions of those from the minority community joining Her Majesty's Customs and Excise as a demonstration of Royal symbols not acting as a bar to members of that community.

7. On a slightly separate point, the Minister would like Police Division to check that it is possible to affirm rather than swear as it was possible to do this in virtually every type of oath and he was particularly thinking of the non-Christian citizens including people like the Hong Kong Chinese.

Flags

8. The Minister noted that the flying of Irish flags at Garda stations is discretionary which seems to mean they are flown almost all the time. He was opposed to the similar discretion in Northern Ireland as leaving the option to the senior officer at the station could have adverse effects. Sir John believed that there was arguments, which PANI had noted, against the flying of the Union flag on 12 July when it is not flown anywhere else in the UK. Sir John felt that the Government should take a back seat on this issue and leave it to PANI to attempt to resolve.

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9. On the flying of flags on the same days as the rest of the
K, Sir John felt that the Government should make clear its support
for this practice; he was not neutral on this issue.

SIGNED

Paul A Johnston
PS/Sir John Wheeler
OAB Ext 6498
14 February 1996

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