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**Secure Fax: 2498**

**20 August 1999** **No of pages including this one: 5**

**To: HQ**
**For: Secretary Gallagher**

**From: Belfast**
**From: Joint Secretary**

**Subj: Formal Report on Lower Ormeau Road Protests**

Attached is text of official response from the British side to our formal request for a full report on the events on the Lower Ormeau Road on Saturday last, 14 August 1999.

The report essentially presents the police version of events, with the exception of the final paragraph.

cc [illegible] W+L, [illegible] L. [illegible] Lower, [illegible] Gardiner St. L. Rd

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**NOTE TO THE IRISH SIDE**

This paper responds to the note from the Irish side dated 16 August.

2. The detailed information it contains should be treated with care, since a number of persons have been arrested and charged with various offences, and further arrests may follow. Court proceedings are pending and the matter is therefore **sub judice**.

Ormeau Road protests

3. Approximately 400 people took part in a lawful protest, under the banner 'Re-route Sectarian Marches', on the Lower Ormeau Road at 7.15pm on Friday 13 August. The crowd was addressed by Bernadette McAliskey, Breandan MacCionnaith, Gerard Rice and John Gormley. Police monitored the protest and diverted traffic. The protest ended at 8.00pm and dispersed without incident.

4. Throughout the night a crowd of about 100 persons remained in the vicinity of the Lower Ormeau Concerned Community (LOCC) offices on the Ormeau Road. By about 1.45am the crowd had swelled to approximately 200 people.

5. At 5.25am on 14 August the crowd blocked the Ormeau Road at Rutland Street. Some fencing from a nearby building site was also brought on to the Ormeau Road. At 5.40am police were deployed to control entry on to the Ormeau Road from the side street.



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Decision to remove the protesters

6. The decision to remove the protesters was based on the two determinations issued by the Parades Commission, namely the decision not to impose route restrictions on the Apprentice Boys parade, and the decision to impose the condition on the LOCC parade that it should not commence until 10am on 14 August. Despite the hostility shown by the protesters towards police, attempts were made to engage in dialogue to resolve the issue. None of the LOCC leadership made themselves available for discussion.

7. At 5.57 am, the protesters were given a warning by a senior police officer to the effect that they were committing an offence under the Public Order (NI) Order and they should disperse immediately. The message was greeted by jeers from the protesters but the message was repeated a few minutes later. The local Sub-Divisional Commander then went forward to the crowd in an effort to engage the local leaders of the protest in dialogue. He was greeted by more jeers and none of these people made themselves available.

8. At 6.08am officers in protective equipment were deployed to remove protesters from blocking the road. Initially some of the protesters were aggressive towards police and violently resisted removal. Eventually this gave way to more passive resistance when protesters were carried from the road. Finally several protesters left of their own accord. By 6.41am the vast majority of the crowd had been moved from the road on to the footpath outside the LOCC offices.



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During the parade

9. As the parade passed at 8.40am protesters filtered in to side streets and protested in a noisy, but generally non-violent, manner. A number of bottles were thrown towards the parade by protesters but these failed to reach their intended target.

Discussions

10. Several discussions took place between the local Sub-Divisional Commander and Gerard Rice with regard to the lawful protest organised by the LOCC on 13 August. This resulted in a low key policing operation mainly confined to traffic duty. However, attempts by the local police commander to develop a similar understanding with Mr Rice with regard to the proposed unlawful protest on the 14th were rebuffed on several occasions. Mr Rice refused to discuss any of the arrangements for this protest but repeated his assertion that the protest would be 'determined and effective'. Discussions also took place between senior police and local representatives. This included a locally elected Assembly Member, the local Parish Priest and more senior clergy from the Roman Catholic Church as well as other individual residents of influence. Discussions also took place with the Apprentice Boys to ensure compliance with the Parades Commission's determination regarding the behaviour of those parading.

Aftermath

11. Twenty police officers received injuries during this incident, with six reported unfit for duty. The injuries sustained range from broken teeth, a suspected broken nose, minor head injuries and cuts and bruising. Police are aware that a number of



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people attended local hospitals for treatment in the aftermath of the protest. Details have not yet been released by the Health Authority.

12. Forty persons have been identified so far as taking part in the protest. Only five are local residents, the remainder coming from outside the area. Several arrests and charges have been made. Video and other evidence continues to be assessed.

Conclusion

13. The British side points out that the clashes which took place arose because individuals sought to challenge on the streets a lawful determination made by the Parades Commission. The Commission does not behave arbitrarily: it is an independent body established by Parliament to balance carefully the rights and responsibilities of all sides in reaching decisions on contentious parades. Anyone who feels aggrieved by its decisions can challenge them through the courts, or stage a lawful and dignified protest. But to avoid any legal challenge, and instead seek unlawfully to block roads, is unacceptable in a democratic society. When this occurs (whether on the Ormeau Road or at Drumcree) the RUC have a clear duty to enforce the law. As the Irish News commented on Monday, the "primary responsibility for the confrontation lay with the leaders of the Ormeau residents".

20 August 1999



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FAX SF 2492

24 AUG 1999

20 August 1999

No of pages including this one:

To: HQ
For: Gary Ansbro

From: Belfast
From: Bill Nolan

Re. LOCC Arrests.

1. Please see attached self-explanatory note from the other side re the arrest of Gerard Rice and others following last Saturday's protest on the Lower Ormeau Rd.

2. Those arrested are due in court this morning. We will let you have further details as they come to hand.

3. Also attached is a copy of the full UVF statement issued yesterday.

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## NOTE TO THE IRISH SIDE

**INCIDENT REPORT UPDATE - GERARD RICE ARRESTED AND CHARGED**

Further to my earlier report, and in response to the article by Cairan McGuigan in today's Belfast Telegraph in which Sinn Fein Councillor Sean Hayes claimed that the arrests made today demonstrated that the police do not behave in an evenhanded manner with Nationalists and Loyalists given that "There have been more than 200 illegal parades in the Portadown area since the Drumcree protest began. Many have ended in violence against the Nationalist community there and yet no one has been arrested for that."

The police have provided statistics which show that, by far, more Loyalists have been charged with serious public order offences since 1997.

| 1997 | | 1998 | | 1999 | |
|---|---|---|---|---|---|
| Loy | Rep | Loy | Rep | Loy | Rep |
| 114 | 145 | 267 | 71 | 90 | 33 |

The types of offences covered include petrol bombing, arson, hi-jacking, resisting arrest and riotous or disorderly behaviour. Persons charged with public order offences as well as the most serious charge of e.g. firearms offences are not included as the the charge will be recorded under the more serious offence.

*Signed*

JOANNE MAXWELL
19 August 1999

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