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614/97

From: PS/Secretary of State (B)
24 April 1997

UNDER/ SEC 496/4
28 APR 1997
CENT SEC

Amended cc list

- cc: PS/Secretary of State (B&L) - O
- PS/PUS (L&B) - O
- PS/Sir David Fell - O
- Mr Thomas - O
- Mr Stephens - O
- Mr Steele - O
- Mr Leach - O
- Mr Watkins - O
- Mr Perry - O
- Mr Maccabe - O

ASST./ SEC 225/4
2 APR 1997
C.C.R.U.

North Dept file
[Signature]

[Signature]
Blundering on board
(another) disaster.

Mr T Smyth - O

SECRETARY OF STATE'S DINNER FOR PARADES COMMISSION ON 23 APRIL

[Signature]
L8.4

The Secretary of State hosted a dinner for the Chairman and members of the Parades Commission at Hillsborough Castle on Wednesday 23 April. A list of those who attended is at Annex A.

2. In welcoming the Commission members the Secretary of State hoped that the occasion would provide an informal opportunity for the members to raise any points of interest to them. He was under no illusions that they had a difficult and complex task.

3. The Chairman expressed his thanks for the invitations. He remarked that in its work to date the Commission had met some antagonism from the Protestant community, and it was clear from their discussions generally that the role of the Commission was not fully understood; careful thought would need to be given as to how to clarify the short-term and long-term objectives of their work. He hoped that if this was clarified soon then the role

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of the Commission, alongside that of the Secretary of State and the Chief Constable, might influence behaviour over the next few months. He flagged up the Commission's view that the Secretary of State should have a more "upfront role" on the parades issue this summer with the Commission providing an advisory role to him.

4. The Reverend Roy Magee outlined the difficulties within the Orange Order with friction between elements representing the DUP/Free Presbyterians and those from the UUP. There appeared to be an ongoing struggle for supremacy and it was evident that senior Orange Order officers were unable to bring much influence on the local lodges. Mrs McIvor referred to a lack of cross-community contact, particularly amongst the churches in the Portadown area. She believed that it would be after the General Election and the local government elections in Northern Ireland (21 May) that the internal political struggles would be set aside and that people would start to address the parades issues within their communities. Mr Guckian expressed concerns that there was a small band of ruthless people determined to destabilise society in Northern Ireland, and although small in numbers these people could play on the genuine fears and concerns of the many. h

5. Mr Hewitt commented on the need for trust because without this there would be no prospect of arriving at consent on parades. In this regard he referred to what he considered the lack of church involvement, and also a failing by the Republic of Ireland. In brief discussion on Articles 2 and 3 it was noted that it would be helpful in building Unionist trust if the Irish Government were to amend Articles 2 and 3 to include a reference to unity by consent, although there was a concern in the Republic as to whether or not

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such an amendment would be successful in a referendum, if they were not part of a under settlement.

6. As to the parades issue, Mr Hewitt commented that most of the views they had received were against the Commission being given immediate adjudicatory powers. The Commission had noted the remarks of the Labour Party about moving forward on this point; but their own view was that for this year it should be for the Secretary of State to take decisions on contentious parades. This would allow the Commission to build up its own credibility while, at the same time, providing an advisory role to the Secretary of State.

7. Mr Graham pressed that the Commission was expecting that an upbeat statement would be made by the new Secretary of State regarding the consultative and advisory role of the Parades Commission, making clear that for this year major contentious parades would be for the Secretary of State to decide upon on the basis of advice from the Parades Commission, and declaring a clear intention to give statutory powers to the Commission for the following marching season; the Commission envisaged this including the power to make adjudications on parades. At the same time it was recognised that the Parades Commission was still at the early stages of considering how they might implement full adjudicatory powers, and they recognised that there were still major issues to be addressed.

8. In discussion, officials explored the possibility that any statement about the future powers of the Commission should be deferred until it was clear how this summer's marching season had passed off. ACC Lewis expressed the view that the police would expect the Parades Commission to take time to develop and that the

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RUC would not wish to see new powers taken on quickly. He also expressed concern that a firm statement at this stage about the future role of the Commission for the next marching season would undermine the prospects of police and other mediators negotiating on parades this summer. Mr Graham believed that in order to maintain the Commission's credibility a clear statement was needed on how this year's parades would be dealt with, and also how the Commission would operate in future.

9. The Secretary of State reacted cautiously to the Commission's idea of confirming their powers and role in advance of this year's marching season. Sir David Fell suggested that a more appropriate way might be for the new Secretary of State to issue a statement advising that he would take account of the views of the Parades Commission on its role at the end of this year's marching season. ACC Lewis referred to the substantial number of parades where the police successfully negotiated or imposed conditions; not all parades were like Drumcree. He acknowledged that in situations such as Drumcree the ramifications across Northern Ireland meant that the Secretary of State was inevitably drawn in, but this was not something which happened on very many occasions. Mr Steele asked if the RUC would be content for the Secretary of State to decide on contentious parades this summer or if they would see this as the police being sidelined. ACC Lewis said he would envisage the Secretary of State having a role only where local negotiation had not succeeded.

10. Mr Hewitt thought that it should be for the Secretary of State to decide on contentious parades this year because the Parades Commission did not have the necessary experience at this point, and there were those in the community who did not see the RUC as

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neutral. He believed that the Secretary of State was seen as more neutral. Mr Graham envisaged the Secretary of State having to take decisions in a very limited number of contentious parades. It was noted that the Secretary of State's power was to ban parades, not re-route. The Secretary of State queried whether in fact he, as a politician, would be seen as impartial in these situations. He argued that it was the Chief Constable who would have the greater reputation for impartiality. The Reverend Roy Magee raised the point that if the Secretary of State was seen to take the decision on a parade many in the Unionist community would suspect the involvement of Dublin.

11. In concluding the discussion the Secretary of State commented that the Parades Commission had been set up to help create confidence in the community and enable judgements to be taken which would be respected. Mr Graham emphasised that whoever had to take decisions, all had to be part of a team so that the Parades Commission, the Chief Constable, and the Secretary of State were seen to work together and support one another

David Kyle

C D KYLE
Private Secretary

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ANNEX A

LIST OF THOSE ATTENDING SECRETARY OF STATE'S DINNER
FOR PARADES COMMISSION: 23 APRIL

Secretary of State

Mr Alastair Graham (Chairman of Commission)

Mr Frank Guckian (Member)

Mr David Hewitt (Member)

The Reverend Roy Magee (Member)

Mrs Berna McIvor (Member)

Mr Richard Gord (Independent Media Advisor)

Mr Richard Buchanan (Secretary to Commission)

Assistant Chief Constable Tim Lewis, RUC

Sir David Fell

Mr Steele

Mr Leach

Mr Smyth

Mr Perry

Mr Kyle

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