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June 1991

Meeting in Secretariat to Discuss the "Marching Season"
and Other Issues

British Side

Peter Bell
Christine Collins
Ian Maye

Irish Side

Declan O'Donovan*
Brian Nason
Bryan O'Brien
David Barry

* Mr. O'Donovan was
present for part of the
meeting only.

*See pages
6 & 12.*

In opening the meeting Mr. O'Donovan thanked Peter Bell and Christine Collins for coming to the Secretariat. He mentioned that the main purpose of our meeting was to look at the forthcoming marching season, but that in addition, there were a number of other issues we wanted to raise as well such as Crossmaglen, the arrival in Northern Ireland of the 500 troops of the Green Howards, the discovery of RUC files in a dump near Dungiven and recent incidents at Carlingford Lough.

Crossmaglen G.A.A. Grounds

In opening the discussion on Crossmaglen, Mr. O'Donovan referred to the information conveyed to us on the 30 May from the British side about developments at Crossmaglen. He indicated that since then we have had further representations from the G.A.A. asking us to confirm some issues in relation to the ground. While we understand that the army have now requisitioned the plot of land owned by the Committee for the Handicapped for a new right of way and that they are building a new emergency gate for the army base, there remain some aspects on which we are still unclear. There was some doubt as to whether the new emergency exit would in fact replace the old one. There was also the question of whether the old requisition order relating to the right of way through the G.A.A. grounds would be cancelled, and furthermore, there were suggestions that the British Army were now proposing to requisition 5 and 3 metre wide strips of land around the

perimeter of the base. If this were true, it could have the effect of severely restricting access for G.A.A. members to the playing fields.

Mr. Bell was unable to respond on these specific points. He undertook to come back to us as soon as possible.

Arrival of Green Howerd Battalion in Northern Ireland

Mr. Bell said that the 500 strong battalion was brought to Northern Ireland for "Operation Clifford" which consisted of the refurbishment of Crossmaglen and Forkhill Army bases. The essential task of this battalion was to protect the convoys of building materials being brought to both these bases. In response to Mr. O'Donovan's question as to why 500 soldiers were needed for this task, Mr. Bell responded that given the terrain and the finite number of roads into these bases, a force of 500 troops was deemed necessary to secure the approaches. Now that the refurbishment has been completed, the battalion has been dispersed to various places, including Fermanagh and Tyrone, to provide a boost for forces there.

By way of background information Mr. Bell conveyed to us the views of the GOC for Northern Ireland, who has indicated that he has effectively five companies less in Northern Ireland at present than has been the case in the recent past. Battalions in Northern Ireland are at minimum strength because of commitments of the British Army elsewhere in the world.

In response to Brian Nason's enquiry as to how long the battalion will remain in Northern Ireland, Christine Collins suggested that they might be here for a further month or so. They had defence commitments elsewhere which would preclude them staying for longer in Northern Ireland. Peter Bell added that there was unlikely to be any long-term increase in Battalion strength in Northern Ireland. BAOR regiments who are routinely posted to Northern Ireland are at minimum strength and they consequently have smaller numbers of men in them. The Ministry of Defence had nonetheless, made it clear that they would be sympathetic to a

request for additional troops in the face of specific threats. He referred to recent examples such as the removal of Derryard and Boa Island PVCs which required additional troops for a short period of time.

Mr. O'Donovan made the point that while we had been told of proposed reconstruction work at Crossmaglen base, we were not told about the arrival of the 500 strong Green Howards Battalion. Ian Maye confirmed that we had been advised of "increased security" activity in the area, but that we were not told about the arrival of the new battalion. Mr. O'Donovan also pointed out that in the past we had been told at very high level, about sudden changes in troop numbers in Northern Ireland and he instanced the case of Operation Tantalus where the Taoiseach was advised by letter from the Prime Minister of the arrival of additional troops to Northern Ireland.

Christine Collins attempted to explain the background to Operation Clifford. She said the Army was determined not to disclose its hand on this occasion about the arrival of a new battalion. Operation Clifford was deliberately not run on the basis of Operation Tantalus where politicians and the local community had been advised about the arrival of additional troops in the area. The aim with Operation Clifford was to get the troops in and out before anyone even realised it, and she believed this had been done very efficiently. She felt that the impact locally of the increased security presence was in fact "lighter" than might have been expected, having regard to the number of troops brought in. Peter Bell said that they would note our concerns in this respect, that we were particularly interested in force levels in Northern Ireland, and any proposals to introduce new battalions or increase British Army strength generally in Northern Ireland.

World-in-Action allegations of collusion/The Discovery of RUC papers in a dump near Dungiven

With regard to the material discovered at the dump, Mr. Bell confirmed that the material was not sensitive, it was genuine

waste material which should have been burned or shredded and through some slip-up found its way into the dump. As regards the World in Action programme, Christine Collins said that the allegations about collusion and the passing of confidential RUC information to paramilitaries, all dated to pre-Stevens enquiry. There was nothing new in the programme with the exception of the papers found near Dungiven or in David McKittrick's article in the Independent today, nothing very specific was alleged that could be investigated. Mr. O'Donovan made the point that the programme alleged that material was still finding its way to terrorists. Ms. Collins informed us that the police had appointed a senior officer (Superintendent) to investigate how the RUC papers found their way into a local dump and this investigation is ongoing. All indications they have received so far, is that the papers were of no significance and were genuine rubbish. Mr. O'Donovan asked specifically whether there were photo montages amongst these papers and whether there were documents describing the movements of terrorists, car registrations etc. This kind of information would be a cause for worry. Ms. Collins said she was not in a position to respond to these questions and that they did not know yet the full extent of the material. Mr. O'Donovan also mentioned that when the information regarding the RUC documents became public, our Minister for Justice, came under immediate pressure about it, and that the matter was viewed with considerable concern in Dublin, not least because it concerned Mr. Bruton, the Leader of the Opposition.

In summing up the British position, Mr. Bell said that firstly, the RUC papers concerned 'dead' information; secondly, they acknowledged that it should not have happened that these low-grade papers should have found their way into the hands of the public; thirdly, that the RUC are investigating the case; fourthly, it did not appear to them that there was any malicious intent in dumping the papers and finally, he undertook to keep us informed of any developments.

Carlingford Lough

Mr. O'Donovan referred to recent exchanges in the Secretariat about incidents in Carlingford Lough and asked the British side if they had any further information or reply for us in relation to these cases. Christine Collins said they had nothing further to add at present. Mr. O'Donovan pointed out that we are now coming into the height of the sailing season and that in the past instances such as the Lady Irene at the outset of the sailing season were the precursors for a number of other similar instances in the course of the year. In the light of what has happened to date, he asked specifically, had the Royal Marines on Carlingford Lough been briefed as to the sensitivities involved in operating in the Lough. Mr. Bell confirmed that they would remind HQNI to operate with sensitivity in Carlingford Lough. Mr. O'Donovan then referred to the 1972 paper from the British Embassy in Dublin stating that Marines would not operate on the southern side of the Lough and requested confirmation that the 1972 position still stands. While the legal position may have changed, we would like to be assured that the operational procedures have not changed. Mr. Bell was unable to respond on this particular point. Mr. O'Donovan made it quite clear that for operational purposes we did not want Royal Marines arresting people on the "southern" side of the Lough. Christine Collins indicated that there was considerable research going on at present to examine the background to the 1972 document of the British Embassy which Mr. O'Donovan referred to. Mr. Bell indicated that they nonetheless took our point about the Marines operating with sensitivity in Carlingford Lough. Mr. Bryan O'Brien reminded the British side that these concerns had already been raised with them in the context of the note we passed them on the 22 May.

Marches

Mr. Bell opened discussion on this subject firstly by indicating broadly that the RUC had not finalised their plans yet in relation to marches; secondly, that the British side would hope to talk to us in more detail at a later stage, and finally, that the document which the RUC normally produce about marches is not ready yet, but that we would be given a copy as soon as it was available. We then put the points detailed in the attached speaking notes to the British side.

Parade at Duncairn Gardens

Christine Collins response was that no march was planned for Duncairn Gardens this year. The march will be substantially confined to the Shankill Road area, and would be relatively small with only one band probably. She indicated that the British side were fully aware of the problems of the Duncairn Gardens parade. They have been trying to resolve this problem without appearing to do so in any overt sense, because any direct action by them such as the banning of the parade would give rise to considerable difficulties. Their hope was that through careful management Duncairn Parade will ultimately disappear.

Ormeau Road Parade

Mr. Bell acknowledged that the demographic characteristics of the area had changed dramatically, and that it was now substantially a Catholic or Nationalist areas. He said further that they were not aware as of yet what proposals there were for the parade in the Ormeau Road area. Brian Nason asked if the British side were making deliberate efforts to coax Loyalists out of a parade in the area. Christine Collins said that a lot of marches are traditional and in getting people to try and change their routes, they had to try and persuade them very carefully. They believed the most effective way of doing this is to gradually pare away at the problem over a number of years. This was their view in the case of the Ormeau Road parade, but that they do not believe the time is yet right for the RUC to try ban the parade. Peter Bell echoed the same views and said that the day will come when this traditional march will be inappropriate and that its days are

strictly limited. Mr. O'Donovan made the point that this view was put to us as far back as 1986. We could detect no major change since then except in the case of the Portadown Parade. He suggested it was now time to press ahead and take on some of these parades as with the changing populations in the areas they are becoming more and more fraught. Mr. O'Donovan also said that the British Government had long since adopted a view opposed to marching where you were not wanted. He referred to comments by the Secretary of State in the House of Commons on the 19 June 1986 when he said "How does it benefit anyone to march through an area where the inhabitants do not support the views being expressed by the marchers, and where the only result is to exacerbate communal tensions". He also referred to Douglas Hurd's observations in Oxford on the 18 July 1985 that "To parade in a place or along a route where one is not welcome is not part of the British way of life". Since those comments in 1985 and 1986 by Mr. Hurd and Mr. King, the views have not been publicly expressed by British Ministers, and he suggested that the time might be opportune for British Ministers to repeat that general principle. He referred also in passing to recent reported comments from the London Metropolitan Police Commissioner to the effect that public order legislation may need to be changed from "keeping the peace" to a move towards "they must not be allowed march at any cost". In summing up, Mr. O'Donovan made the point that the time had come for some movement on the question of parades to advance the issue. Mr. Bell said that he noted the points raised by Mr. O'Donovan but he wanted to point out that by not provoking any section of the community, the marching season has been less and less a controversial event for the past few years. In response, Mr. O'Donovan said that since things have been less controversial of late, it should allow the British side the opportunity to take a bolder stance on the question. Mr. Bell's view was that if there was to be progress made it was more likely to come from gentle persuasion by the RUC with the organisers rather than the banning of parades as such. Christine Collins also suggested that perhaps the reason why the marching season has passed off very quietly may be precisely because of the low-key approach adopted by the RUC. Brian Nason remarked

that while the policy seems credible for areas of mixed community, it was less so in predominantly Catholic areas where parades were still permitted.

In conclusion Mr. Bell said he noted the points we raised in relation to the Ormeau Parade, and that these would be taken up with the Police.

Portadown Parade

Christine Collins said that in the period 1985-1989 the RUC were at logger-heads with the local organisers of the Portadown Parade. Starting in 1989 the organisers for the first time agreed a route with police. The approach which the RUC are taking now is to consolidate on the gains made since 1989. They acknowledged that there was still room for adjustment but that it was unlikely that any significant changes would be made in the present. She mentioned the difficulty of getting an alternative route other than Garvaghy Road, but that the RUC were looking for an adjustment to the route of the parade. Notwithstanding, the attempts of the RUC to persuade the organisers to adopt a new route, she felt that it would probably not happen this year. Mr. Nason suggested that perhaps it should be suggested to the organisers that the parade should pass through the town centre instead of Garvaghy Road. He referred in particular to the tradition of a bonfire near Obin Street Flats. Christine Collins was unable to respond to any specific questions in relation to the parade and undertook to check on what the situation was and report back to us.

Limavady Parade

Christine Collins reported that the bonfire parade on the 11th of July had been considerably improved on and tightened up. It grew up as a very informal and unruly affair, but that now it was being properly organised, it would follow an agreed route, it would be a one band parade, which would commence at 8.00 p.m. and return from the bonfire at 10.00 p.m. The fact that it was now subject to stricter organisation, the likelihood of trouble arising was greatly minimised. The second issue with regard to

parades in Limavady concerned representations made by Father Donnelly concerning upset caused by band practice in the town. Specifically Father Donnelly had written to the sub-divisional commander of the RUC about the circumstances in which he was delayed and inconvenienced by band practice and parades after his 7.30 mass on the 20th April, and again an hour later coming out from the 8.30 mass from the town. Christine Collins said that the sub-divisional commander of the RUC had discussed these specific allegations with Father Donnelly but that Father Donnelly seemed in an uncompromising mood. He wanted all band practices and parades banned. In response to queries from Bryan O'Brien about the frequency of such band practices or parades between now and the 12th of July, Christine Collins indicated that it was quite normal for there to be a variety of parades and rehearsals leading up to the Twelfth. There were various competitions and practices which are part and parcel of the marching season and in the circumstances it was not possible or reasonable to implement the ban requested by Father Donnelly. Peter Bell indicated that they would reinforce their concern with security forces that offence to the Catholic community was to be avoided where possible. However, since Father Donnelly seemed incapable of compromising on this issue, he was unlikely to be satisfied by any arrangements which might be made. Christine Collins added that the difficulties experienced on Saturday 20th April were a consequence of a clash of two traditions. Saturday night masses have been a feature in Northern Ireland for only the past ten years and that traditional band practices and marches have largely taken place on Saturday nights as well. A solution to the problem outlined by Father Donnelly would require compromise on both sides. In conclusion Mr. Bell said that there should be scope for examining the problem to alleviate the specific difficulties which Father Donnelly raised in relation to Saturday evening masses.

Lurgan Parade

Brian Nason referred to the inconvenience caused by to the Nationalist community by the closing off of the town centre, the very frequent occurrence of band practices and parades in the time leading up to the Twelfth, and he asked if it was possible for the RUC in consultation with the organisers to cut down on the number of such parades and therefore lessen the sense of annoyance felt by the Nationalist community in the town.

Kilkeel Parade

Mr. Nason referred to the fact that Loyalist marchers were given the run of the town in July and August each year without due consideration for the sensitivities of the Nationalist community and he asked if some time limit on night-time band practices might not be introduced.

Rasharkin Parade

Mr. Nason made the point that adequate policing and proper control of access to, and exit from, the area would help considerably.

Cullybackey Parade

Mr. Nason highlighted the fact that in the past the cars of people passing through the village were attacked by bonfire mobs.

Kilrea Parade

Mr. Nason noted to the British side the success of the RUC in policing the parade in Kilrea in recent times.

Garvagh Parade

Mr. Nason said that notwithstanding substantial policing in recent years, there continued to be problems in Catholic housing estates following parades.

Coleraine Parade

Mr. Nason remarked that the policing of the Coleraine Parade marked a success for the RUC and he expressed hope that this would continue.

Agivey Parade

Mr. Nason drew the attention of the British side to the provocation caused by the bunting display beside places of work, particularly the Lovell and Christmas Bacon factory.

Derry Parade

Mr. Nason mentioned that an ongoing source of annoyance is the practice of saturation policing of Nationalist areas such as the Bogside and the Brandywell on the Twelfth and in the time leading up to it.

Magherafelt Parade

Mr. Nason enquired if there was to be a parade in Magherafelt this year and outlined the problems which have occurred in parades in Magherafelt in the past.

Castledawson Parade

Mr. Nason enquired about the siting of the bonfire as it has given rise to problems in previous years.

Finally Mr. Nason asked the British side for details of the Orange County Marches. He noted that the location and the route of these county parades varied from year to year and asked the British side for details as soon as they become available.

By way of a general response on the points raised by the Irish side in relation to parades, Peter Bell said they would talk in much more detail with us at a later stage. For the present, they intended raising all the points in their meetings with the RUC. In this context, Mr. Bell said that they would welcome a short paper from us outlining the points we had raised in the course of the meeting today, and that this paper would be helpful to them in their dealings with the RUC and we undertook to provide this. It was envisaged that a further meeting to discuss parades would take place probably in the first week in July, by which time, the British side would have had an opportunity of discussing our views in detail with the RUC, and at such time, the RUC would have a complete picture of parades.

The RUC document on parades was likely to be published during the first week in July and would be made available to us as soon as possible. Because of the legal requirement for parades to be notified seven days before they occurrence, the RUC document could not be finalised before that time.

Criminal Justice Order

Bryan O'Brien sought confirmation from the British side that there were no proposals to amend the Criminal Justice Order. Mr. Bell indicated that the Order was laid before Parliament, and that it was likely to be debated before the recess. Mr. Bell also drew our attention to Clause 3 of the Order whereby a Magistrate will be enabled to remand persons back into police custody. The use of this judicial route as proposed to the present executive route for extending the period of detention was likely to be used on rare occasions only, despite the expectations of Lord Colville, in proposing this measure. With regards to Mr. O'Briens specific question, Mr. Bell indicated that the time for making observations on the order had passed, that the Order cannot be amended now that it has been laid before the House and that they have no proposals to amend the Order.



D. Barry

20 June, 1991