



An Chartlann Náisiúnta National Archives

Reference Code: 2021/49/291

Creator(s): Department of Foreign Affairs

Accession Conditions: Open

Copyright: National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

870/2

Meeting with Under-Secretary Steele, August 15 1995

Present:

Irish side:

Mr K. Dowling
Mr M. Tierney

British side:

Mr. J. Steele
Mr. N. Perry
Mr. M. Williams
Ms. R. Osborne

1. I had discussions on 14 August with the British Joint Secretary Martin Williams at which I raised our concerns in regard to the way police authorities had handled aspects of the events in Belfast and Derry over the weekend. At Williams' suggestion, John Steele, the NIO Under Secretary with responsibility for security matters came here to the Secretariat late yesterday afternoon to discuss the matter in more detail. He was accompanied by the above. Williams had already briefed him on the discussions of the previous day.

2. In going over the ground again I covered the following points:

Expression of serious concerns: I reiterated our serious concerns about certain aspects of the policing operations in Derry and Belfast over the weekend, going on subsequently to make the detailed points in relation to both locations.

Assessment of the British side: I asked for their full assessment, including police activities and behaviour/excessive use of force (and allegations of sectarian slogans and personal aggression by some RUC officers); and use of plastic bullets at close range, causing at least one serious injury, about which I expressed our most serious concerns.

Outcome of police enquiry: I enquired as to extent of proposed enquiry into police behaviour, who was to undertake it, when it would be available etc.

Prognosis for marches next weekend and thereafter: sought their assessment re proposed Royal Black Preceptory March planned for the Lower Ormeau Road next Sunday 20th August and the Northern Ireland wide marches planned for the following Saturday 26th August ("Black Saturday").

Wider strategic aspects: I reiterated points made to Williams the previous day re ~~continued tension arising~~ in the marching season through failure to balance the right to march against corresponding duty to avoid provocation; resulting increasing politicisation of the role of the RUC; growing nationalist perception, rightly or wrongly, that RUC in the matter of public demonstrations have sought to conciliate the larger community, if needs be at the expense of the smaller.

X **Public Order Act:** I indicated (and British side noted) our intention to seek full discussion at next IGC of whole philosophy and policy of terms and application of the Public Order Act.

I stressed that in raising our concerns over last weekend, we were also doing so as part of a constructive attempt to ensure that the forthcoming parades would be better managed. At the wider level we were deeply concerned at the damage which the handling of the marches last weekend had caused to the relationship between the nationalist population and the RUC: I said that this was particularly true of Derry - I referred to Mark Durkan's remarks and cited Mayor Kerr's comments on the matter reported in yesterday's Irish Times.

British side responded as follows:

General: In the course of his remarks, Steele made it very clear that last weekend was one that they could have very well done without and that in dealing with the forthcoming marches this coming Sunday and the following Saturday, police would be not unminding of their experiences of last weekend.

Underlying cause of the increased tension/trouble in relation to marches: reiterating that all were agreed that the events of the weekend were very regrettable, Steele went on to attempt to lay the blame on Sinn Fein. Over the past few years, the police, he said, had been doing a first rate job in policing problems away and he referred to the significant changes of attitude achieved within the Orange Order in relation to marches. The paradox was that it was in this year - of peace - that matters had deteriorated; the principal reason was that it was not until this year that Sinn Fein for its own reasons had taken any interest in parades. Referring to Baroness Denton's comments in regard to the degree of orchestration by Sinn Fein, he noted that of the 10 people injured on the Lr Ormeau Road, five (including Toner, the person seriously injured by a plastic bullet) had been from outside the area.

Reiterating again the points I had made on the strategic and operational issues, I responded that he was not seriously suggesting that all of the problems could be put down to Sinn Fein orchestration: indeed he himself in the course of his remarks had referred to the "constructive role" which Martin McGuinness had played in defusing tension as people were removed from the walls in Derry.

Lower Ormeau Road March: Confirming that the Apprentice Boys had traditionally marched on the Lower Ormeau Road back from the time the area had been Protestant, Steele said that the RUC had engaged in extensive consultation with the Lower Ormeau Concerned Community Group (LOCC), both ten days prior to and on the morning of the march itself. The arrangements for a peaceful protest as offered by the RUC had been rejected. The small parade of just 20 people offered no threat and could have passed off peacefully and without incident (had it

not been for the Sinn Fein interest). I responded that (given its special recent history) the Lower Ormeau Road was an area of very high sensitivity and that in the circumstances even a very small number of marchers would be of significance.

Derry: Steele endeavoured to play down the way events had been handled in Derry, saying that the parade had passed off peacefully and that, while 83 PBRs had been fired subsequently, there had been no injuries; the protestors had been removed "as gently as possible" from the walls. I referred again to the delays, uncertainty, conflicting signals from the police in their handling of the matter and the distrust which this had generated. Steele responded simply that in high-tension negotiating situations, there are often conflicting signals. In this context I asked pointedly as to who was the senior officer in charge as between the local RUC commander (Craig) and (Assistant Chief Constable) Freddie Hall who subsequently became involved: I was informed it was the latter.

Enquiry into police behaviour: Steele confirmed that the police enquiry (in regard to last weekend's Lower Ormeau Road march) would be undertaken by a senior RUC Detective Superintendent. He offered no information as to the extent of the enquiry or when the outcome might be known. Contrary to what the LOCC is claiming, local residents are cooperating in the enquiry. As to whether there would be any non-RUC enquiry, he referred to possible involvement of the Independent Commission on Police Complaints (into some aspects of the events). As to whether any enquiry was planned for Derry (into the wider difficulties to which I had referred), the British side suggested that these might more appropriately be taken up locally, adding that the local RUC Commander (Craig) had "very good relations" (with the SDLP).

Police behaviour/excessive force: addressing the question of possible personal aggression by individual RUC officers, Steele said that riot situations can be very threatening for the police also; officers can over-react in individual situations. While he could not rule out that individual officers may have resorted to sectarian slogans on the ground, the RUC laid the highest stress on need to become a non-sectarian force. In response to the points I had made in regard to the use of riot-squad tactics and the many complaints we had received in relation to the immediate appearance and early deployment of riot-gearred officers, the British side stated that in their experience the presence of police in riot gear can have a "significant deterrent effect"; the PM's visit to Derry in May showed that the absence of riot police can lead to an even worse situation. I responded that it was equally the case that the presence of riot police can exacerbate an already volatile situation.

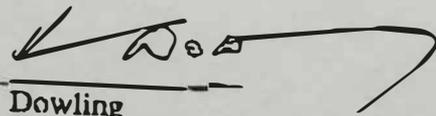
Prognosis for forthcoming marches: Acting Deputy Chief Constable Flanagan was that afternoon (15 August) in discussion with the Royal Black Preceptory on the march proposed for the Lower Ormeau Road for next Sunday. As to whether Flanagan was also in contact with the LOCC in the matter, he confirmed that he was. As indicated above, he said that the RUC in handling the marches on 20 and

26 August would not be unmindful of the experiences of last weekend. In the normal way, RUC would take each decision on public order grounds. He said the possibility was that decisions on the forthcoming marches would not be left to the last minute.

Wider strategic aspects: British side stressed that decisions on parades had to be a matter for the police on the ground. Perry remarked that the last time decisions on parades had been taken at a "political" level, a Unionist Government had been in power; it was arguable that any decision to adjudicate on the issues at political level would only make matters worse. The overall "political" decision was that marches could take place unless they constituted a substantial risk to public order. Government was not in position to direct or call the RUC to account in regard to its operational decisions.

I reiterated that there had to be a degree of political abdication in leaving to the RUC decisions which were inherently political. The result was the increasing politicisation of the role of the RUC which placed the force in an impossible position. In response, Steele did at least acknowledge that while decisions had and would continue to be taken by the RUC in operational terms, these decisions "may have political effects".

Other points: Steele recalled the plea he had made at his last meeting with us for the Irish Government to use its influence to get Sinn Fein to "back off" (i.e. from orchestrating protests at parades). Recalling that there had been trouble at only three of the 2,800 (legal) parades held in 1994, it was clear that there would be a much better chance of agreement if Sinn Fein adopted a more helpful role. Referring to the (good) police management of the Anniversary of Internment parade he said it "did not go off too badly". He wondered what sort of parades Sinn Fein were planning to mark the anniversary of the ceasefire.



K. Dowling
16 August, 1995