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To: HQ
For: Secretary Gallagher

From: Belfast
From: Joint Secretary

Subj: Dinner with John Steele

CC Section

1. We gave a farewell dinner for John Steele and his wife in the Secretariat last night. Though it was a mainly social occasion, a number of points of current interest arose.

Kearney killing

2. Steele said that Andy Kearney was killed because "he got into a fight with a senior Provo" (and was unfortunately the winner). It was a punishment shooting based on a personal grudge. Kearney had a history of becoming involved in violent altercations.

3. The handling of this incident, Steele commented, will be very tricky. He is firmly of the view (as we know from previous discussions) that the Provisional IRA switch violence on and off at will. The Kearney attack, which proved to be fatal, demonstrated an extremely casual and irresponsible attitude on the part of the Provo leadership to the IRA ceasefire. It has given serious ammunition to the anti-Agreement Unionists and rekindled the debate about whether or not Sinn Féin can be regarded as a party committed to non-violence.

4. Steele has been asked by the Secretary of State, as his final assignment, to produce by the end of this week a document indicating which paramilitary organisations fulfil the criteria set out in the NI (Sentences) Bill and should therefore be permitted to benefit from the accelerated release arrangements. The intention, he indicated, is to publish

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this document fairly soon as guidance to the public in relation to the releases due to begin in early September. The Kearney killing is therefore not only deeply unhelpful in the context of this week's debate on the Northern Ireland Bill but also comes at an awkward time in terms of the judgements which the Secretary of State must reach on prisoner releases.

5. We commented that, seen in its own context, and bearing in mind that the Secretary of State is expected to form judgements in the round, it would be quite wrong to conclude that the killing of Andy Kearney constituted a breach of the IRA ceasefire.

6. While observing that the phrase "in the round" does not feature in the legislation (even if we all know that this is the approach to be taken), Steele indicated that the killing should not pose a threat to the inclusion of the Provisional IRA among the organisations qualifying in respect of prisoner releases. The document will in any event have a rider of some kind indicating that these judgements will be kept under continuous review (as provided for under the legislation).

Proximity talks

7. Steele was not unduly optimistic about the prospects for the proximity talks on Drumcree. He felt nonetheless that the exercise has been valuable in itself, even if it produces no tangible outcome in the short term. At the very least, it has brought home to the Orangemen the need for them to get involved in some form of dialogue with the residents - to the point where they now seem willing to take part in talks involving either a single chairman or two chairmen.

8. The almost complete lack of negotiating skills on the Orange side, however, has been a major difficulty at the proximity talks so far. Rev Roy Magee has also been disappointing in this respect. On the other hand, Peter Quinn has had a very significant impact, turning his business experience and acumen to good effect. (Steele said that it was David Watkins who thought of Quinn as a possible facilitator, recalling his high-profile involvement with the GAA).

9. Steele, who did not attend last Saturday's talks, mentioned that he understood that a deal was within reach at one point but that the residents pulled back. This would

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have involved talks between the residents and the Orangemen (with one or two chairmen) and agreement on a Civic Forum and a parade of some kind on Ulster Day in September. The residents, however, were opposed to any parade this year. Steele indicated some understanding for their position and certainly considered it wrong for the Orangemen to be laying down a parade of some kind this year as a precondition.

10. The handling of the Ormeau Road parade was, Steele believed, a crucial factor in defusing the Drumcree crisis this year. It was psychologically very important for the Orangemen to be allowed down the Ormeau Road at that point. The fact that the residents' protest took a dignified and restrained form kept the lid on a potentially very difficult situation and showed that peaceful accommodations could still be achieved.

11. In overall terms, Steele feels that "we are over the worst" of this year's marching season - and, indeed, that it could all have been a lot worse. He is encouraged by the attitude of the Apprentice Boys in Derry. Noting the willingness of the Orange Order there to enter dialogue with the Bogside residents, he hoped that this presaged similar movement on the part of the Portadown Orangemen in due course.

12. Noting the helpful contribution made by Rev. Bingham in the wake of the Ballymoney killings, Steele said that the NIO has had to instal security equipment at his house because of the death threats he has received. In a general discussion of the roles played respectively by Bingham and Watson, Steele and Bell recalled a meeting last year at which the two Orangemen claimed that Maryfield exercised an insidious influence in relation to parades, accused Steele of "running down to Maryfield to get his instructions each year" and indicated a reluctance, for this reason, to deal with him.

13. On the outlook for the Orange Order in the wake of Drumcree this year, Steele predicted that there could well be a split, with dissidents leaving to join the Independent Orange Order. This would be an unhelpful development, as it would increase tensions over parades within the Unionist community and strengthen the DUP's hold on the issue. While Joel Patton would lead the moves in that direction, Denis Watson and others would stay with the main Orange Order.

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.14. Noting the charging of one of the Loyalists being held in connection with the Ballymoney killings, Steele said there was no question of anything but a sectarian motive for the latter. Denouncing comments to the contrary which were made by David Jones, the spokesman for the Portadown Orangemen who is also an employee of a local health trust, he hinted darkly that Jones' career in the public service would not last for much longer.

Future of the Parades Commission

15. Reinforcing points made to us earlier by Peter Bell, Steele flatly dismissed the weekend media speculation about British Government plans to abolish the Commission.

16. Such a move, he commented, would be "disastrous". The Commission has performed extremely well and has laid a solid foundation for the handling of contentious parades in future. The RUC, he believes, feel comfortable and relieved at not having to take these painful decisions themselves. The message which has gone out clearly this year, from the RUC and the Government alike, is that the Commission has a duty to perform under the law and that their position must, and will be, protected. The need for the law to be upheld was the overriding theme of this year's marching season and will also be the message for next year's.

17. Some Commission members, Steele indicated, were disturbed by the weekend reports and have been seeking reassurance from the Government. This has been provided. He praised the contribution of a number of members, in particular Alistair Graham, Aidan Canavan and Rose Anne McCormick. Only one member (unidentified) has been "wobbly" about the role of the Commission this summer.

18. On the individual determinations, Steele said that he agreed with all of them except the one issued in relation to Keady. The decision to allow the Orange parade to pass entirely through the town was, he felt, a mistake; a slight re-routing would have prevented such trouble as arose.

19. As regards a role for the Assembly in future, Steele would like to see Trimble and Mallon fully involved in efforts to reach accommodations on parades but viewed with

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considerable alarm the idea of the issue being handed to a committee of the Assembly. He noted, with some relief, that security responsibility would remain vested in the Secretary of State for the foreseeable future.

Security strategy document

20. Steele indicated that the security strategy document flagged in the Agreement will not appear until September. The British side see no overwhelming political reason to produce it now; Trimble needs to be shored up and this document would probably not be helpful in that connection. (Steele, in common with others on the security side of the NIO, indicated some discomfort and irritation at the very requirement for such a document, which they would prefer to have seen omitted from the Agreement).

21. He was aware of our critical response to an early draft of the document but made clear that there would be "later drafts". He commented generally that it is difficult to find the right balance between those on the nationalist side who wish to see a very detailed strategy for normalisation laid out and those in the Unionist community who are seeking reassurance that there will be only minimal departures from the status quo. We emphasised the political importance from the nationalist and Republican perspective of getting this document right and looked forward to further consultations on it.

22. In the general context of normalisation, we welcomed the prompt return to England this week of two battalions which had been sent over to provide support in relation to Drumcree.

Policing Commission

23. Steele, who claims much of the credit for the choice of Chris Patten, stressed his belief that the Commission will operate in a genuinely independent manner and "could end up anywhere" in terms of its final conclusions. When we noted the Prime Minister's mollifying comments to his Police Federation visitors last week, he commented that Patten would not necessarily consider himself bound by whatever reassurances the Prime Minister might have offered about the RUC's future.

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24. Steele also spoke warmly of Clifford Shearing and Maurice Hayes, whom he expects to be a major force on the Commission. He also observed that Patten has an "independent adviser" (Bob Pearce) with him. When we raised an eyebrow at this (Pearce is an FCO official), Steele replied that "independent" in his view means anyone outside the NIO. (In a slightly self-deprecatory vein, he went on to describe himself as the original NIO "securocrat" - Gerry Adams started using the term in public very shortly after an altercation with Steele).

Relations between Trimble and NI civil servants

25. Referring to the difficult relationship between David Trimble and NI civil servants, Steele said he had heard ("to my horror") that Trimble is being briefed by Sir Brian Mawhinney on those whom the latter knew while at the NIO. He indicated considerable sympathy in this context with John Semple, who will have to deal with Trimble for his own final two years as a senior official. (He coupled this, indeed, with a mild question as to whether Semple, given his low-key and slightly retiring personality, would be temperamentally up to the job).

Conclusion

26. Finally, Steele spoke warmly of the central importance of the relationship between the two Governments on all matters concerning Northern Ireland and paid tribute to the close relations he has had with Irish Government officials over the years, both personally and professionally.

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