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DESK IMMEDIATE

From N P PERRY
Security Policy and Operations Division
23 July 1996

cc PS/Michael Ancram (B&L) - B
PS/PUS (B&L) - B
PS/Sir David Fell - B
Mr Thomas (B&L) - B
Mr Legge - B
Mr Steele - B
Mr Bell - B
Mr Leach (B&L) - B
Mr Ray - B
Mr Watkins - B
Mr Wood (B&L) - B
Mr Masefield - B
Mr Beeton - B
Mr Hill (B&L) - B
Mr Stephens - B
Mrs Collins, o/r - B
Mr Maccabe - B
Mr Canavan ✓ 24.7
Mr Clarke
Mrs Todd
Mr May
Mr McAleer - B
Mrs Collins, Cabinet Office
Mr Brearley - B
HMA Dublin - B
Mr Lamont, RID - B

1. PS/Sir John Wheeler (B&L) - B
2. PS/Secretary of State (B&L) - B

REVIEW OF PARADES AND MARCHES

The Secretary of State agreed yesterday the TORs for the review of parades and marches which he announced in the House on 15 July. I attach for the Secretary of State's consideration:

- a draft written answer announcing the review's TORs
(Annex A);

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- a draft letter to the Opposition spokesmen, leaders of the main political parties, the church leaders, the Chief Constable, the Chairman of PANI, and the GOC (Annex B);
- a brief letter to NI colleagues advising them of the announcement (Annex C);
- a draft press release (Annex D); and
- Q&A material (Annex E)

2. Mr Bell will inform the Irish side of the Secretariat tomorrow that the TORs are to be made public.

3. Names of potential members of the review were discussed at the Secretary of State's meeting yesterday. Sir Peter North, Vice Chancellor of Oxford, emerged as the preferred candidate to chair the review, and PUS will attempt to speak to him this evening (he is in the US): the locally-based candidates have yet to be confirmed and will be announced later. The written answer/letters/press release will need to be adjusted in the light of Sir Peter's response.

4. The Secretary of State is also being invited to announce tomorrow the HMIC review of the use of PBRs. This exercise is linked to, but separate from, the parades review: advice is coming forward in parallel with this submission.

Signed

N P PERRY
SHA Extn 27028

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To ask the Secretary of State for Northern Ireland when he will publish the terms of reference for the proposed review of parades and marches in Northern Ireland.

The review of parades and marches in Northern Ireland which I announced in the House on 15 July will have the following terms of reference:-

"To review, in the light of evidence received from any interested party and having regard to the particular experience of 1996, the current arrangements for handling public processions and open-air public meetings and associated public order issues in Northern Ireland, including

- the adequacy of the current legal provisions, and in particular the adequacy of the statutory criteria used in making decisions on public processions and open-air public meetings
- the powers and responsibilities of the Secretary of State, police and others
- the possible need for new machinery, both formal and informal, to play a part in determining whether and how certain public processions and open-air public meetings should take place
- the possible role for and composition of Codes of Practice for organisers of and participants in public processions and open-air public meetings

and to make recommendations by the end of January 1997."

The review will begin as soon as possible. [I hope to announce the names of those conducting the review shortly.] [I have

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appointed Sir Peter North, Vice-Chancellor of Oxford University,
to chair the review; the names of the other members will be
announced shortly.]

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ANNEX B

DRA LETTERS FOR SIGNATURE BY THE SECRETARY OF STATE

LETTERS TO PARTY LEADERS AND OTHERS (see attached list)

REVIEW OF PARADES AND MARCHES IN NORTHERN IRELAND

You will wish to be aware that, following my announcement in the House of Commons on 15 July of a review of parades and marches in Northern Ireland, I have now published, by means of a written answer, the review's terms of reference. These are as follows:

"The review will, in the light of evidence received from any interested party and having regard to the particular experience of 1996, examine the current arrangements for handling public processions and open-air public meetings and associated public order issues in Northern Ireland, including:

- the adequacy of the current legal provisions, and in particular the adequacy of the statutory criteria used in making decisions on public processions and open-air public meetings
- the powers and responsibilities of the Secretary of State, police and others
- the possible need for new machinery, both formal and informal to play a part in determining whether and how

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certain public processions and open-air public meetings should take place

- the possible role for, and composition of Codes of Practice for organisers of and participants in public processions and open-air public meetings

and to make their recommendations by the end of January 1997."

The review will commence work as soon as possible. [I hope to announce the names of those conducting the review shortly.] [I have invited Sir Peter North, Vice-Chancellor of Oxford University to chair the review. The names of the other members will be announced shortly].

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Mr Hugh Annesley QPM
Chief Constable
Royal Ulster Constabulary
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Mr Pat Armstrong
Chairman
Police Authority for Northern Ireland
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Dr John Alderdice
Alliance Party of NI
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Dr Ian R K Paisley MP MEP
Democratic Unionist Party
91 Dundela Avenue
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BT4 3BU

Mr Robert McCartney QC MP
United Kingdom Unionist Party
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Co Down
BT20 4LE

His Eminence Cardinal Cahal B Daly
Archbishop of Armagh and Primate of All Ireland
Ara Coeli
Cathedral Road
Armagh
BT61 7QX

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John Hume MP MEP
Social Democratic and Labour Party
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BT9 7YT

The Most Reverend the Lord Robin H A Eames
Archbishop of Armagh and Primate of All Ireland
The See House
Cathedral Close
Armagh
BT61 7EE

The Rt Reverend Dr Harry Allen
Moderator of the Presbyterian Church in Ireland
The Manse
24 Grange Road
Coleraine
Co Londonderry
BT52 1NG

The Reverend Kenneth Best
President
Methodist Church in Ireland
11 Clearwater
Clooney Road
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BT47 1BE

Mr David Trimble MP
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BT12 5AE

Lt General Sir Robert Smith KCB DSO OBE QGM
HQNI
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Dr Majorie Mowlam MP
Shadow Northern Ireland Secretary
PO BOX 77
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Lord Holme
House of Lords
LONDON
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ANNEX C

DRAFT LETTER FROM PS/SECRETARY OF STATE TO THE OFFICES OF MEMBERS OF NI

John Holmes Esq
10 Downing Street
LONDON

Following my Secretary of State's announcement in the House on 15 July of a review of parades and marches in Northern Ireland, he will be announcing by means of a written answer later today the review's terms of reference. A copy of the written answer is attached.

He will also be writing to Opposition spokesmen, the leaders of the main Northern Ireland parties, the four church leaders, and others to inform them of the announcement.

[Sir Peter North, Vice-Chancellor of Oxford University, has agreed to chair the review. His committee on road traffic law in the late 1980s was widely praised for its success in blending intricate legal issues with a common sense approach to policy. He also has the personal skills needed to win support from disparate groups. He will be supported by two or more members, representative of the two communities in Northern Ireland, whose names will be announced shortly.]

My Secretary of State will also be announcing, in a separate written answer, that HM Inspector of Constabulary will be conducting, as part of this year's formal inspection process, a review of the RUC's procedures and training for handling public order situations, including the use of plastic baton rounds. This review, which was intended originally to meet the Mitchell report's recommendation that a review of PBRs be carried out, pre-dates the events at Drumcree. It will, however, be helpful to have an overview, from a professional policing perspective, of

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the RUC's handling of public order situations. HMIC's inspection report should be completed by the end of the year, and his findings will be available to inform the wider parades review.

I am copying this letter to the offices of members of NI Committee, and to Sir Robin Butler.

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ITTEN ANSWER

To ask the Secretary of State for Northern Ireland when he will publish the terms of reference for the proposed review of parades and marches in Northern Ireland.

The review of parades and marches in Northern Ireland which I announced in the House on 15 July will have the following terms of reference:-

"To review, in the light of evidence received from any interested party and having regard to the particular experience of 1996, the current arrangements for handling public processions and open-air public meetings and associated public order issues in Northern Ireland, including

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- the powers and responsibilities of the Secretary of State, police and others
- the possible need for new machinery, both formal and informal, to play a part in determining whether and how certain public processions and open-air public meetings should take place
- the possible role for and composition of Codes of Practice for organisers of and participants in public processions and open-air public meetings

and to make recommendations by the end of January 1997."

The review will begin as soon as possible. [I hope to announce the names of those conducting the review shortly.] [I have

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PRE RELEASE: TERMS OF REFERENCE FOR REVIEW OF PARADES AND MARCHES

The Secretary of State for Northern Ireland, the Rt Hon Sir Patrick Mayhew QC MP, today announced the terms of reference for the review of parades and marches in Northern Ireland.

In response to a written question from [] the Secretary of State said:

"The review of parades and marches in Northern Ireland which I announced in the House on 15 July will have the following terms of reference:

To review in the light of evidence received from any interested party and having regard to the particular experience of 1996, the current arrangements for handling public processions and open air public meetings and associated public order issues in Northern Ireland, including:

- the adequacy of the current legal provisions, and in particular the adequacy of the statutory criteria used in making decisions on public processions and open-air public meetings
- the powers and responsibilities of the Secretary of State, police and others
- the possible need for new machinery, both formal and informal, to play a part in determining whether and how certain public processions and open-air public meetings should take place
- the possible role for and composition of Codes of Practice for organisers of and participants in public processions and open-air public meetings

and to make recommendations by the end of January 1997."

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The review will begin as soon as possible. [I hope to announce the names of those conducting the review shortly.] [I have appointed Sir Peter North, Vice-Chancellor of Oxford University, to chair the review: the names of the other members will be announced shortly.]"

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PARADES REVIEW - QUESTION AND ANSWER MATERIAL

Q - What does HMG want to see emerging from this review?

A - HMG has no pre-conceived outcome or solution. It wishes to see a set of recommendations coming forward which are based on the principles of accommodation that will find acceptance across the community. The review allows for a thorough and independent analysis of the situation.

Q - Will HMG be bound by the recommendations made?

A- HMG will consider carefully the recommendations of the review, and give them due weight on their merits.

Q - Will the review bring about changes in legislation?

A - The review's TORs will enable it to look at the adequacy of the current legal provisions and the criteria used in making decisions on public processions. It is open to it to put forward any recommendations which it considers appropriate.

Q - Why did this review not take place before now?

The parades issue has been kept under very close review, and much effort has been devoted in recent months by Ministers and officials, as well as the RUC, community leaders and others, to resolve contentious parades. The intention was to build on the RUC's successes in this area in recent years. In the light of events at Drumcree, HMG has concluded that an independent review is now appropriate.

Q - Will this review prevent another Drumcree?

A - The issues surrounding parades are complex and difficult. However, the review will, we hope, provide a basis on which future parades can be handled and which will attract cross community support, so lessening the scope for disputes in the future.

Q - Will the review be truly independent?

A - Yes. The review will examine all aspects of this controversial issue with an open mind, and will make recommendations accordingly.

Q - What will happen if one side of the community disagrees with the recommendations of the review?

A - All interested parties will have the opportunity to put forward their point of view. The review team will look at all of these in an impartial manner and draw up its recommendations based on what it has heard. Hope that all parties recognise that the review is not intended to disadvantage one side or the other, and will consider constructively whatever recommendations emerge.

Q - What if the Orange Order refuse to give evidence to the review?

A - Hope this will not be the case: can see no justification for any body adopting such a stance.

Q - How can the review command the respect of all people in Northern Ireland?

A - The terms of reference, which make clear that the review will be comprehensive and impartial, should command widespread support of all who live in Northern Ireland.

Q - Will the review look at individual parades and routes?

A - The review will be much more broadly based than simply looking at individual parades or routes. It will however, specifically,

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examine whether there is a mechanism which could assist decommission by law and whether parades should proceed.

Q - Is the review being set up because the RUC could not cope?

A - No.

Q - Will the RUC police parades in the light of the recommendations?

A - HMG and the RUC will consider the review's recommendations with great care: hope everyone else will do the same.

Q - Will the review then remove operational responsibility for parades from the RUC?

A - The review will examine the current legal position: this will doubtless include the criteria which the Chief Constable is required to consider when making decisions on parades. The review will also look at the responsibilities of the Chief Constable and others in relation to parades. The policing of particular parades, as with other public order situations, will remain the responsibility of the police.

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