

An Chartlann Náisiúnta
National Archives

| | |
|---|---|
| **Reference Code:** | 2022/84/12 |
| **Creator(s):** | Department of the Taoiseach |
| **Accession Conditions:** | Open |
| **Copyright:** | National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives. |

(2)

-4 JUN 1999

*AN RÚNAÍOCHT ANGLA-ÉIREANNACH*
*BÉAL FEIRSTE*

*ANGLO-IRISH SECRETARIAT*
*BELFAST*

SEEN BY TAOISEACH

**Secure Fax:** SF 2181

**DATE :** 3 June 1999 **NO. OF PAGES (including this one):** 13

**TO:** **Colm O'Floinn, HQ** recd 3/6 am C. gs. cc. G1/Section.

**FROM:** **Gerard Keown**

**Re:** *Parades and Security Briefing, Secretariat, 1 June 1999*

1. Report of briefing and list of parades flash points for your information.

Taoiseach.

8.6.99.

1/13

©TSCH/2022/84/12

**Briefing on Security Issues**
**Anglo-Irish Secretariat, 1 June 1999**

1. A briefing was held in the Secretariat on parades and security issues on Tuesday, 1 June. Present on the British side were Stephen Leach, Susan Scholefield and Simon Rodgers (Police Division) with Peter Bell and John Fisher from the British side of the Secretariat. On our side were Colm Ó Floinn and Alma Ni Choigligh from the Department, and Kieran Dowling, who chaired the meeting, Val O'Donnell and the undersigned from the Secretariat.

**Portadown - Blair Talks**

2. Dowling asked for an up-date on preparations for Stage III of the Blair initiative, the assessment on the British side of the prospects and the position on the time-table as finalised. Leach responded that the Orange Order and the Residents had difficulties with talks starting on 3 June, as previously advised. Accordingly, the talks will be held on Friday 4 and Saturday 5 June, with the option of a continuation on Monday 7 June. The Orange have said they would not negotiate on a Sunday.

3. Leach said the Blair initiative offered the only path to a resolution of the Drumcree issue before the start of this year's marching season. To achieve a settlement would require flexibility on both sides. Blair would put a proposal for a settlement on the table as a basis for discussion by the two sides. The exact content of this proposition had not been revealed to the NIO, although it would cover the known issues. The British side were hoping that both sides would enter into negotiations on the basis of this proposal.

4. We asked whether there would be a further attempt at a resolution if agreement did not emerge from these talks. While repeating the importance of reaching a deal on this occasion, Leach conceded that there might be some scope to continue in the event that a resolution was not reached if there was agreement on some of the issues at stake.

5. The British side asked if we would use our influence, both publicly and privately, with the Residents, and with Sinn Féin, which Leach believed to be a positive

©TSCH/2022/84/12

3/A

influence on MacCionnaith. Dowling said we would encourage flexibility on the Residents' part, but pointed out there was deep anger and nervousness among the nationalist community in Portadown. The murder of Rosemary Nelson, continuing loyalist parades through the town and heavy-handed policing directed against the nationalist community were not helping this situation.

6. O'Floinn said the Taoiseach had urged upon the Residents the need to engage. However, the mood among the Residents was volatile and apprehensive at this point. He believed they would enter the process looking to secure an agreement. However, there was a need to take confidence-building steps to reassure the Residents. In this context, were the Residents to request the presence of Eamonn McKee at the Interpoint Building, we would respond positively. Mr McKee would, in our view, be both a calming and steadying influence on the Residents.

7. Leach voiced concerns that the presence of an Irish official alongside the Residents might be used by elements within the Orange side as a pretext not to engage. He said the British Government would have no formal role in the talks, other than in a logistical capacity, and would be present in the building 'as a side'. This was in marked contrast to previous proximity talks which the British Government had chaired. It was vital that McKee would not be part of the Residents' delegation. He could, as necessary, be based in a separate room with access to the Residents as an advisor. What was needed was a robust form of words that would enable Frank Blair to explain Mr McKee's presence if the matter were raised by the Orange side. He asked us what our line would be on this point.

8. We explained that Mr McKee would only be present in an advisory capacity, and would not be part of the Residents' delegation. Reading from PM Blair's letter to the participants, and stressing the need to avoid defining Mr McKee's role too narrowly, Dowling said he (McKee) would be there to assist generally and to 'provide points of clarification or to seek information from Ministers,' as would NIO officials. It was not necessary to be more specific than this. O'Floinn said we had no objection in principle to a separate room for Mr McKee on presentational grounds as long as there was no impediment to contact with the Residents. Leach said he would reflect on this point, and asked that we might continue to reflect also on the precise wording which could be employed by Mr Blair.

9. Leach agreed that both sides could have advisors in their delegation rooms. In

©TSCH/2022/84/12

SEEN BY TAOISEACH

addition, each would have a facilitator. Peter Quinn would be there as a facilitator (on the part of the Residents), but there was some doubt whether Roy Magee would act in this role for the Orange as he had 'somewhat disengaged' from the Blair initiative of late. Instead the Portadown-based Ian Milne would act as facilitator for the Orange side. Chris Gibson, who is currently on holiday, would probably also be present, though in an advisory capacity.

10. Leach referred to Mr Milne's desire to meet with the Irish Government, as a proxy for the Orange side [Joint Secretary's report of 13 May, secure fax 2091 refers]. He hoped such a meeting might be the first in a series of meetings which might culminate in a meeting between the Orange side and the Residents. He asked whether he could report back that the suggestion of a meeting between Mr Milne and the Irish Government would be favourably received. We replied that he could. Although Mr Milne had not contacted us since his meeting with Mr McKee last February, O'Floinn indicated that we would welcome such a meeting and suggested that, in the first instance, it might be with Mr McKee.

11. Dowling asked whether recent statements on parades by Archbishop Eames/Church of Ireland and the General Board of the Presbyterian Church had had any positive influence on the Orange Order. Leach said he believed they had not; behind-the-scenes pressure was likely to yield greater results. Similarly, although he said there were moves within the Order to counter the Grand Lodge directive against direct negotiations with residents, movement on this front was unlikely in the absence of a breakthrough over Drumcree.

12. We asked for a list of parades flash-points over the summer. A preliminary list provided by the British side is attached. They have undertaken to come back to us with a more detailed list.

**Dunloy**

13. Ms Ní Choigligh described events in Dunloy on 22 May when paraders flouted the conditions set by the Parades Commission. Figures from outside the village had attended the parade, including Paul Berry, and anti-Catholic songs had been broadcast on loud speakers. As a result the residents felt let down, and unwilling to continue their dialogue with the police if conditions set by the Parades Commission could be so easily ignored.

©TSCH/2022/84/12

14. Leach commented that the RUC could not deliver acceptance of Parades Commission conditions, and surmised that the Commission would take into account the events as described when issuing future determinations on Dunloy. Any breaches of the conditions imposed by the Parades Commission could result in criminal charges. O'Floinn and Ní Choigligh were sceptical that more could not have been done on the day, noting that this was a worrying precedent. They were also concerned at the negative impact of the arrival of Paul Berry's 'human rights' march in Dunloy on 29 June.

15. Turning the discussion to the policing of parades, O'Floinn raised the disturbances in Portadown following the junior Orange parade on 29 May. The RUC response had been aimed at nationalists even though loyalists provided the provocation. 52 plastic bullets were fired, all at nationalists, with not one directed at loyalists. TV coverage had shown an RUC officer pointing a plastic bullet gun at a nationalist at close range. We had received a number of complaints about this. The RUC had failed to tackle loyalist rioters with anywhere near the same force, or to adequately protect the nationalist community from loyalist violence. In the same vein, why had three nationalists been arrested whereas there had been no arrests on the loyalist side? This was both heavy-handed, and reinforced nationalist perceptions that there was one law for them and another for loyalists. Dowling added that the trouble had started when some 500 loyalists had tried to push past police lines, and when prevented, had attacked the police with missiles. Why had the leaders not been arrested and charged?

16. Leach and Scholefield responded with the usual comments about operational considerations, and the threat to persons and property which determined the use of plastic bullets. They said nationalists had attacked the security forces with petrol bombs, which were regarded as life-threatening weapons. On these grounds, the decision had been taken to use plastic baton rounds in response. They argued that video evidence would probably lead to loyalists being arrested, and referred to incidents of nationalist rioting in Lurgan and Woodburn in Belfast over the weekend, which they described as serious (an injured police woman was still in hospital).

**Loyalist Attacks**

17. We again stressed our deep concern at the continuing level of loyalist attacks on nationalists across the north. Dowling said that the recent statement by the Secretary of State had been a welcome development. He acknowledged the very helpful

©TSCH/2022/84/12

meeting with Susan Scholefield on 28 May, and the fact that she has offered to update us on developments on a regular basis on this important issue. However, there had still been very few arrests or visible signs of success in countering this outbreak of violence. Both the Taoiseach and Ministers were gravely concerned, and had come under considerable political pressure in recent days. We were being left with the impression that 'good news' in relation to loyalist arrests was imminent: what was needed now in this respect was decisive public action to reassure nationalists.

18. Scholefield said there had been a further arrest over the weekend in connection with these attacks. Although she could give no details, she said they were hopeful charges would follow in this case and that, more generally, further success would be achieved by the security forces. 'Prevention is better than cure': British Army patrols were continuing though under constant review, and would be withdrawn where the Chief Constable considered they were no longer required. The British side undertook to revert in more detail on this issue.

19. Turning to the loyalist 'hit-list' of 150 names, we again voiced our concern that it had taken the RUC two months to contact those on the list. Scholefield said, as far as she was aware, all those whose details could be clarified had been approached by police There had been an arrest and she could say no more. We pressed the need for the RUC to take a pro-active response in offering advice and assistance to those whose names featured on the list. It was simply not enough to notify individuals and then take no further action.

**Nelson and Finucane**

20. Dowling raised again our concerns regarding the independence of the investigation into the murder of Rosemary Nelson, as set out in our note of 23 April. He emphasised the need for a protocol on witness confidentiality and the putting in place of a human rights/legal figure to monitor the investigation. In addition, we were concerned about RUC involvement in the confidential hotline. O'Floinn added that, despite British claims that only British police officers worked on the hotline, the CAJ had told the Taoiseach that when Paul Nelson had called the number an RUC officer had answered. This was unacceptable.

21. Rodgers said they had responded to a number of our concerns. He said the RUC had no involvement in the hotline, and surmised that Mr Nelson may have called one of a

©TSCH/2022/84/12

number of different RUC numbers available to him. The views set out in the Minister of State's letter to the Secretary of State were being considered. We were owed a substantive response, and they hoped to be able to provide this fairly soon. In the meantime, they had provided information when requested, such as concerning FBI involvement in the investigation.

22. Dowling said the issue of police collusion in the murder was also a serious political concern, as was the proportion of RUC officers who continued to be involved in the investigation. We asked if the ratio of non-RUC officers had increased. The British side responded by citing police independence. They claimed that they did not have access to such information, which was a matter for the Chief Constable and for Colin Port. Bell said the collusion aspect of the investigation was being headed by a Chief Superintendent from outside the RUC. We pressed them on this, and they admitted that, although ordinarily they would seek information from the Chief Constable's office, they did have a direct line to Port. However, they were not forthcoming with further information on this point.

23. O'Floinn asked if there was a security file on Rosemary Nelson, and whether Port had access to it. Rodgers said he was unaware of any file, but repeated earlier assurances that Port would be given access to any documentation that he requested. The Chief Constable had stated this publicly.

24. Dowling asked if Port was himself available to meet members of the public. Rodgers answered that he was. Dowling and O'Floinn responded that we saw merit in an early meeting with Port at the Secretariat, and asked the British side if this would be possible. Rodgers could see no reason why such a meeting should not take place, as Port had already met with a number of people with an interest in the investigation. We are following up on this through the Secretariat.

25. As the Finucane case was being handled by London-based NIO staff, we asked for an early follow-up meeting through the Secretariat. O'Floinn mentioned that the UN Special Rapporteur Cumaraswamy would be in Ireland in early June. The British side said they would be open to a further meeting with him.

**Threats against Residents**

26. We raised the threats made against a number of Residents' leaders, and the issue of

©TSCH/2022/84/12

admission to the Key Persons Protection Scheme (KPPS). In particular, we voiced our concerns at the continuing failure to respond to Breandán MacCionnaith's request to British Government Ministers for the scheme to be extended to cover the Garvaghy and Lower Ormeau residents' groups. We also raised the security of Jim Hassan of Bellaghy.

27. Rodgers said they took these concerns seriously, and were assessing how the Residents might be protected. However, in response to statements that Mr MacCionnaith had asked Adam Ingram for assistance, he claimed there had been a misunderstanding on the residents' part about the distinction between information of a threat and specific intelligence of an actual threat. Admission to the KPPS could only take place on the basis of a professional security assessment based on security intelligence of the nature of the threat.

28. We responded sceptically to this argument, arguing that, especially in the light of the Nelson murder, all possible steps should be taken to ensure the residents' safety. We hoped that where there was a question mark over a particular individual, the British authorities would err on the side of caution.

**Geralyn McNally**

29. Dowling stressed our deep concerns for the personal safety of Geralyn McNally, an ICPC lawyer who had been threatened because of her work. We asked about the number and nature of the threats made against her, and what measures the British side were taking to ensure her safety, noting that she had been forced to leave her home as a precaution. Had the police been able to trace the threatening phone calls? We also asked whether she had been admitted to the KPPS.

30. Leach said action was being taken. Ms McNally had been visited by police in March, and security devices had been installed in her home. A full security assessment of these premises had also commenced. However, as many of the KPPS measures were location-specific, the fact that she had moved to temporary accommodation was a complicating factor. The RUC were currently analysing the threats made against her. However, they had been unable to trace the first telephone threat to her life. At present Leach was unaware of a final decision to extend the KPPS to Ms McNally, although he would be surprised if she were not.

©TSCH/2022/84/12

31. O'Floinn said this was reassuring, but urged that every possible measure be taken. We were also concerned at reports that RUC officers in Portadown had been describing Ms McNally as a republican sympathiser. Although this might be hearsay, it was nonetheless regrettable.

**Other Issues**

32. Dowling referred to our note on Bloody Sunday of 31 May (copy attached). The British side said they would revert when they had fully considered its content. We also raised the return of four gardens which had been requisitioned by the British Army in Crossmaglen. The British side said they would reflect on this, though they did not anticipate a positive response. Mr O'Donnell has reported separately on exchanges concerning the resignation from the Commission of Ambassador Johnson (secure fax 2174 refers).

Gerard Keown
3 June 1999

©TSCH/2022/84/12

0100

| DATE | PARADE DETAILS | COMMENTS/POSSIBLE FLASHPOINTS |
|---|---|---|
| 17.3.99 | St Patricks Day parades. Main parade in Ballycastle. | No problems expected. |
| 4.4.99 | Easter Sunday Republican parades. | No problems expected. |
| 5.4.99 | Easter Monday Apprentice Boys parade in Belfast. | Ballynafeigh App Boys may give notice to parade ~~to parade~~ Ormeau Road. |
| 6.4.99 | Easter Tuesday Junior LOL in Ballyclare. | No problems expected. |
| 25.4.99 | LOL Orange widows parade to Ulster Hall. | Normally give notice to parade Ormeau Road. |
| 18.6.99 | No 1 District LOL parade (Shankill Road route) | No problems expected. |
| 26.6.99 | No 9 District LOL Whiterock parade. | Flashpoint at Workman Avenue/Springfield Road. |
| 27.6.99 | Battle of Somme LOL parade to Ulster Hall. | Ballynafeigh LOL usually parade Ormeau Road. |
| 4.7.99 | Pre Twelfth LOL Church parades including Drumcree Parade. | Portadown and possibly Ormeau Road will be flashpoints, as may other locations. |
| 7.7.99 | No 10 District (Ballynafeigh) LOL mini twelfth parade. | Usually confined to Upper Ormeau Road area. |
| 12.7.99 | Annual Twelfth July parades 19 venues feeder parades may cause problems. | Will be dependent on outcome of Drumcree parade. Main parades generally no problem. |
| 13.7.99 | RBP parades including Sham fight Scarva, and main parades in Lurgan Portadown/ Newry & Bangor. | No problems expected. |
| 8.8.99 | Anniversary of Internment parade to Belfast City Hall | Parade to City Hall from Markets, New Lodge and West Belfast areas |
| 14.8.99 (tbc) | Apprentice Boys Opening of the gates parade Londonderry | Local parades in Bellaghy, Dunloy, Newry, Armagh, Ormaeau Road may give problems. Morning parade in Londonderry usually walk the walls before the main parade. |
| 15.8.99 | Annual AOH parades | No problems recently experienced. |
| 28.8.99 | Last Saturday RBP parades local parades in certain areas may cause | Usually no problems at main venues. Minor problems. |
| 24.10.99 | LOL Reformation Services. Main parade to Ulster Hall, Belfast. | Ballynafeigh LOL may give notice to parade Ormeau Road. |



10/13

©TSCH/2022/84/12

| | | |
|---|---|---|
| 11.12.99 | Apprentice Boys Shutting of the Gates parade Londonderry walk the walls on this occasion. | Minor local parades in certain areas may give problems. Main parade in Londonderry does not |

**Twelfth July parades 1999 : Venues**

| SUB-DIVISION | VENUE |
|---|---|
| Belfast Region | Edenderry (10 Districts) |
| Lisburn | Magheragall |
| Bangor | Holywood |
| Downpatrick | Ballygowan |
| Newcastle | Ballymartin |
| Armagh | Killylae |
| Banbridge | Banbridge |
| Cookstown | Moneymore |
| Dungannon | Castlecaufield |
| Enniskillen | Ballinmallard |
| Omagh | Sixmilecross |
| Lisnaskea | Clogher |
| Limavady | Limavady |
| Ballymena | Ballymena, Broughshane & Cullybackey |
| Ballymoney | Ballymoney & Rasharkin (Independentt LOL) |
| Larne | Larne |



11/13

©TSCH/2022/84/12

**NOTE TO THE BRITISH SIDE**

**BLOODY SUNDAY (ATTEMPTS BY SOLDIERS INVOLVED TO SECURE ANONYMITY) - LOG NO. 2466**

1. As advised formally yesterday, we have been requested to express concern at the possible implications of media reports over the weekend regarding British Government support for the soldiers involved in Bloody Sunday and their renewed attempts to secure anonymity. The reported comments by MOD Ministers are of particular concern in this regard.

- As regards the latter you will have seen, for instance, the report in the Newsletter of 29 May indicating that "the Government yesterday confirmed that they are to back attempts by former members of the Parachute Regiment who want to remain anonymous if they give evidence to the Bloody Sunday Inquiry. Defence Minister John Spellar told a Ministry of Defence Press briefing: 'we have made a submission in support of anonymity and we are also funding the soldiers' lawyers. This is our position'".

- The Belfast Telegraph of the previous day carried a report that "Ministry of Defence lawyers are preparing to back the case for 17 former soldiers to be granted anonymity in testimony to the Bloody Sunday inquiry. Defence Secretary George Robertson has instructed Ministry officials to ensure that the department gives evidence at a judicial review of a ruling by the inquiry, led by Lord Saville".

- Copies of the two press cuttings in question are attached together with an article from the Irish News of 29 May which indicated, inter alia, that "in a bid to defuse mounting tension over the issue, a Downing Street spokesman last night stressed that the government had not adopted any official policy on the matter. 'It is an independent judicial inquiry which is set up under the Tribunals Act of 1921 and the government has no part in directing it', he said".

- An editorial in the same paper - copy also attached - stated that "the announcement yesterday that Britain's Ministry of Defence intends to support former soldiers in their demands for blanket anonymity flies in the face of one

12/13

©TSCH/2022/84/12

of the key demands of the Bloody Sunday families... Although Downing Street has denied it is taking sides, the fact that a cabinet minister has made known his views is disquieting to say the least."

- The Belfast Telegraph of the same day indicated, inter alia - copy also attached - that "Prime Minister Tony Blair insists that he cannot interfere with Inquiry chairman Lord Saville's refusal to allow anonymity for members of the security forces. He is expected to stress that point in a letter to opposition leader William Hague, who has urged him to take action to protect the paras."

2. We have been asked to recall that the decision by Prime Minister Blair to establish the Saville Inquiry was seen as a major confidence-building measure with a wider significance in the peace process. Anything which would detract from its impact in this regard, even before the Saville hearings proper have begun, would be of serious concern. We would hope that the British Government would agree with us that pressure from certain political, media and military sources (including the extremely regrettable contribution over the weekend by Lt. Col. Wilford - see, for instance, copy of the attached article from yesterday's Irish News) should be resisted.

3. As advised, we should be grateful to have your response on the above.

Kieran Dowling
1 June 1999

13/3

©TSCH/2022/84/12