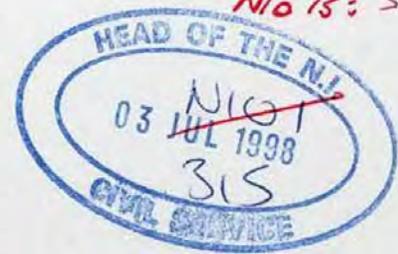


DB/6/7

FROM: MRS DOREEN BROWN
CENT SEC

2 JULY 1998

DM
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see distribution list below

PS/SECRETARY OF STATE (B&L) - O

CONFIDENCE BUILDING MEASURES FOR ORANGE ORDER

1. The Orange Order have listed 7 items which they would wish the Government to act on as confidence building measures.
2. The attached note sets out the reactions of the various Departments involved with these issues. By and large, the requests cannot be met to any great extent.

(Signed DAB)

D A BROWN

cc PS/Mr Murphy (B&L) - O
PS/Mr Ingram (B&L) - O
PS/Mr Pilling - O
PS/Mr Semple - O
Mr Steele - O
Mr Jeffrey - O
Mr Daniell - O
Mr Watkins - O
Mr Canavan

ORANGE ORDER REQUESTS 1 and 2

1. A clear public recognition that the Orange Order is the major community representative and provider for the Ulster Scots (Protestant) Community and recognition of it as a cultural group worthy of funding on the same scale as Gaelic language groups, Gaelic schools, Gaelic Athletic Association, etc. This is an issue of equality.
2. Recognition that the cultural expression of the Ulster Scots tradition has been grossly underfunded as compared with its Gaelic counterpart with a declaration that positive attempts will be made to redress this imbalance immediately over the next year.

Specific projects could be looked at, eg:-

Mid-Armagh Community Network: Markethill

Moree Community Development: Pomeroy

Armagh EC Partnership

Background and Lines to take

The claim that the Orange Order is the major community representative and provider for the Ulster-Scots community would be open to dispute by many engaged in community development in Protestant areas and by many in the Ulster-Scots cultural movement. The Order does not engage in sporting activities, establish schools or promote linguistic traditions. The comparison with the "Gaelic" organisations mentioned at paragraph 1 is, therefore, dubious.

Applications for funding for community development and cultural projects are considered on their merits, according to the criteria of the relevant funding programmes. Government cannot accept that such funding should be determined by quotas for the Protestant and Catholic communities. Considerable effort has been made in recent years to identify the

reasons why fewer valid applications for community development and cultural projects are received from Protestant groups, particularly in rural areas. These efforts will continue and, if the Orange Order can identify to which funding programmes the 3 projects mentioned at point 2 intend to make their applications, officials will liaise to assist them in development projects which meet the criteria of funding programmes.

ORANGE ORDER REQUEST 3

3. Confirmation that resettlement grants will be made available to Protestant Farmers forced off their land re Arlene Foster in Fermanagh, coupled with official recognition of the suffering of rural and isolated border Protestant communities.

Background

Intimidation of Protestant farmers (often with security force connections) in border areas, especially Fermanagh, was a serious problem through much of the time of the Troubles. Some were forced to leave. The problem is recognised in the Bloomfield report (para 5.39) which notes that those affected regard themselves as local victims of "ethnic cleansing" and that they are seeking help from Government. Bloomfield hopes that their representations will be given sympathetic consideration.

Lines to take

1. An issue given recognition in the Bloomfield report on Victims of the Troubles.
2. The Government will consult on Bloomfield's recommendations and this is one of the areas to be covered in the consultative process.
3. As part of the consultative process, we will meet with organisations (eg FEAR) representing farmers in this position.
4. But no undertakings should be given about financial assistance.

ORANGE ORDER REQUEST 4

4. Official recognition of Orange Halls as de facto Community Halls by de-rating them either up front or alternatively by allowing reductions in rates upon halls upon proof of use of halls for Bands, Drumming Classes, Scottish Dancing, Line Dancing, Women's Development Classes, etc. At the moment it is only for youth clubs, church groups, etc, which are not cultural activities.

Background and Lines to Take

Halls belonging to the Orange Order (and halls belonging to other organisations such as the Hibernians) are not entitled to any form of rate relief under the law, as it currently stands, if they are for the sole use of that organisation. However, they have an opportunity to gain rate relief if the hall premises are made available to the wider community. Many Orange halls, for example, double up as community or village halls and are used by all sections of the local population. The amount of rate relief is in proportion to the amount of time in any year that the premises are used by local groups.

There is currently a proposal for a Rates (Amendment) Northern Ireland Order which contains proposals for the derating of rural village shops (something the UUP has been asking for) and for "other property used for the benefit of the local community". The latter has not yet been defined. This draft Order in Council may not be made before the New Northern Ireland Assembly takes up full powers in early 1999 in which case a measure may have to be brought before the new Assembly.

Rating is a transferred matter which can be considered by the New Northern Ireland Assembly.

ORANGE ORDER REQUEST 5

5. Criminal Damage Claims - under current legislation Chief Constable Certificates are not needed for agricultural property. This should be extended to Orange Halls, churches, church halls, etc.

Background

For most criminal damage claims, if payment is to be made then the applicant must demonstrate that the property was maliciously damaged by three or more persons unlawfully assembled OR he must obtain a Chief Constable's certificate to the effect that the damage was caused by a person acting on behalf of an unlawful association (ie a proscribed organisation).

The only exception to this is in the case of agricultural property where the applicant merely has to prove malicious damage. This exception has been extant for many decades and reflects the historical importance of agriculture in Northern Ireland.

It is important to bear in mind that at this time of peace and growing confidence, we need to be thinking now in terms of increasing reliance on insurance companies as in GB rather than widening the scope of criminal damage compensation.

Lines to take

1. Legislation would be required to extend the exception to cover other categories.
2. Retrospection would be very difficult.
3. How to define the categories - we would have to include all public halls, community centres, church property, meeting places, sports pavillions etc.
4. Cost implications.

ORANGE ORDER REQUEST 6

6. A public apology from the Secretary of State for the hurt caused to communities in Markethill, Portadown and Moira when she failed to visit these towns after they had been bombed if our Government can apologise for the famine and set up a tribunal for Londonderry, the least the Secretary of State can do is this.

Line to Take

A public apology will not be made. None is justified. Ministers visited in the wake of the bombs, and the Government has made clear its condemnation of such attacks and its concern for the people who are the victims.

ORANGE ORDER REQUEST 7

7. The Cultural and Tradition Group to set up a special Committee, in association with the Order to examine ways in which the Orange Tradition can be promoted more positively as a valid cultural and ethnic tradition in Ulster.

Line to take

The Director of the Community Relations Council (of which the Cultural Traditions Group is a sub-committee) is prepared to establish a joint committee of the CTG and the Orange Order to consider these issues. This committee would be jointly convened by the 2 organisations.