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AN RÚNAÍOCHT ANGLA-ÉIREANNACH
BÉAL FEIRSTE

ANGLO-IRISH SECRETARIAT
BELFAST

1. Mrs McKee
2. Ms O'Brien

PST; PSS; Messrs. Teahon, Donlon & Dalton; Ambassadors London & Washington; Joint Secretary; Counsellors A-I

Confidential

13 May 1997

Mr Sean O hUiginn
Second Secretary
Anglo-Irish Division
Department of Foreign Affairs

pa ICPC
Parades
2.2
(cc. Mentions papers D'Arcy Hamill)

Dear Second Secretary

Visit by John Steele to Secretariat

John Steele of the NIO visited the Secretariat this afternoon and the principal purpose of his visit will be the subject of a separate report by the Joint Secretary. We availed of the opportunity to raise a number of other matters with him.

Killing of Robert Hamill

The Joint Secretary reiterated the Government's very serious concerns about this case and the implications which it has for relations between the two communities in the difficult run-up to Drumcree and for relations between the nationalist community and the RUC.

Asked for confirmation that the terms of the inquiry which the ICPC is supervising would include the role played by the RUC in the incident, Steele noted a reference made by Paul Donnelly, Chairman of the ICPC, in a media interview to the Commission's powers to refer matters to the Chief Constable for treatment by a disciplinary tribunal. He inferred that it

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was the Commission's intention to use its power to direct that a disciplinary tribunal be held in this case.

We presumed that the ICPC might be in a position to complete its report within a couple of months (Steele confirmed this). We asked, accordingly, whether the tribunal might be convened prior to the trial of the six men arrested and charged with Hamill's murder. Steele did not have any information on this but undertook to make enquiries on the issue. **(Comment:** It is unlikely that the tribunal would be held in advance of the trial lest the trial be prejudiced in any way by evidence given to the tribunal. In other words, the tribunal is probably a year down the road).

On the circumstances of the Hamill attack, Steele commented that it would not be the first occasion on which policemen had arrived at a scene to find themselves vastly outnumbered and de facto not in a position to intervene. We countered with a number of observations, including a suggestion that an intimidatory intervention by the RUC (e.g. driving their vehicle at the Loyalist gang or firing warning shots in the air) might have been judicious in the circumstances.

Constable Bradshaw murder

On the murder of Constable Bradshaw in the Parliament Bar, Steele was convinced that the Provisional IRA had no involvement in this. None of his indications from intelligence sources suggested an IRA involvement. It was also not the kind of attack which would have had any impact on hard-liners in the Republican movement (if the intention was to appease the latter). While the IRA had carried out murders of individual officers in pubs in the past, he doubted if such a tactic would suit their purpose in present circumstances.

He saw the murder as a solo run on the part of the INLA. It was part of an apparent effort on their part to reassert themselves and followed last week's hoax operation near the Waterfront. He wondered whether the control over the INLA, which the IRA had enforced in 1994, could be deemed to be still in existence.

Parades - general

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As regards Drumcree, Steele noted one or two modestly encouraging signs that agreement could be achieved. One such sign was the ratification of the recent Dromore agreement by such a large majority (68 for - 9 against); this was likely to put Patton and his friends in their places. However, there were many potential flashpoints apart from Drumcree (Lower Ormeau Road, Pomeroy, Bellaghy, Newry etc.) and the overall picture was ominous.

Arrangements are being made for the new Secretary of State to meet all of the Loyal Orders and the residents groups. She does not expect to have a negotiating role in relation to the various parades but will be advocating dialogue and compromise to both sides.

Steele expects that the Orange Order will see the new Parades Commission but does not anticipate constructive dialogue when this happens.

Dunloy

As regards the Apprentice Boys Parade proposed for Dunloy next Sunday, Steele reported a RUC view that this is fundamentally "policeable". He took heart from the current relatively moderate leadership of the Apprentice Boys. However, others in the organisation are less constructive and there is no doubt that the DUP are supporting them and trying to stir up trouble.

We observed that the parade in question is not a traditional one and is serving a clearly provocative purpose. Against this background, it would be sensible for the RUC to reroute it. Steel expected that, in the absence of any accommodation, the RUC would probably reroute it. He made clear that, if the organisers tried to contravene this and to proceed with the parade through Dunloy, the RUC would hold the line and stop this from happening.

Steele also outlined what he saw as a perception on the Orange side that, in situations like Dunloy, there is no give from the residents' group and that a basic right to assemble is not being recognised. We countered to the effect that any right to assemble must be subject to the law and public order and that the views of the people living in the areas affected must be taken into account. We suggested and that, in the particular case of Dunloy, Loyalist actions in Harryville would not have been conducive to local agreement.

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Derryhirk Inn and Coalisland

We raised the general issue of the use of undercover military in urban areas and the dangers to the public which followed therefrom as well as the acute political downside. We asked for updates on the Derryhirk Inn incident in Lurgan and the incident in Coalisland last month. Steele responded to the effect that these incidents were still under investigation and he could give us no further information at this stage.

Yours sincerely

Steve Magner

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