

E. R.

We shall be commenting on the implications of any delay.
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cc Po.
7504m 27/10/86.

1. Mr Innes
2. PS/Secretary of State (L&B) - BLIS

- cc PS/Mr Scott (L&B) BLIS
 PS/Lord Lyell (L&B) BLIS
 PS/Dr Mawhinney (L&B) BLIS
 PS/Mr Needham (L&B) BLIS
 PS/Mr Viggers (L&B) BLIS
 PS/PUS (L&B) BLIS
 PS/Mr Bloomfield
 Mr A W Stephens
 Mr Brennan or BLIS
 NI Permanent Secs -
 Mr Chesterton BLIS
 Mr Elliott
 Mr Spence
 Mr Gilliland
 Mr Hammond, HO BLIS
 Mr Blackwell or
 Mr S Hewitt
 Mr McConnell
 Mr G Hewitt
 Mr Bell BLIS
 Miss Elliott BLIS
 Mr McKillop
 Mr Shannon
 Mr Mackay c/o PO (L) BLIS
 Mr Wood BLIS
 Mr R E Templeton
 Mr Pope BLIS
 Mr Gray, LDO
 Mr Cook, F8 HO BLIS

- 1 Mr Pappas 27/10/86
 - 2 Mr Green
 - 3 Mr Wallace
 - 4 Mr Martin CIR.
 - 5 Mr Clark 29/10/86
 - 6 Mr McDonald 29/10/86
 - 7 Mr Sturges 30/10/86
 - 8 6 orders for filing CFC 3103.
- jean

PUBLIC ORDER (NI) ORDER

1. This submission seeks the Secretary of State's authority to publish the attached Proposal for a draft Public Order (NI) Order and the associated Explanatory Document, on 3 October.

Content

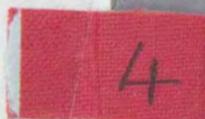
2. The Proposal enshrines all the points agreed by the Secretary of State on the basis of my submission of 4 September. The Explanatory Document, which sets out the philosophy underlying the provisions of the draft Order and their intended effects, was approved by Sir Robert Andrew on 25 September.

3. Both have been sent for printing and we are still on course to achieve publication on 3 October.

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Consultative Paper

4. The Secretary of State had also agreed that a consultative paper on the suggestion that there should be an independent tribunal on parades should be published at the same time as the Proposal. The decision to publish the Proposal on 3 October made this impossible but it would clearly be desirable to publish the consultative paper as soon as possible. As the Chief Constable had formally proposed that there should be a tribunal, a draft of the paper has been sent to the RUC for comment. A copy is attached in case the Secretary of State wishes to make any comments at this stage. We will seek approval of a final draft in the light of the RUC's reactions, as soon as possible.

Flags and Emblems

5. To meet the request made by the Secretary of State at the meeting on 16 September, I attach a note setting out the practical legal implications of repealing the Flags and Emblems (Display) Act (NI) 1954.

Briefing the Irish

6. We propose to tell the Irish on the afternoon of 1 October via the Secretariat that a Proposal will be published on 3 October and that it will inter alia deal with the repeal of the Flags and Emblems Act. We then propose to brief them during the morning of 2 October, in general terms and on a confidential basis, and to try to reach agreement with them on how publicity should be handled. We do not propose to give them an advance copy of the Proposal. The object is to minimise any conflict between the way in which we and the Irish comment on the publication of the Proposal, while ensuring that the Secretary of State has a publicly defensible line if asked whether the Irish were consulted or got advance copies of the Proposal.

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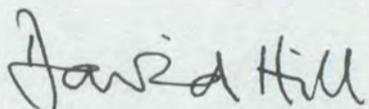
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Administration

7. We will in consultation with Parliamentary Section, Central Secretariat and the Press Office make the usual arrangements for distributing copies of the Proposal and announcing its publication. A separate submission covering draft letters to party leaders etc and discussing the handling of the media will come forward shortly.

Conclusion

8. The Secretary of State is invited:
- (a) to authorise publication of the Proposal and Explanatory Document on 3 October;
 - (b) to note that the RUC have been asked for their views on the draft consultative paper, to record any comments he may have on it at this stage and to note that a final draft will be submitted as soon as possible;
 - (c) to approve our proposals for briefing the Irish; and
 - (d) to note that the necessary administrative steps and the handling of the media will be the subject of a separate submission.



D J R HILL
Law and Order Division

30 September 1986

Annexes : A - Proposal for a Draft Order (London copies by Box)
B - Explanatory Document
C - Draft Consultative Paper
D - Note on the effect of repealing the Flags
Emblems Act

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Secretary's Office
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