

## NORTHERN IRELAND FORUM FOR POLITICAL DIALOGUE

Friday 20 June 1997

*The meeting was called to order at 10.04 am (Mr J R Gorman in the Chair).*

*Members observed two minutes' silence.*

### MURDER OF POLICEMEN (LURGAN)

**The Chairman:** I am sure that Members will wish to join me in expressing profound sympathy to the families of Const John Graham and Const David Johnston, who were brutally murdered on Monday in Lurgan. Condemnation of this dastardly act has rightly come from all sections of the community. The perpetrators of the outrage, and those who directed them, were obviously intent on further destabilizing an already tense and volatile situation.

When you see that photograph, or watch on television the faces of those little children with their mothers, it is hard to believe that there are people in our community who could witness such things without tears in their eyes. In these circumstances, those of us who are engaged in attempts to pursue a peaceful solution to the problems in our province must be encouraged to redouble our efforts.

I understand that Members wish to be associated with my expression of sympathy, so I will call one person from each party. As we have a lot of important business today, I ask them to be very brief.

**Mr Donaldson:** On behalf of the Ulster Unionist Party, I wish to add my voice to those of the people who have, quite rightly, condemned this terrible outrage against these two young men, Const John Graham and Const David Johnston.

Const Johnston lived in Lisburn, in my constituency, and I visited his home on the Monday evening, just after the murder took place. One cannot begin to explain or describe the deep sense of grief and loss and sorrow of his widow, Angie, and their two little boys. That sense of personal tragedy is with us all: we all feel the loss of two young men whose duty it was to protect and defend the whole community against the scourge of terrorism.

Our thoughts are with the Graham family and the Johnston family. I am not going to rehearse here all the political arguments that concern the outrage, except to say that this House looks to the Government to take effective action against the IRA. The time for appeasement is over. Dialogue with men of violence has not worked. It is therefore time to take the IRA on; time to rid this society of the scourge of terrorism; time for the Government to take the kid gloves off, take the IRA on, and defeat them.



We have a responsibility, as political parties, to try to move the political process forward. The challenge to the Government now is to assist us to do that and to build a better and more democratic society in Northern Ireland. Those who choose the path of violence, those who continue to walk along that path, must exclude themselves from the democratic process. The time has come to move on without them, and we look to the Government to take action on both fronts.

It is incumbent upon all constitutional parties to move the political process forward now. The challenge, especially today, is for John Hume, the Leader of the SDLP, finally to come to terms with the reality that Sinn Féin and the IRA are irredeemable and cannot be accommodated within the democratic process. They have wedded themselves to violence. It is Mr Hume's duty now to give leadership to the Nationalist community and to engage with us in trying to build a better future for Northern Ireland.

**Rev Dr Ian Paisley:** On a previous occasion I said that great grief is not good at talking, that it is only the pressure of the hand, the tear in the eye and the lump in the throat that express such sorrow that deep is calling unto deep. I too was in the Johnston family home — I represent both families in Europe — and I can tell Members that their anguish, sorrow and sadness are beyond description. The photograph of the little boy on front of the 'News Letter' expresses it all, and it is indescribable.

I wish that I could say today that I was confident that these murders would live on in the memory of people and impress upon them the devilry of the IRA, but, unfortunately, we have had many similar murders, and they have been conveniently forgotten by the Government. As one person said to me at the funeral, "In a month's time, the people who will be bearing the sorrow are the families, their immediate associates and right-thinking people, but the Government will be back on the job of wooing and winning the gunmen to a special seat at the talks."

All constitutional politicians, especially on the Unionist side, have to ask themselves this question: "Can we support the policies and so-called peace process of a Government prepared, still, to say that there is a place for the IRA at the table?" These people are not locked out because Unionists put up bolts, shut doors and put up sentinels; they locked themselves out, and they locked themselves into these bloody deeds against decent, ordinary people — against members of their own Christian fellowships.

Today we meet with dreadful sorrow in all our hearts. It behoves us all to let the IRA know that ordinary people do not believe that they have any place in this society, any place in the democratic process, because they are as bad as the Nazis and the Fascists that scourged Europe during the Second World War. There is no redemption for them — they must be dealt with in the way Nazism and Fascism were dealt with. But I do not hold out any hope that this Government will take the necessary action to deal with the IRA.

**Mr Neeson:** On behalf of the Alliance Party I would like to express sympathy and sadness at the savage act carried out in Lurgan on Monday, leading to the deaths of Constables Johnston and Graham.



Just six or seven weeks ago I represented the Police Authority at the funeral of Const Bradshaw in Antrim. He too was savagely gunned down, in Belfast. And only a few weeks ago there was the horrific murder of Const Greg Taylor in Ballymoney. All these atrocities bring home to us the huge sacrifice that the RUC has made on behalf of the whole community.

My term of office on the Police Authority is coming to an end. I had hoped that the atrocities that were being carried out when I joined six years ago were over, but, sadly, within a matter of two months, four officers of the RUC have given their lives for the people of Northern Ireland. It disturbs somewhat me that there are those who, despite the sacrifices that have been made, are prepared to bring people onto the streets of Northern Ireland to score political — wellnigh sectarian — points against one side of the community or the other. The RUC does not belong to the Unionist community or the Nationalist community — it belongs to all the people of Northern Ireland. That is why it is important that the message that comes out from the Forum today should be that the whole community gives its full support to the RUC.

It is wrong for the police to have to stand, as so often happens, as piggy-in-the-middle between one side of the community and the other. There must be resolve to give the RUC the full support it deserves. The untimely sacrifice of the savagely murdered Constables Graham and Johnston must serve as a lesson to the whole community: that the RUC deserves our support.

*10.15 am*

**Mr Casey:** I wish to express the horror and revulsion of the Labour Party at the vile and inhuman act which claimed the lives of Constables John Graham and David Johnston in Lurgan on Monday last. I am very sad that once again my town, Lurgan, as so often in the past, is a magnet for the media and, unfortunately, again for the wrong reasons.

John and David were well known to and respected by the townspeople of Lurgan. They were always at hand to deal sympathetically and humanely with even the smallest problem. Indeed, it is indication of the esteem in which they were held that some 10,000 people signed books of condolence at the invitation of the Lurgan inter-friendship group, of which I am very proud to be a founder member.

The number of floral tributes placed at the police station also bore testimony to the feelings of the local people, and it was comforting to me, as a member of the Catholic community, that a large number of them were left by Catholics as an expression of their disgust and shame at this dreadful deed.

My personal condolences and those of Labour go to the families of the deceased. I pray that the Lord of mercy and compassion will comfort and console them in their grief and sorrow.

Like Mr Neeson, I would draw attention to the death of the policeman who was cruelly murdered by the INLA and to the barbaric murder of Greg Taylor, who suffered such a terrible death at the hands of a mob in Ballymoney. He too had sought to carry out his



duties as a police officer, and his death is no less reprehensible than those of Constables Graham and Johnston. To his family we extend the same sentiments as those expressed to the Graham and Johnston families.

**Mr McCartney:** May I join in the expressions of condolence and sympathy extended to the Graham and Johnston families. There are occasions when words are quite inadequate to express a community's sense of revulsion at acts of barbarism that are wellnigh incomprehensible. Words are often inadequate to describe a community's sense of grief or its understanding of how those families must feel at the loss of those whom they loved. These two officers gave their lives in the service of the community, and it is up to the community to ensure that their sacrifice is not seen as any little cost.

I make no apology for laying the blame for acts of violence of this kind largely at the door of successive British Administrations, who, as Mr Donaldson has pointed out, by a policy of appeasement, by a policy, it is alleged, of seeking the inclusion of those representing the machinery of terror, have in fact corrupted the democratic process. They have caused the people to lose faith in the procedures of democracy, and, by exposing democracy to the politics of terrorist violence, they have failed to realize that such exposure corrupts democratic procedures and ultimately subsumes them.

The time has come, as Dr Hutchinson, the Presbyterian Moderator, has said, to take into account the wishes of the overwhelming majority — the people who have fired no shots, who have cast no stones and who want only to live in peace with their fellows. The days when an endless round of concessions are made to the plenipotentiaries of terrorism must cease because it is impossible for any Government to carry out an effective security policy while courting politically those who orchestrate the need for such a policy.

**Ms McWilliams:** Our hearts go out to the families of these police officers and to those of the other policemen. Nothing can touch the grief of those in Northern Ireland who have recently been bereaved. We too observed that grief in the media's photographs, particularly on the anguished faces of the young children. As mothers ourselves, we can only begin to understand what lies in the future for them, so I simply make the point that this has got to stop. We would like those families to know that they are in our prayers and in our thoughts.

**Mr Hugh Smyth:** I too would like to be associated with the remarks already made and to extend our deepest sympathy to the families of David Johnston and John Graham. The photograph you showed this morning, Mr Chairman, summed it up. How anyone could commit that act of violence and then look at the television screen or at that photograph and not feel guilty is beyond me.

We should ensure that these deaths are not in vain. It is easy for people with sad hearts to call for revenge. But I appeal to the Loyalist paramilitaries, as I have done in the past and will continue to do in the future, not to retaliate, not to be drawn into the well-prepared trap that the IRA has evidently set. The place in Lurgan was particularly picked for the purpose of heightening the tension over parades, and the deed was done in an attempt to draw the Loyalist paramilitaries into a cycle of violence.



We keep talking about making room for Sinn Fein, and the Government continue to make overtures to get them into the talks, but the more I look at such acts, and the more I read the more I am convinced that they do not want into the talks. If they came in, the first thing they would have to face up to is not decommissioning but — and I have repeatedly stated this — whether they are prepared to accept the democratic wish of the vast majority of the people in Northern Ireland (in other words, whether they are prepared to accept the principle of consent).

I do not believe they have come to terms with this, nor do I feel they are likely to come to do so. But that should not prevent us all from redoubling our efforts to find a peaceful way forward. We could have an Administration that would gain the support and respect of the vast majority of the people of Northern Ireland.

**Mr McMichael:** I too would like to offer my sympathy and that of my party to the Johnston and Graham families. I understand quite clearly the grief that they are going through at this time. There have been so many similar murders over the past 27 to 28 years, and each time we feel the same revulsion and despair. Yet it is so easy to put it behind us after a few weeks and pretend that it was just another part of the conflict's history.

But there comes a time when we have to accept that these terrible acts must provide a focus for us all to recognize and accept the responsibilities we bear on behalf of the people of Northern Ireland who do not want to be associated with violence, who want to see a democratic road travelled by their representatives, who want a settlement which will remove the violence and isolate those who refuse to recognize that desire.

Mr Donaldson was right: we have to focus upon moving forward now. For the past year the democratic process has been contorted and harnessed. Many of the parties in the process have been fixated by the potential presence of Sinn Fein, or by fear of Sinn Fein's presence. Let us recognize that we have a responsibility to move on and show those who cannot come to terms with the reality of a democratic process where a democratic settlement lies. And we must do so speedily because if we do not take this process beyond the grasp of those who cannot come to terms with it, they will have won.

The objective of the IRA is to ensure that the process shatters itself, that it disintegrates, that it shakes itself apart, and they are doing their best. Let us not have complicity with their plans. We must now seek to resolve the difficult issues presenting themselves. Difficult as they are, they have to be overcome within the democratic process. Then we must move into substantive negotiations towards a settlement where we can show the people of Northern Ireland and those in the other Government, the foreign Government of the Irish Republic, that Sinn Fein are not necessary to a settlement, not necessary for peace in Northern Ireland.

Consensus must be achieved amongst those democratic political parties that are prepared to move forward, to rise to the challenge, to overcome the difficult issues that cause the divisions in this society. Let us not allow the IRA to hold us all to ransom.



## **FORUM: COMMITTEE ON ELECTORAL REFORM**

**The Chairman:** Yesterday the Business Committee agreed to set up the Committee on Electoral Reform. You will remember that we had a very interesting and full debate on this matter last week. Parties have been asked for nominations to the Committee, which, for reasons of urgency, will have its first meeting on Monday 23 June at 10.00 am. I will chair that meeting, during which the Committee will elect a Chairman and decide on how to progress its business.

## **FORUM BUSINESS**

**The Chairman:** The first business before us today is the presentation to the Forum of Standing Committee A's draft report on the parades issue. The Business Committee has agreed that the debate will be confined, if possible, to two hours. After lunch we will debate a motion, to be moved by the Women's Coalition, on sexual harassment. Mr Hugh Smyth will take the Chair for this debate.

## **PARADES REVIEW**

**Mr Cedric Wilson:** As Chairman of Standing Committee A, which deals with public order matters, I beg to move

That the Forum adopts the report on the review of the parades issue in Northern Ireland prepared by Standing Committee A (Public Order Issues).

Mr Gerry Adams once said

"Ask any activist in the North 'Did Drumcree happen by accident?' and he will tell you 'No. Three years of work on the lower Ormeau Road, Portadown, in parts of Fermanagh and Newry, Armagh, Bellaghy and up in Derry — three years' work — went into creating the situation. And fair play to those people who put the work in. This is the type of scene change that we have to focus in on, develop and exploit.' "

That statement by the Leader of IRA/Sinn Féin is the key to understanding and unravelling what has become known as the parades issue in Northern Ireland. I will return to this matter later in the report and at the appropriate time.

*10.30 am*

I want to outline for Members the main points that we have laid out in our report, which was initiated on 26 July 1996 when the Forum agreed that a Committee be established with the following remit:

"To examine the problems which arise in relation to parades in Northern Ireland, make recommendations which would contribute to better understanding and amelioration of those problems and report to the Forum."

The Committee commenced its work with great vigour by writing to all the organizations and people that we believed had a bearing on the matters under consideration.



A list of those bodies and individuals appears at Appendices B and C. Members will see that it is a very extensive and fairly well researched piece of work. In addition to the letters that went out to these groups, a circular was placed in public libraries, doctors' surgeries and other places where it could be read by the public, in order that we might have the views of the wider community, as opposed to just the views of those more directly involved. This trawl resulted in 34 written submissions and 14 oral presentations. A copy of that information is available in Volume II of our report, which is obtainable from the Committee Clerk.

When one looks at the wide range of people we consulted and considers the weight of evidence, both oral and written, one can agree that we left no stone unturned in seeking to examine the issue from the widest possible viewpoint. Sadly, however, we did have a difficulty. There would be no sense in glossing over that.

A major party which had Members elected to this Forum — the SDLP — was canvassed for its opinion on the parades issue in spite of the fact that its Members were not attending — and I can think of no one better than Mr Hume of the SDLP to be the voice of constitutional Nationalists. Sadly, however, in spite of four letters to the party and two personal approaches to Mr John Hume by me, we were unable to get a response. In fact, they refused to make a contribution, as is documented in the evidence. I dwell on this point only because it is strange and will be questioned by Members of the Forum and people in the wider community.

We have empty seats here today that should be occupied by members of the SDLP to represent the Nationalist viewpoint. They withdrew from this body a year ago on some basis that I cannot quite understand but connected with events at Drumcree. The ensuing street violence is perhaps their problem. I ask Mr Hume today to square his absenting of himself from this body because of some violence on the streets with his continued negotiations with Mr Gerry Adams, given that IRA/Sinn Féin are engaged in some of the most horrendous acts of violence on our streets. I ask Mr Hume to square his decision to cut himself off and distance himself from the elected representatives of the Forum with his continued parleying with Mr Gerry Adams.

The Committee made approaches to a wide range of groups. Many of those who we hoped would come to give evidence were influenced by the attitude of Mr Hume and the SDLP. The letter from the Lower Ormeau Residents, in response to our request that they give evidence to the Committee, says that they did not feel that it would be appropriate to come because there was no Nationalist representation in the Forum. But Mr Hume has signalled to the Nationalist community that he would rather deal with Sinn Féin and have a conference with Mr Adams than come and sit in this body. He has sent out the wrong signal to his people. He has encouraged the Nationalist community to distance themselves from the democratic process. I say to those parties, and to the parties in the Forum who decided to boycott the Committee, that they have failed to represent the people who elected them, and they will have to answer for that.

I want to move briefly through the report. I will not dwell on pages 4 to 11, which give the background to the parades issue — the Vice-Chairman, Mr Donaldson, will pick up on that later.



At page 12 we start to look at points arising from the evidence. This section contains comments from various groups who came along to make representations. They do not necessarily reflect the views of the Committee; our conclusions on that information appear in the next section. Paragraph 3.3 is particularly worth highlighting because it refers to some of the strongest points put forward:

“The fundamental right to parade was accepted by all who provided evidence and it was pointed out to the Committee in the course of the review that in other countries certain fundamental rights are enshrined in either the constitution of the country or in a Bill of Rights. However, some groups cautioned that while perceived identities are important and perceived traditions should be respected, sensitivity and understanding also have to be present. It was also recognised by all that those taking part in parades should act in a responsible manner.”

Another point that is worth particular note is on page 13, under the heading “Issues associated with parades and protests”:

“Organisers of parades consider that the authorities have chosen to take action against the legal parade rather than the illegal opposition to the parade. It was generally believed that this action was as a result of the Public Order (NI) Order 1987 which many see as being flawed. One of the problems identified is that Article 4 of this Order specifies that conditions may be imposed on a parade or march if there is a threat of serious public disorder, serious damage to property or serious disruption to the life of a community, or if the intention of the organisers is to intimidate others. The intention of this Article is the prevention of disorder and violence but the effect is that a peaceful parade may be stopped, re-routed or banned because the protest against it is deemed likely to cause civil disorder — the legislation therefore rewards those resorting to the greatest threat of violence. Additionally many are concerned about the lack of application of Article 7 of the Order which makes it an offence to prevent or hinder any lawful procession. Many now therefore see the Public Order (NI) Order 1987 becoming a lawbreakers charter.”

That view was expressed time and time again to the Committee, and we have considered it in our conclusions.

Under “Solutions recommended from Evidence”, paragraph 3.15 says

“It was apparent from the evidence that there was some diversity of views as to whether contentious parades should be brokered locally or whether a Province-wide solution would be better. It was generally agreed by those who gave evidence that while it was important to listen to genuine representatives of local communities the principle of consent was counterproductive in resolving the Parades issue. Evidence showed that people believed that the principle of consent is contrary to the right of free expression and peaceful assembly and that taken to its lowest common denominator could well result in anarchy.”

And paragraph 3.17 says

“Some groups in their evidence proposed the setting up of an independent tribunal which would act as an advisory body to facilitate the RUC”.

This is just a sample of some of the wide range of views expressed. Paragraph 3.18 says

“However, those who gave evidence in favour of an independent tribunal recognised that such a body would in itself bring another set of problems such as the membership, composition and impartiality of the body. One suggestion put forward in evidence to overcome this problem was that such a body could be set up on a similar basis to the Fair Employment Commission where the people sitting on that body are not widely known and where they work to a set of clearly stated principles.”



Paragraph 3.20 states

"It was also clear from the evidence that a Code of Practice which was acceptable to both communities and which should have a legal standing should be drawn up. It was also pointed out that such a code could, inter alia, be useful in setting the standard of behaviour required from marchers and bandsmen but equally describing behaviour acceptable (or not acceptable) from protestors."

One section deals with the North Report. There is a summary of that document, and we comment on it briefly. I will not dwell on it now. Paragraphs 4.8 and 4.9 say

"The Committee has addressed the recommendations of the North Report in the following chapter but would, at this point, make the following general comments.

The Committee would query the body's independence given the pre-determined views which have been publicly stated by some members of the Commission."

Here is paragraph 4.12:

"The Committee is also concerned that the involvement of this Commission could be an obstacle in finding a solution for the Parades issue and that indeed it could possibly compound the problem."

I move on to our findings and conclusions. Paragraph 5.1 says

"In order to compile its report the Committee agreed that it needed to investigate certain aspects of the Parades issue and this chapter briefly sets out the Committee's findings and conclusions on the role played by those involved in the parades issue and how it has progressed to the current situation."

The Committee, in paragraph 5.12,

"concludes that, as is the case in a democratic society, the fundamental right of freedom of assembly and procession must be upheld."

It is one of the cornerstones of the report that the right of freedom of assembly and procession must be upheld.

Paragraphs 5.30 to 5.32 say

"The Committee having reviewed all the evidence placed before them concludes that Sinn Fein have been instrumental in orchestrating counter-protests to legal parades by Loyal Orders and have manipulated and exploited residents groups and the parades issue to advance their own agenda.

The Committee also believes that following the ceasefires, community expectations were lifted to unrealistic levels and Nationalists believed that parades was one area where things would be different.

The Committee was also disappointed to note that the North Commission made no mention of Sinn Fein/IRA and the role they have played in creating disorder."

Paragraph 5.37 says

"The Committee believes that mediation will have a role in promoting greater understanding but concludes that it will only be productive and worthwhile if it is initiated and carried out by those people involved in any



contentious parade or protest and if the mediatory body can deliver on any arrangements which might ultimately be agreed and do not adjudicate or issue personal statements regarding any of the situations in which they are involved."

In paragraphs 5.46 to 5.48, we make these points:

"The Committee therefore concludes that for reasons already set out in this report the Public Order legislation is inadequate and provides incentives to threaten disorder in opposition to parades. It further concludes that the removal of the protection of traditional parades under the legislation is a contributing factor to the current situation.

The Committee accepts that the North Report recognises the inadequacies in the Public Order (NI) Order 1987 but is disappointed to note that the report did not make any recommendations as to how the legislation should be changed.

The Committee further concludes that the involvement of the Government of the Republic of Ireland in the decisions about banning or re-routing of parades is unhelpful."

*10.45 am*

I now move to the concluding remarks and to the recommendations in paragraphs 6.1 to 6.8:

"The Committee recognising the lack of understanding between the two communities recommends the implementation of a programme explaining the culture and tradition behind traditional parades by the Loyal Orders.

The Committee recommends that consideration should be given, in consultation with the organisers of parades, for the implementation of a Code of Practice based on those currently operated by the Loyal Orders. The Committee therefore recommends that in this respect it should commence discussions with the Loyal Orders without any delay. Such a Code of Practice could then be adopted by other bodies organising parades.

The Committee recommends that the Government addresses the flaws contained in the Public Order legislation so that the law will recognise the fundamental right of peaceful assembly and procession by all legal organisations not supporting terrorism, and not reward those resorting to the greatest threat of violence, which it does at present.

The Committee recommends that the RUC should ensure the proper enforcement of Article 7 of the Public Order (NI) Order 1987 and strongly urges the RUC to ensure that the law is enforced equitably and fairly.

The Committee also recommends that traditional parades should be given protection under the public order legislation.

The Committee recommends that HMG should make it clear to the Government of the Republic of Ireland that parades should remain a matter for the people of Northern Ireland and that interference in the parades issue is unhelpful and exacerbates tensions.

The Committee recommends that it should make representations to the Secretary of State, Minister for Security and the Chief Constable to discuss the findings of this report.

The Committee recommends that it continues to monitor the situation surrounding the Parades issue and believes that there may be merit in the Committee viewing some parades throughout the summer.



I trust that Members will be able to support this proposal.

In closing, I should like to thank all those who took the time and made an effort submit views to the Committee. I thank my deputy, Mr Donaldson, and the other members, who gave 100% of their energies and efforts to look at this problem. We travelled to Londonderry and Dunloy and met a wide range of people. All who took part in those trips to meet people on the ground have benefited greatly from a better understanding of the issues.

May I, finally, thank the Committee Secretary, Ms McKibbin, who put in sterling work. We have got used to people heaping praise on those who service the Committees, but I cannot think of anyone who would have done a better job for this Committee.

I trust that I will be allowed to make a few comments at the end of the debate.

**Mr Foster:** I congratulate Standing Committee A on its presentation, but I must point out that the references on pages 47, 49 and 50 to the Royal Black Preceptory are incorrect. They should be to the Royal Black Institution. The same applies in the Minutes of Evidence. Preceptory is the individual unit; Institution is the overall organization.

**Mr Donaldson:** In supporting the adoption of the report of Standing Committee A may I, on behalf of the members, thank our Chairman, Mr Cedric Wilson, who carried out his role in a very effective and efficient manner. At all times he was courteous to members and to those who gave evidence. Our thanks go to him not only for his work in the Committee but also for his presentation of the report.

I have been asked to outline the background to the report and to explain the issues that made it necessary for the Forum to consider this very important matter. To do that, we need to go back just over a decade, to the signing of the Anglo-Irish Agreement in 1985. It was then that we began to see heightened controversy surrounding the parades issue, and it was on the back of the Anglo-Irish Agreement, and the role given to the Irish Government in that instrument, that we began to see in various Nationalist communities efforts to organize opposition to Loyal Order parades. The Irish Government had a role, in that representations were made to them. They, in turn, brought these matters before Her Majesty's Government, who instructed the Chief Constable to take action on the ground.

We know that in 1986 Sir John Hermon, the then Chief Constable, took such action in Portadown when he ordered re-routing of the traditional annual church parade through what is known as the Tunnel at Obins Street. Actually, he re-routed it away from Obins Street and on to the Garvaghy Road. A commitment was given to the Orangemen of Portadown that that was the last compromise that would be required of them. But, true to form in Northern Ireland, many more compromises have been required. Since 1986 we have seen a gradual increase in organized opposition to Loyal Order parades.

What are the issues which surround the whole matter of parades? There are several. First, there is the fundamental question of rights. The Loyal Orders see two distinct rights that relate to parades. One is the right of free assembly, which is enshrined in international law, and the other is the right to freedom of religious expression. Those are two fundamental rights which the Loyal Orders feel are at stake. The other right which is voiced is that of



protest against parades, as identified in evidence given to the Committee. There are, perhaps, conflicting rights: on one hand, the right of free assembly and freedom of religious expression and, on the other, the right to protest.

But what has brought us to the stage we are at today is the fact that the authorities have not acted on those rights but have taken decisions based on what they perceive as a threat of violence. And that threat emanates not from the Loyal Orders, not from those who wish to exercise their right of free assembly and their right to express their religious viewpoint freely, but from those who wish to engage the right to protest. Take the Drumcree parade as an example. The Chief Constable has ruled on two previous occasions that the parade should be re-routed away from the Garvaghy Road because of the threat of violence from the residents' groups.

That is also the case in Dunloy, where we have had parades banned or re-routed — well, banned in the case of Dunloy because there is nowhere to re-route them — because of the threat of violence from people opposing them, and in other parts of Northern Ireland. I will not rehearse the many areas that have become involved.

So it is about rights. But it is also, I suggest, about territory. If one drives down the Garvaghy Road today one sees an Irish tricolour flying from every lamp-post. That is intended to mark the road out as Irish Republican territory. But it goes beyond that. Take the Garvaghy Road as an example — and I will use it as an example throughout, though the same thing applies to the other areas concerned. Not only has there been an attempt, in symbolic terms, to mark the territory out, but during the 1970s and 1980s Protestant people were driven out by the IRA.

That trend has become endemic in many parts of Northern Ireland. First you get IRA violence and intimidation. It is happening today. We heard on the radio this morning that more families are leaving Bellaghy because of intimidation. What is happening in Bellaghy is an image of what has been taking place on the Garvaghy Road over a number of years. First, the Protestant residents of an area are driven out. That is a fact; the statistics are there to prove it. It has happened; it cannot be denied. In other parts of the world they call it ethnic cleansing. Then Republican dominance is established.

The parades issue has been latched on to by Irish Republicans as a means of establishing dominance in areas that they wish to control. That is what they are about: creating little Republican cantons in Northern Ireland — areas which they can control. The parades issue has provided them with the vehicle to assert further control on local communities, as can be seen very clearly in the Garvaghy Road area. So it is about territory, as far as Irish Republicanism is concerned.

But it is also about destabilizing the community. It is about creating confrontation on the streets of Northern Ireland. It is about fomenting violence on the streets. It is about the objective of Irish Republicanism, which is to create, through confrontation and violence, the image of a failed political entity.

Again taking the Garvaghy Road situation as an example, I think it is fair to point out how the Loyal Orders have responded. Portadown District LOL 1 have followed the



Garvaghy Road route for almost 200 years on their way back from their annual service at Drumcree Parish Church. It is a traditional route. In view of events that have taken place over the last decade, Portadown District implemented a number of measures — reasonable measures, it feels — to ensure that actions and conduct are such as could not possibly be described as provocative. It reduced the number of parades in the Garvaghy Road area from 10 to just one; only members of the Portadown District are permitted to take part; only accordion bands lead the parade, and they play only hymn music. I pose a question that I have asked in the past, without answer: what is so offensive about the hymn tunes that are played by those accordion bands?

The Orangemen walk four abreast so that the parade will pass any given point in less than five minutes. The Order marshalls and disciplines its own members to ensure that there is no confrontation on their part. If this were reciprocated by the residents, a minimal police presence would be necessary.

It is clear from the evidence that has been given to the Committee that the Loyal Orders have acted responsibly. They have gone the extra mile — way beyond that, in their opinion — to accommodate legitimate concerns. But what we are talking about here are not legitimate concerns. A political agenda is being operated, as the Committee Chairman has pointed out, by Sinn Fein/IRA.

Recently I sat down and looked at the Garvaghy Road situation. It takes approximately 15 minutes for the parade to pass from the top to the bottom of the road. I calculated that there are 525,600 minutes in a year. All that the Portadown Orangemen are asking for is 15 minutes out of those 525,600 to exercise their right to express their religious opinion freely and to have free and lawful assembly on what is a public highway.

If we are to build a society based on tolerance and respect we must question those who are not prepared to give 15 minutes for the expression of a cultural identity and a religious viewpoint that are different from their own. Where does the bigotry lie? All right-thinking people will reach the conclusion that I have reached.

*11.00 am*

We all hope and pray that sense will prevail. We all hope and pray that those who have sought to create confrontation will draw back. The events of this week in Lurgan draw me also to the conclusion that IRA/Sinn Fein and their surrogates, like Brendan McKenna, Donncha MacNiallais and Gerard Rice, who are leading these residents' groups are bent on confrontation. It is sad for Northern Ireland that we cannot have a free and tolerant society because Sinn Fein/IRA are determined to destroy it.

**Rev Dr Ian Paisley:** We owe a great debt of gratitude to the Chairman of the Committee and to all its other members for the work they have done to bring us this report today. The Chairman was quite right when he read to us what the Leader of IRA/Sinn Fein had said. I want to emphasize my surprise that even Members of the Forum pass strictures on the Orange Institution and the other Loyal Orders because they are prepared to have lawful protests.



It seems that everyone on the majority population's side has to take the blame. One would think that the Loyal Orders had just invented parades. These parades have been going on for a very long time. But Gerry Adams says "Ask any activist". I suppose an activist, to Gerry Adams, is a man with an armalite rifle, a man who lays a bomb, a man who shoots two innocent police officers, from behind, in the head, a man who shoots a mother in the back because she wears the Royal Ulster Constabulary uniform. Ask him if Drumcree happened by accident and he will tell you "No." Why is it that the Alliance Party, the Women's Coalition and the Labour Party will not listen to what Gerry Adams said? We did not make this up. Of course, if it had been broadcast by the BBC, questions would have been asked. But it was broadcast by RTE. There was no conspiracy in Broadcasting House in Belfast to get this on the air. This was reporting from RTE.

For three years these men have been working to bring about confrontation, to destroy community relations, to set one section of the community at the other's throats. Gerry Adams calls it work. The work of the devil is what it is. He says that they have worked on the lower Ormeau Road. They certainly have. They have certainly worked in Portadown, in parts of Fermanagh, in Armagh, in Bellaghy and up in Derry. They have also worked in my own constituency of North Antrim. Three years went into creating this situation. We have Gerry Adams publicly stating, and preening himself with pride, that the IRA and Sinn Fein created it. It was not created by the Orangemen; it was not created by the Protestants; it was not created by those who are castigated by Members of the Forum from the majority population. It was created by the IRA and Sinn Fein.

Then Adams says

"And fair play to those people who put the work in."

Fair play? Is it fair play to do what Gerry Adams is doing. Is it fair play to those who want to exercise the right to go to their place of worship and worship God after the dictates of their conscience? Is that fair play?

"This is the type of scene change that we have to focus in on".

To bring a happy solution by conversations with residents' groups? No:

"focus in on, develop and exploit."

Mark the words. Here is a man and here is a body dedicated to that.

But this did not happen overnight. After the signing of the Anglo-Irish Agreement, Mr Lenihan from the South of Ireland pushed upon the Northern Ireland Office the need to change the public-order legislation which enshrined the right to traditional parades. Some of us saw what was happening, and all the Unionist Members of Parliament, except two — Mr Taylor and Mr Kilfedder — joined us in making a token breach of that legislation. What for? To show up what this really was about. And all those Members but one — Mr Molyneux — went to prison as a result.

I have the literature in my hand:



**“Order or Disorder  
Your Liberties are Under Attack!”**

The new Public Order legislation is the first product of the Anglo-Irish Conference.

Legal provisions rejected by the House of Commons for the rest of the United Kingdom are imposed on Northern Ireland.

Police powers are increased and the rights of accused persons diminished.

Rights of free assembly and peaceful protest are curtailed.

The Irish tricolour has equal status with the Union Jack.

These measures will be implemented by the Northern Ireland Office at the behest of the Anglo-Irish Conference

The National Union of Journalists, other Trades Unionists, Church leaders, and the National Council of Civil Liberties also reject these Draconian measures.

**SHOW IT'S NO TO DICTATORSHIP  
BUT YES TO CIVIL RIGHTS”**

How accurate were the politicians who saw what was about to take place: the total and absolute destruction of the right of a traditional parade to its usual route to and from a place of worship or to and from a place of assembly. When the Southern Government got that, Mr Lenihan announced that he was well pleased and that the future would show how much it meant. Well, this is the future, and we are seeing now how much the changes to that legislation mean. For any Member of the Forum or anyone outside to try to sell us the story that the Orangemen, the Apprentice Boys and members of the Royal Black Institution are responsible for what has taken place is to repeat a lie as false as hell itself. We have the background here, and I challenge any Member to refute what I have said. The facts are very clear indeed.

What can we do in a situation like this? What do you say to your constituents when you arrange to have a service in their own Orange hall, when the police enter into an agreement to allow the Apprentice Boys of Derry to walk to that hall — or to the Presbyterian Church, as on the first occasion — and give their pledged word that every action will be taken to see that the march takes place? The residents' association, about which we hear a lot of talk, actually withdrew their notice of protest on the first occasion, early in November. But what happened when the day came? The IRA activists from Mid Ulster and Loughguile came into play and said to the residents “You will not let this parade through.” And it did not get through. Of course, Mr Flanagan came and humbly apologized to the Orangemen, and we made other arrangements to have the service in the Orange hall. What happened? Five hundred cudgel-carrying Republicans took the hall over, sat on the roof and said “No.” The police used force to keep people from exercising their civil and religious liberty.

We are told today that we must do exactly what we are told, otherwise we will be dealt with. That is why the Crumlin Road prison — I know a little about it because I have spent time there — is being prepared. It is not being prepared for the people with whom Mo Mowlam is having kiss-in sessions. Oh, no. I know whom it is being prepared for.



There is going to be an attempt, by making accusations, to intern people, to shut them away. The Army is going to police Drumcree — not the police. Police are going to be brought in from England to look after policemen's homes while Royal Ulster Constabulary members take over static duties around all the institutions in Northern Ireland.

Is it any wonder that the Secretary of State will not go to the Orange Order to tell it what she is going to do, but will arrive as a heroine to tell the Garvaghy Road residents that the people of Northern Ireland are going to bow the knee to the dictates of those who are prepared to deny civil and religious liberty to folk who did no harm and do not intend to do any harm but just want to exercise their rights?

Those are the issues that we need to apply ourselves to.

**Mr Dodds:** I rise to endorse what has been said about the work of the Chairman of the Committee and the way in which he has conducted its affairs. I pay tribute to him and to the secretariat. It was my pleasure to serve on the Committee. I hope that the Forum will endorse its work and its recommendations. I wish to commend those recommendations to the Forum.

May I add my own words of sympathy to the families of the police officers who were so brutally murdered on Monday last in Lurgan. This sets in context the issues that we are debating today. As Dr Paisley and others have said, the real motivation of IRA/Sinn Féin and those behind the residents' groups was illustrated in the attack. It is clear that IRA/Sinn Féin are intent on stirring up as much trouble as possible and so much civil unrest and instability that the very foundations of this country will be rocked and they will be able to proceed with their own agenda.

I wish to say very firmly that in a democratic society there is a fundamental right to freedom of assembly, and that encompasses the right to freedom of procession. There is a fundamental right to religious worship. In many jurisdictions throughout the world, fundamental rights are enshrined in the basic laws — for instance, in the United States of America the fundamental right to assembly and procession is enshrined and protected in the Constitution and a bill of rights. No matter how reprehensible the cause may be, the United States recognizes the right of a group of citizens to process along the public highway. In Northern Ireland, however, the reality is that the fundamental right to freedom of assembly and procession has been greatly curtailed and abrogated, even when compared to what happens in the rest of the United Kingdom.

We hear a lot about competing rights every time somebody gets up to speak who wishes to prevent the lawful exercise of the right to freedom of assembly, and no doubt we will hear it again from Members in the Forum. They will speak about competing rights — the right to parade and the right of residents to prevent parades.

*11.15 am*

The reality is, of course, that there is no equivalence between, on one hand, the right of peaceful and dignified members of society celebrating their heritage by processing along the Queen's highway and, on the other, the so-called right — which I do not recognize — of



people to claim as their own a part of the public highway and to say that no one shall march along it without their permission. Nobody has the right to claim possession of part of the public highway, but, unfortunately, the Northern Ireland Office has acquiesced to this bid for territorial acquisition by members of the Republican and Nationalist community. It has happened on the lower Ormeau Road, in Dunloy, Bellaghy, Newry and parts of Fermanagh and, of course, most notably, on the Garvaghy Road.

One of the most striking features about the whole controversy surrounding parades, as can be seen from the statistics, is that there are no more parades taking place in Northern Ireland today than there were a few years ago. The number, nature and location of parades have remained relatively the same; what has changed is the number of protests against them. The number of organized disruptions has increased. And what has brought about the increase? Some Members have referred to this already: the main factor which has led to an increase in controversy and an increase in the number of controversial parades is the determination of IRA/Sinn Fein to bring that very situation about.

We have quoted in this report the words of Gerry Adams himself — not the words of RTE, as a BBC commentator tried to put across the other day. He tried to allege that one should believe RTE rather than Sinn Fein. It is a matter not of believing RTE but, rather, of believing Gerry Adams himself. He said this, and Sinn Fein have not denied it. They have made it absolutely explicit that this is what they are about. And even without Gerry Adams's written or spoken words we know by the composition of these residents groups who is to the fore in them. We know from the comments of people who have been intimidated by members of these groups the reality of the situation: these groups are largely influenced by IRA/Sinn Fein. I therefore fully understand and accept the position of members of the Loyal Orders who will not negotiate with those who are acting at the behest of and are being manipulated by IRA/Sinn Fein.

But there is another reason, and we pointed to this in our report. Nationalist expectations have risen following the Anglo-Irish Agreement, the Downing Street declaration, the framework documents and the current so-called peace process, which has been a process of concession after concession to Sinn Fein/IRA. We have got to the stage where some people in Northern Ireland believe they can get away with preventing legal and lawful parades and denying fundamental rights to other citizens because they will be protected by the law, by the lawful authority which should be guaranteeing the rights of the Loyal Orders and those who are intent on peaceful and dignified parades, especially along traditional routes. Instead, they see their rights totally denied at the behest of those who are prepared to use either the threat of violence or actual violence to get their way.

We saw that illustrated most recently by the amazing comments in Londonderry of a spokesman for the so-called Bogside residents' group which sought to deny the right of Orangemen to have even their traditional 12 July parade, which is held only once every five years in that city. It does not go near the contested part of the city walls, which is supposed to be what the controversy was about over the Apprentice Boys parade. We have an escalation of expectations on the part of Republicans and Nationalists, who feel they can get away with almost anything in terms of denying the expression of Protestant or Unionist cultural and political identity.



And, of course, one of the other contributing factors has been a weak and insipid Government who have allowed political considerations to override policing ones.

There was no doubt — this was recognized at the time even by Mr Neeson of the Alliance Party, although he was heavily criticized for speaking out of turn by some of his colleagues and brought back into line — that if the decision on Drumcree had been made on purely policing grounds in 1995 and 1996, the parade would have been allowed to go through. But it was not allowed to be made on policing grounds. It was made on political grounds. The reality is that the Northern Ireland Office and Dublin believe they can get away more easily with pictures of Loyalists and Unionists being batonned than with pictures of Nationalists being removed from an illegal protest and when engaging in acts of violence and disorder.

That is what it comes down to, and the decision that the Secretary of State makes about Drumcree and the Garvaghy Road procession will come down to whether she is prepared to accept that it should be made purely on policing grounds or whether it is made on political grounds. If it is made on policing grounds, the parade will be allowed to proceed, but if it is made on political grounds, it will, as we fear, be banned. I hope that common sense will yet prevail.

The last matter to which we drew attention is the Public Order (Northern Ireland) Order 1987, which has been referred to by a number of Members. Dr Paisley made mention of it in some detail. He was right to point out that when this legislation was brought in we warned — and the Members of Parliament at that stage deserve credit for warning in advance — exactly what this would lead to. The Order, for the first time, took away the right of a traditional parade to go down its route without any let or hindrance. Every piece of legislation — detailed at paragraph 2.3 of our report — prior to the 1987 Order protected the right of a traditional parade to go down its traditional route.

The 1987 Order took away that right, and from it have flowed all our difficulties. As a result, we now have power vested in a senior police officer to impose conditions and to re-route or ban a parade if he believes that it will bring about a threat of serious public disorder among other things. This is the lawbreakers' charter, with the wrongdoer being rewarded while the innocent are punished. The will of those who can get out the biggest mob and use the biggest threat will prevail. They will be taken seriously, and the lawful instruments and vessels of the state will be used to implement it. We are therefore calling today for root-and-branch reform of public-order legislation. Unless the law, the framework and the context within which this issue is dealt with is changed, I fear, we will be storing up more and more trouble.

Every time you speak to the police, senior officers throw their hands up and say "Well, this is what the legislation says. What can we do?" I say "Change the legislation, allow traditional parades to go down their traditional routes, and implement the provisions of article 7 of the public order legislation under which it is an offence to prevent or hinder any lawful procession." The Chief Constable does not seem to pay too much attention to that particular piece of the legislation, but in a democratic and lawful society where we believe in law and order, and where the police have to be respected, it is absolutely essential that they be seen to be upholding law and order and protecting those who are engaged in peaceful and



dignified processions, rather than protecting those who are engaged in violence or threats of violence.

As I close, I hope that in the forthcoming days and weeks good sense will prevail on the part of the Northern Ireland Office and those charged with law and order. They have a grave responsibility, and I appeal to them to bear in mind the context in which they operate. They should make their decisions on policing grounds, not on political grounds, and I trust that the fine example which has been set throughout this crisis by the Loyal Orders — who have consistently and continually, even at the height of the Drumcree crisis last year, called for calm and told their supporters and followers not to engage in violence — will be reciprocated and that the common sense for which the Ulster people are famed will indeed be seen throughout the world.

I commend the recommendations of this report, and I hope they will be listened to by those who have responsibility in another place.

**Mr McBride:** The Alliance Party will be opposing the adoption of this report.

This is a very serious issue. None of us can have any doubt about that given the circumstances we are living in today and the events that we lived through last year. We have always recognized it as a serious issue, and when this Committee was proposed last year we said that it was an important subject, a worthy subject, and that it would be a real test of the Forum. I have to say that the conduct and progress of the Committee has reflected badly on the Forum. We have not handled this huge and important issue properly.

I regret that because, as we have repeatedly made clear, we believe there is a role for the Forum. It is vital that elected Northern Ireland politicians have a way of coming together in a Chamber to argue about and debate these problems and reach solutions. But we have failed to use that opportunity. The other Committees have worked reasonably well, but when we were given a really difficult issue this Committee failed. We have to recognize that. The Committee failed particularly in its refusal to hear other opinion. When it was proposed last year in the aftermath of Drumcree I said in the Forum that it was important and that the real test would be whether it was prepared to meet with the opponents of marches. It was not, and it therefore undermined all its own efforts, many of which were reasonably legitimate, and undermined its own credibility.

**A Member:** Will the Member give way?

**Mr McBride:** No. The Member will have his own chance. Indeed, there have already been two speeches from the DUP Benches.

The Committee does not help itself when it refers, in paragraph 2.15, to hearing opposition evidence:

“The Committee did all it could to hold the door open for such evidence”.

**Several Members:** Hear, hear.



**Mr McBride:** That is rubbish, absolute rubbish. The Committee slammed the door in the face of people who wanted to give evidence. It would not postpone its artificial deadline for a couple of days to hear the opinions of the Garvaghy Road Residents' Association. The Committee undermined its own credibility.

**Mr Cedric Wilson:** Will Mr McBride please give way for a point of order?

**Mr McBride:** If it is a point of order, certainly; that is a matter for the Chairman.

**Mr Cedric Wilson:** This so-called artificial deadline was proposed by Sir Oliver Napier.

*11.30 am*

**Mr McBride:** That is not a point of order.

It was so proposed, and we proposed to extend it when the opportunity came to hear other opinion, but the Member refused, and that undermined the credibility of the Committee and of the Forum. It undermined the capacity of the Committee to contribute to a solution to the problem.

Let me make it clear that I do not hold any brief for the Garvaghy Road residents, or any other residents' group. I am not saying whether they are part of the solution or part of the problem. They are probably part of the problem, but they are going to have to be part of the solution. They have to be listened to. We must get away from all this nonsense about not talking to people. We have got to try to talk things out.

When all is said and done, the Committee has produced a rather sad set of recommendations, which reflect its limited approach:

"The Committee recognising the lack of understanding between the two communities recommends the implementation of a programme explaining the culture and tradition behind traditional parades by the Loyal Orders."

Fair enough, but what about a programme explaining to the Loyal Orders the concerns of other people? Is that not equally legitimate? Is that not what we actually want here?

A code of practice? Yes, a very good idea, but based on those of the Loyal Orders? We saw this last year: members of the Loyal Orders engaged in illegal activities, in road blocks, in demonstrations against the police and using violence against the police. I have personally seen it on the Ormeau Road, and we have all seen it on television — people in their regalia, participants in parades, assaulting the police. When the Committee challenged the Orders to justify their own disciplinary procedures, they were not able to give us any evidence that they had actually disciplined anybody over this conduct.

**Mr Dodds:** That is untrue.

**Mr McBride:** It is true. You can read it in the minutes. We asked them.



**Mr Dodds:** On a point of order, Mr Chairman. That last statement is simply untrue. There is evidence in this report — on the record — that the Orange Order has taken disciplinary action on occasions against members who have stepped out of line. I ask the Member to withdraw his untrue remark.

**Mr McBride:** I draw the Member's attention to the minutes of the meeting of 16 January, when I questioned the representatives of the Grand Orange Lodge on this matter and was unable to get any direct answer. That is the simple fact of the matter. I welcome their attempts to discipline members, but I would like some proof of it. We cannot rely on their disciplinary procedures. Clearly, in the light of last year's events, those procedures do not work. We need something more.

Then the report talks about not rewarding those who resort to the greatest threat of violence. I agree that the present legislation is wrong, that it does reward those who pose the greatest threat of violence. Let us be very clear: the parade got down the Garvaghy Road last year because of the threat of violence. That was a triumph for the threat of violence.

**Rev William McCrea:** It would not have been stopped in the first place if it had not been for the threat of violence. It would not have been stopped either year but for the threat of violence.

**Mr McBride:** It was got down by the threat of your violence last year. It was utterly unacceptable.

**Rev William McCrea:** Mr Chairman, I suggest that the Member withdraw that or else —

**The Chairman:** I think the word "your" might be withdrawn.

**Mr McBride:** I would be happy to take the Member's assurance that he disassociates himself from last year's violence.

**Rev William McCrea:** That is not a withdrawal.

**The Chairman:** Will you withdraw the word "your"?

**Mr McBride:** I withdraw the word "your".

The march was brought down because of the violence of people all over the province last year. That is the reality of the situation, and we should not fool ourselves into believing otherwise.

The basis for a way forward is clear. There is a right to march. It is important and it is fundamental, but there are other rights as well. There is the right of affected communities and the wider community not to have the public peace disturbed. The best way to resolve this situation is by negotiation and agreement, and where that cannot be achieved an independent body should make decisions. That is the ideal model, but it is not relevant to where we are



now. At present we are looking at a repeat of last summer's awful events, and I say very seriously — and this was supported by many of the people from the Loyal Orders who came to the Committee — that nobody wants to see a repetition of those events. Nobody who cares about Northern Ireland can want to see those events repeated. So what can we do to avoid a repetition?

That is the issue we face now, two to three weeks before a potentially absolutely damaging situation for Northern Ireland. We have to do something. What we need is for people to stand back from this confrontation. We need a spirit of compromise, and I urge everybody with any influence to do everything he can to bring about agreement.

We need movement and we need wisdom on the part of all concerned. There is a great burden on the Unionist community, and on the Unionist leadership in particular — I say this here because I am addressing Unionist politicians — to use their influence to prevent any repetition of the scenes of confrontation we saw last year.

We have already seen — very sadly, very depressingly — the flurry of marches scheduled to take place over the next couple of weeks: "Tour of the North" marches scheduled for 7 July, 8 July, 9 July and 10 July and a whole series of other marches. These are intended to put a burden on the police, to bring pressure on the police, to prevent the police from doing their job, and at a time when the police are under the most savage terrorist threat. I urge people to step back from that.

I draw the Forum's attention to the words of the Presbyterian Moderator, Dr Sam Hutchinson, who at the funeral of Const Johnson called on the people of Northern Ireland to respect the RUC at this time of rising tension, as the marching season reaches its peak. And Dr Hutchinson said

"Support the police in word and action."

That is a very clear message for all here today. That should be our tribute to the brave officers who died this week — not bringing pressure on the police, not putting the police in an impossible position, not stabbing the police in the back and setting them up as targets in the context of a terrorist threat.

We need solutions to these problems, and if solutions cannot be found in the next few days there will be a great burden on everybody concerned to accept the rulings of the police and the proper authorities and to do nothing that will bring about lawlessness, confrontation or conflict.

We reject this report. We say "No" to the report and "Yes" to finding a solution, and there is a very great burden on all of us to prevent disaster over the next three weeks.

**Mr McCartney:** I would like to begin by congratulating the Chairman of the Committee on the excellence of the report and to congratulate also those Members who contributed so strenuously to it. We should try to rise above the party bickering that we have just heard and address some of the more fundamental issues.



No one should fail for a moment to understand that the impending confrontation at Drumcree, which could well have catastrophic results for the whole of Northern Ireland, is not a consequence of Orangemen parading. In some respects it is not even an ultimate consequence of those who are protesting about the parade, but it is a direct consequence of Government policy.

The alleged peace process is viewed by many, including the overwhelming majority in this community, as simply a political policy, based on a Nationalist agenda, for a united Ireland by instalments. The price of this policy, in terms of the concessions which would have to be made — not only to Republican violence, but to Nationalist aspirations — is one which the pro-Union majority has declared itself, quite clearly, unwilling to pay.

After the Anglo-Irish Agreement of 1985 the British Government, as the Leader of the DUP, Dr Paisley, has pointed out, were required to consult with Dublin on proposed legislation. The Public Order (Northern Ireland) Order 1987, which deals with parades, is one such measure in which the influence of the Republic of Ireland is very clearly evident. The terms of this Order give control over parades to those who object to them. Such objectors, by threatening violence, can make an otherwise lawful parade the subject of a ban.

The bogus IRA cease-fire of August 1994, which the Secretary of State and the British Government wish to be unequivocally restored, made it necessary for Sinn Fein to open a second front and to continue the conflict, as Clausewitz might have said, "by other means". The struggle moved from bombs and bullets to social and community confrontation. The parades issue and the 1987 Order provided the means for Sinn Fein to do that. Gerry Adams has admitted publicly that such confrontations did not arise spontaneously but represented years of dedicated work by Sinn Fein activists, many of whom sported the service records of terrorist convictions.

As this peace process was based on a cessation of IRA violence, the inclusion of Sinn Fein in negotiations was deemed necessary. As a result, the freedom of action and independence of decision-making of the Government were severely compromised from the outset. How could they, in security terms, effectively deal with terrorist activity while at the same time courting politically the very people who were orchestrating the violence? However, expediency triumphed over principle, and since Sinn Fein's participation was necessary, that party has been able to control all the events leading to this confrontation at Drumcree.

The peace policy, which required a continuous round of concessions to the Nationalist agenda and unrealistically heightened the expectations of the Nationalist community, did nothing but raise pro-Union anxiety about the constitutional future. Such unrealistic expectations, such unnecessary stoking of pro-Union anxiety, was bound to reach a point of crisis upon one pretext or another. Those who view the Drumcree issue in the simplistic terms of Orangemen forcing a march down Garvaghy Road miss the real point.

The Government are trapped in a crisis of their own making for in opposition they endorsed the general thrust of Tory Government policy — a policy which is sanitized and made Sinn Fein respectable. The media, by their past, present and continuing extensive



exposure, have promoted the political wing of the IRA, and that now both permeates and pervades large and extending sections of the Nationalist community.

If the Government presently fail to use the Army and the RUC to suppress pro-Union protest, Sinn Fein will orchestrate widespread violence, and Nationalist support will be withdrawn from the peace policy, leaving Britain open to international censure as a repressive regime. Some Members have quite rightly directed attention to those matters which actually move a British Government, and one of them is the threat that on American television, members of the RUC will be seen allowing an Orange parade to proceed by having to remove forcibly unlawful and protesting objectors from the road. Alternatively, if the Army and the RUC are deployed against the parade, the knock-on effects will be horrendous: the RUC will be alienated from the majority community; its operational viability will be compromised; the prospect of any real, negotiated settlement between democrats will be rendered impossible; and a lurch by the entire community into anarchy will be accelerated.

Drumcree is merely a symptom of a much deeper political disease. Democratic procedures have been corrupted by exposure to the politics of terror. The Government, by undermining the effectiveness of democratic parties and their representatives, have fostered an increasing belief that only violence is rewarded — by violence you can stop a parade. Is the conclusion to be drawn that the only antidote to violence, in the absence of democratic expression and the enforcement of the rule of law, is counter-violence?

The political-front parties for terrorist groupings have been rendered so respectable by Government policy and media hype that they now control the process of negotiation. The Government seem to be unaware that the democratic process cannot co-exist with political terrorism, for its procedures will first be corrupted by that terrorism and, ultimately, be subsumed by it.

On all sides people are losing faith in the democratic process. Ministers and officials are seen daily consorting with the political representatives of terror. Bizarre electoral arrangements, such as those for this Forum — specifically designed to include the political spokesmen for terrorism — have debased the democratic process. The views and opinions of convicted terrorists in the prisons are now solicited, and inmates dictate the terms upon which they will conduct themselves in custody.

*11.45 am*

The politics of expediency are ascendant everywhere over the principles of decency and democracy — a matter to which the Moderator so recently referred. The real objective of Sinn Fein and its true purpose is not to prevent these parades but to demonstrate the political power exercised by it on behalf of the community it claims to represent. Sinn Fein's aim is to break the British Government upon the anvil of a flawed political policy. In order to save that policy, the Government must sacrifice the RUC, split the pro-Union community and plunge Northern Ireland into anarchy.

This Government must appreciate that in every pluralist democracy there are fundamental constitutional rights, and one of those is the right to hold an inherently lawful parade that is properly conducted, marshalled and controlled. The fact that some people may



object to the political and other principles of those parading is irrelevant — witness the permission given to Sinn Féin parades through central London. The idea that the validity of such parades should be decided by a multiplicity of local consents is, itself, a negation of the rule of law and an incentive to the spread of local protests. This suggestion that there is some counter to the right of public assembly and religious expression known as a right of protest is absolute nonsense. No such right is known in democratic or constitutional states. If the parade is unlawful, if it is a cause of unrest or friction, then the rule of law is enforced by the police. It is not enforced by calling in aid some newly invented right to protest.

I conclude by saying that the church parade at Drumcree, upon the terms presently offered, meets all the criteria of a lawful parade and, as such, must be judged upon its merits. I am not suggesting that other parades may fail to meet that criteria, but the choice is clear: either democratic principle is to be upheld or a failed political policy maintained at any cost. The choice is one for the Government alone. It is a decision that cannot be delegated either to the Chief Constable or to the North Commission. It is the duty of the present Government to make their own judgement and to demonstrate clearly the primacy of democratic principles and ensure that those principles are restored and the appeasement of terror abandoned.

A final point: we should avoid, if at all possible, any confrontation with the RUC. Let me say this to the Loyal Orders and to those of the pro-Union majority whose sense of betrayal by the Government I share: we must make ourselves fully aware of the proper methodology for protest, and not fall into the trap of violent confrontation. We live in a world of visual media, where linked arms and the solemn singing of 'We Shall Overcome' can be used to represent a cause which has really no validity and where the strenuous but strident protests of those whose indignation is fuelled by the fact that they are being treated unjustly can be put aside. The pro-Union people must learn the ways and means, in a modern society, of bringing their fundamental and just protest to success — and the methods of confrontation with the RUC are not those.

**The Chairman:** For the benefit of everybody, I should say that there are certain subjects which we have pretty well exhausted. Perhaps those who are going to speak will avoid them and deal with some new ones.

**Mr John White:** The UDP took the role and function of the Parades Committee very seriously. From the outset we believed it vital that the Forum deliberate not solely on matters on which there would be a reasonable degree of consensus across the political spectrum, but also on issues which are difficult, challenging and contentious. We have remained committed to fulfilling our responsibility to the Committee although some controversy, from time to time, has been attached to it. The party and its representative on the Committee respect the rights of other parties not to serve on, or to withdraw from, the Committee, although we may not agree with the reasons for their decision. It is important that each party represented here play its full part in the deliberations, particularly upon issues which are divisive and complex, as this most certainly is. That in mind, I point once again to the fact that the SDLP has abdicated its responsibility to contribute to the debate on these very important issues which affect all the people in Northern Ireland. Unhappily, the Forum is affected by its absence.

Our representative on the Committee valued the experience and thought it a learning process. It gave him a better understanding of the problems with parades in Northern Ireland



and made him more informed and better able to make reasoned judgements and recommendations.

Important points arose from evidence given to the Committee, and these are contained in the review. They cover a broad spectrum of opinion, the main one being the fundamental right to freedom of expression. Northern Ireland suffers from a failure in United Kingdom law to address adequately the question of human and civil rights. There is a clear need for a bill of rights for Northern Ireland which would enshrine and protect the basic rights of its people.

While the principle of consent is of the utmost importance for conflict resolution in any divided society, it becomes counter-productive when it is turned into an automatic minority veto. Consent is, of course, preferable, but to achieve consensus between all segments of society on all issues is unrealistic. It is very unlikely that all Nationalists or Republicans will ever find Loyalist parades acceptable. It is equally unlikely that Republican marches will be accepted by all Unionists and Loyalists. What should be aimed at is the greatest amount of tolerance by the largest number of people, stressing, once again, that cross-community agreement is desirable. This does not, however, necessitate Nationalist consent for Loyalist parades to pass through Nationalist areas. The argument about consent for Loyalist parades passing along main roads, near areas with a large Nationalist population, is even less valid. In short, Nationalist consent is desirable but not necessary. It should be clear that tyranny by the minority can no more be tolerated than dictatorship by the majority.

The general belief among those who gave evidence was that the Public Order Order 1987 was flawed — that it was viewed as a lawbreakers' charter. Additionally, it was strongly perceived that external interference by the Government of the Irish Republic, through the Maryfield Secretariat, had played a part in contorting the RUC's decision-making process. It was also evident that, while one side believed that it had made as many concessions as possible and had been given nothing in reciprocation, the other believed that there had not been enough concessions. It did not recognize the symbolic and historical importance of that aspect of the Protestant culture. There was evidence that there had been a significant increase in the degree of co-ordination in the fuelling of controversy over specific parades and that some protests were politically motivated. This evidence was strengthened by the revelation on RTE of comments by Gerry Adams admitting that Sinn Fein party members were strategically using the parades issue to bait inter-community aggravation and to exploit situations to Sinn Fein's political advantage.

The brutal murder of the two policemen last week is an extension of that policy, designed to widen division in our society and to make the resolution of controversial issues, like that of parades, more difficult. There was general agreement in the evidence that any final decision should rest with the RUC and that the police should work to clear and unambiguous guidelines. There is, therefore, a need for a code of practice, with legal standing, which can gain acceptability across the community. My party recognizes that a great deal of thought and effort went into the recommendations after due consideration of the evidence by the Committee.

Finally, in supporting the Committee's recommendations, contained in chapter 6, I should like, on behalf of the Ulster Democratic Party and our representative on the



Committee, Joe English, to thank all the other parties and their representatives on the Committee, the Chairman, Mr Cedric Wilson, for ensuring a fair hearing for all, and, lastly, all the hard-working and helpful secretariat staff.

**Ms Sagar:** I intend to limit my comments to the recommendations rather than go into speeches.

On the first recommendation, we welcome the acknowledgement from the Orange Order and the Committee that they have work to do in presenting themselves to the public, for this is not a one-way process, as the Committee suggests. The Orders also have a responsibility to address their critics, to respect their views and to learn from them. Because of the one-sided nature of the first recommendation, it will not gain support from across the various traditions in Northern Ireland.

The Committee's view on the second recommendation is that it has a role to play in assisting the Orders to establish a code of practice. We have a question: does the Committee confuse code of practice with code of conduct? The Orders already have codes of conduct. But it is not enough to have codes of conduct — they need to be enforced. If it is a code of practice that is meant, this needs to be developed through proper consultation with a range of bodies and interested parties.

The third recommendation mentions problems with the 1987 Public Order Order. We acknowledge these, as have other Members, but laws should not be changed as a result of knee-jerk reactions. That is a recipe for getting it wrong again. The right to peaceful assembly and procession is not, in fact, the issue here. This right is well established. Marching is seen as a fundamental right. However, we question whether the right to choose the route is part of that fundamental right. Is it not simply a tradition? Certainly, countries, such as the United States, that enshrine the right to free assembly in a bill of rights still operate a range of conditions which limit the exercise of this right. In other words, the right to march is subject to conditions about how, when and where a march takes place. A key issue for the Nationalist community is whether there is an unequal right to peaceful assembly and procession. It may be that this recommendation would gain support from across the various communities if it explicitly addressed the unequal rights of Nationalism in this regard. Indeed, to do so might advance the issue considerably — and I know that Mr McCartney agrees on this point.

The fourth recommendation is really a continuation of the third. Again, the issue is unequal access to the right to march.

With regard to the fifth, how do we define a traditional parade? After how many years does something become traditional? Drumcree appeared to be traditional after one. There is no basis for arguing that traditional parades should be treated differently. Tradition simply reflects who had the power to establish parades in the first place. This simply reinforces the status quo and perpetuates inequalities. It defies belief that, after 30 years of conflict, people think that the answer is to uphold the status quo and perpetuate inequalities. Clearly, this recommendation will not gain support from across the various traditions in Northern Ireland.



12.00

With reference to the sixth recommendation, we have time and time again heard the view that protests over parades have begun only in the last few years, and all as a result of some giant Anglo-Irish conspiracy. Protests over parades are as old as traditional parades themselves. The first recorded incident was in 1813. Indeed, in Portadown there was a serious riot in 1873 following a battle between policemen blocking the Tunnel area and Orangemen trying to march through. In 1885 there were more disturbances when a band playing party tunes tried to get into the Tunnel area. There were further incidents in 1886 and 1892. Need I go on?

In this century — in 1950 — residents of Obins Street said after incidents that they would not allow another parade through the area. I quote:

“By 1972 the communal situation was so bad that there were serious doubts whether the Drumcree church parade could go ahead.”

A local newspaper refers to the Drumcree church parade's being used as a political football by various point-scoring elements. Nothing has changed.

In the aftermath of the hunger strikes, an increased number of bands — including blood-and-thunder bands — took part in the Drumcree march. Let us make this clear: marching and associated protests have a very long history. Nothing has ever been done to try to manage the situation. Refusal to talk, refusal to accept responsibilities, refusal even to acknowledge that there is a long-term problem here, amounts to anarchy. We urge people to engage in dialogue. People should not be rewarded for not talking. We welcome the Secretary of State's busy round of talks. She, more than anyone else at present, appears to enjoy credibility from both sides — though not from some people here, we note. We also note, and with concern, that, as last year, the decision on the day will be the Chief Constable's. We believe that police officers should not make alone decisions that have such political ramifications. Having said that, I have to say that the position of some people in the Chamber is to say that the police must retain their decision-making role. We hope that as much energy will be put into complying with the Chief Constable's decision, whatever it is, as is put into refusing to accept it when it is made.

With regard to the seventh recommendation, the views within the report are those of one side of the community and to suggest that they are the views of the community in Northern Ireland is a nonsense.

Recommendation eight amused us. We have conjured up images of the Chairman of the Committee interviewing the Vice-Chairman as he parades, asking him what he is doing and why. However, recommendations seven and eight both envisage a further role for this Committee, which is not acceptable. The Committee does not attract the support of the majority of parties elected to the Forum, as has already been stated, owing to its inconsistent procedures and practices, its refusal to address the issues of conflict of interest and its refusal to accommodate alternative and minority views. The Women's Coalition previously asked for the Committee to be stood down. We repeat that call.



Finally, the report is a very useful portrayal of Orange views, and these views should be heard. However, it is one-sided, lacks credibility and clearly will not gain support from across the various traditions in Northern Ireland. We therefore move that Rule 13.1 be employed, that this report be not adopted and that Standing Committee A cease business.

**The Chairman:** I will certainly be giving considerable attention to my responsibilities under Rule 13(1).

In calling Mr Ivan Davis I repeat: please, no repetition.

**Mr Davis:** It is very difficult, Mr Chairman, to speak without repetition.

It is most unfortunate that the last Member called this report one-sided when her party's representative walked out of the Committee. And as for dialogue being the only way forward, their representative would have been better employed coming along to the Committee with her party's views than having them appear in the 'Belfast Telegraph' two nights ago. They speak of dialogue and responsibility, but we saw very little of that from them, along with the Alliance Party representative, during the Committee hearings.

It is also unfortunate that when elected representatives and those organizations involved in the parades issue are endeavouring to get a settlement and bring about a solution there are those in the community who make irresponsible comments, and they should know better. I refer, of course, to a statement from Dr David Gallagher, lay secretary of the Methodist Church's Northern Executive of the Council on Social Responsibility:

"The Loyal Orders must deal with the frequent paramilitary trappings associated with marches."

I call that totally irresponsible, and the Loyal Institutions will find those remarks most offensive. Such comments do nothing to help the situation.

Unlike the North Report, this report has been produced by persons elected by the people of Northern Ireland. Is it not strange that the North Report, already referred to by the Chairman of the Committee, made no mention of the involvement of Sinn Fein/IRA? I find it difficult to describe the make-up of the North Commission as impartial when one member — and I have a photograph to prove it — negotiated on behalf of an IRA commander, Charles Breslin, at a funeral conducted, through RUC lines, with IRA trappings. The evidence is clearly visible in the photograph. Yet this person was appointed to the North Commission. How impartial can its findings be if a person of that stature was one of its members? Add to that another person who voted against the playing of the National Anthem at Queen's University and we see that the Commission was actually made up of one person. Could it be that it was not to offend the same gentlemen who conducted that IRA funeral that no mention was made in the North Report of the role of Sinn Fein/IRA?

From the first sitting of this Committee, I always attended with an open mind. I deeply regret that others found it necessary to abandon the Committee, especially as it is the same people who continue to lecture us about the need for dialogue and responsibility. The one thing coming through this report from the evidence taken is that goodwill and the hand of friendship are coming from one direction. I genuinely believe that every effort is being made



by the Loyal Orders to resolve this problem, and there can be no doubt about who is behind the confrontation. I do not think that can be said often enough.

Unfortunately, the media seem to get away from this question: who is actually behind the orchestration? We all know who it is. I make no apology for spelling out who these people are — no apology whatsoever. Take the spokesman for the Garvaghy Road Residents' Coalition. He was gaoled for six years for his part in the 1982 attempted bombing of the Royal British Legion hall in Portadown and received concurrent sentences for a firearms offence, false imprisonment and hijacking. He was one of two masked terrorists who held a Churchill Park family hostage for three hours while their car was stolen and used in the hall bombing. He lives not in the Garvaghy Road but in the Parkside estate. He was involved in the Parkside Tenants Association for some years and protested against Orange marches in Obins Street.

Then there is the spokesman for the Bogside residents (I cannot pronounce his name in Irish, but you all know whom I am talking about) the son of Londonderry Sinn Féin councillor Mary McNiallais — who was convicted of IRA membership and arms possession and was sentenced to seven years. He is also a member of Sinn Féin.

And then we come to the lower Ormeau's Gerard Rice. He served four years for IRA membership and possession of weapons. The source for that information is the 'Belfast Telegraph', May 1995. He is one of two people currently employed by LOCC as youth community-relations workers on a salary scale of £15,000 to £18,000 per year. And they have just received funding from the lottery for cross-community programmes — some cross-community spirit in a man who is out orchestrating protests against the Loyal Orders.

**Mr Poots:** Is the Member aware that Gerard Rice originated not on the Ormeau Road, but some 30 miles away in County Down, and that this week he has been up in court for taking part in protests in Bellaghy?

**Mr Davis:** I will take Mr Poots's word for that.

It is very important to quote what Mr Simpson of the Apprentice Boys Association said:

"They are holding everybody to ransom and especially the people who live in the Bogside. There were people who spoke to me last year, came to my home or phoned me up and asked me to meet them at certain places, and the fear that they had in their eyes — you could see it — because of what Sinn Féin had told them we were going to do, not only to the city but to their homes."

It speaks for itself.

Committee A has endeavoured to bring forward a report that all right-thinking people throughout the province would regard as fair-minded. And the document has been produced by elected representatives of the people of Northern Ireland. Looking at the history of this whole issue, one sees that the same thing happened 130 years ago. But we overcame that.



Sinn Fein/IRA place great emphasis on the word "consent". It is interesting to note that Mr Dominic Bryan, of the Centre for the Study of Conflict at the University of Ulster, said

"It is interesting that residents' groups are using consent when the principle of consent is something that Sinn Fein has not signed up to, so it seems to be something that people claim when it suits them."

That is exactly what is happening at the present time.

**Mr Casey:** I did not intend to speak on the subject at all.

**The Chairman:** Well, you do not have to.

**Mr Casey:** I shall, since you have called me, Mr Chairman.

I am going to stick to the report itself. I am not going to enter into condemnation of anybody because within the findings of the Committee we have criticism of Sinn Fein, of the police and of the Government of the Irish Republic. We have criticism of everybody. But the people who drew up the report have not made any criticism of themselves.

**A Member:** You attended.

**Mr Casey:** Yes, and I went the extra mile in relation to my part in the Committee. I visited the Apprentice Boys in Derry and went to the Orange hall in Dunloy. I sat here and interviewed the Grand Lodge, the Ballynafeigh Orangemen and the Portadown Orangemen, and I did an interview with the Garvaghy Road residents, so I think that I went the extra mile that the Committee refused to go. That refusal is what caused the dissension.

In the evidence that we took, the Loyal Orders went to great lengths to explain their ethos. I was very interested in hearing about that ethos because, being a Catholic and knowing absolutely nothing about the Orange Order or the other Orders —

**Mr Calvert:** Shame on you.

**Mr Casey:** Maybe it will be shame on you before I have finished.

I recognize that these people have sincerely held convictions, but one thing is not highlighted because there is so little evidence from the other side of the coin. Given one of the findings of Jarman, we have suggested some of the reasons for the fact that parading is so prominent in the Ulster/Loyalist community. The historical background to Loyalist parades, the connections with the sovereign state and the importance of local parades and reasserting the idea of Northern Ireland as a Protestant state still bear heavily on the psyche of the Catholic community. I do not think we can altogether blame the Catholic community for that because it is something which was *de facto*, not something which has been manufactured. We used to have the caption "A Protestant state for a Protestant people."

**Mr David Campbell:** Will Mr Casey give way on that point?



**Mr Casey:** No.

**Mr David Campbell:** He will not comment on Eamon De Valera's comments then?

**Mr Casey:** I am not old enough to remember them.

*12.15 pm*

When I was questioning the Grand Lodge I asked Mr McCrea, a member of the delegation, about the question of the institution's being a religious one — Bible-based, formed to protect all law-abiding citizens and to work for peace and harmony.

With regard to the comment about a political party, it has to be said that over the last 25 years the Orange Institution has had an umbrella effect. Not only have we had members from all the Protestant denominations; we have also had members from practically every political party that believes in the maintenance of the Union.

It is understandable that so many people here today should be in favour of coming out on the side of the Loyal Orders on the question of processing or parading — call it what you like. It would be very strange if that were not the case.

By the same token, the membership of the Committee could have been coloured orange because of its ethos. I am not being critical. I am not criticizing any Committee member for holding to his faith, to his tradition, or whatever, but I am saying that it is very difficult to be objective. If you are part of something, it is very difficult to be objective and to see the matter from the other person's perspective. That is the great difficulty that people will have with the report.

So far as the recommendations are concerned, I agree that there is a great lack of understanding between the two communities and that something should be done about that. They should both make a very sincere attempt to understand one another. That is what we are all about; it is why we are here. This is the Forum for Political Dialogue. Unfortunately, instead of getting into political dialogue, we sometimes get into religious dialogue and all the confrontation comes into play.

A code of practice is all right, but there is no code of practice for confrontation, and if we have confrontation no code of practice will be any good.

There has also been criticism of the public-order legislation because it does not make provision for traditional parades. In this day and age traditional parades are all one-sided. I cannot remember any traditional parades on the other side. I think they have long since died out. Maybe the Catholic population has grown up quicker than the non-Catholic.

**Rev Dr Ian Paisley:** What about the Hibernians?

**Mr Casey:** What about them? I do not know where they are.

**A Member:** You do not want to know.



**Mr Casey:** Certainly, I do not know.

Despite the Committee's efforts in producing this report, it is one-sided — not two-sided — and it has been done from a certain perspective. Indeed, it could not have been done from any other perspective, given the composition of the Committee.

I am sorry that I cannot give it my support.

I left the Committee, but only because it was not trying to be as fair as possible to the other side.

**The Chairman:** The Business Committee — not I, but the Business Committee — decided that we should try to limit this discussion to two hours. That time is fast approaching, and there are five more speakers, as well as Mr Wilson, who is to sum up. It should be possible to complete the debate and take a vote by 1 o'clock. In view of all that has been said — and I have listened very carefully — I shall want to have a few minutes to myself. Some very interesting and valuable things have been said which I ought to consider before giving a ruling under 13.1, which, I am certain, is going to be required.

The remaining speakers are Mr Carrick, Mr McKee, Mr Robert John White, Prof Alcock and Mr Hugh Smyth. Does each wish to have his 10 minutes?

**Mr Robert John White:** Three will do me, Mr Chairman.

**The Chairman:** Very good. I will keep you to that, Mr White, and call you to set the example.

**Mr Robert John White:** Thank you, Mr Chairman. I was not expecting anything so sudden.

Mr Casey has contributed to today's debate, and he also contributed to the debate at the Committee. Sadly, along with the Women's Coalition and the Alliance Party, Mr Casey saw fit to leave. That was his decision, but it was rather sad because the Committee was then bereft of another opinion. It is fair to say that the report may not be as complete as it would have been had those people stayed. That is what is sad.

The Committee could have seen a certain group of witnesses, but after a number of communications with them we ran out of time. A vote was taken and it was decided not to wait any longer because of the time-scale for presentation of the final report to the Forum. It was rather a pity that the Committee, at that stage, was hampered by a decision that the Alliance Party had forced on it to set a date after which all communication with anybody would cease. I was rather sad about that too. The Women's Coalition stayed quite some time but eventually left. The Alliance Party left and, sadly, the Labour Party, in the person of Mr Casey. I rather enjoyed listening to him. I thought that he said at one stage that he did not know of any mixed parades. Neither do I. Maybe someone else does.



**Mr Hussey:** Does the Member accept that the Royal British Legion is a mixed organization?

**Mr Robert John White:** I certainly do. I was not thinking of the Royal British Legion.

If the four parties that left the Committee were to return, and if the Committee were to pursue the objectives we have recommended and continue its work, it would certainly have more validity.

I want to recount a little anecdote that I came across a few days ago. It is about a little girl of six. She was quite a bright girl, but school had finished and she was getting a bit bored one morning. Her mother was rather frustrated and did not know how to entertain her. That afternoon she found a map of the world. She cut it into a lot of uneven pieces, scattered it and said to the girl "Now, you put that back together again." Some time passed and there was silence in the house. The young girl was pondering and making great efforts to put the map of the world back together. Eventually, some of the pieces turned over the wrong way and she saw a piece of a man's face. I say "man's" in deference to the Women's Coalition; I think it is mankind we are talking about. I said "little girl" to start with, so that should keep me right. The piece that was turned up had part of a face on it, and the young girl decided to look for another piece of that. She found it quite easy; the man was very easily put together, and in no time she had the operation done. Her mother was amazed. She turned the pieces over, and that gave her the map of the world. She said "How did you do that?" The girl said "It was easy. When I got the man right, the world fell into place."

**The Chairman:** That is a very interesting parable.

**Mr Carrick:** I would like to be associated with the appreciative remarks made about the Chairman, the Vice-Chairman, Committee colleagues and the secretariat for the work that they have done. I know that my time is limited, but I was given a speaking brief by the Committee Chairman.

**The Chairman:** I am merely making a suggestion.

**Mr Carrick:** Thank you, Mr Chairman.

I must comment on the Alliance Party's contribution. As is par for the course for them, they have been very selective in their quotations. If they look at what the Moderator of the Presbyterian Church in Ireland said they will find that he appealed to the Government to listen to the ordinary, law-abiding citizens and not to capitulate to terrorism. I trust that the Alliance Party will take that on board and give a more balanced view the next time they make a contribution to the Forum.

The Women's Coalition Party are quite selective as well. In their glance back at history they do not remember anything about the River Bann in Portadown running red with the blood of Protestants. Again, we want to get that in the proper perspective. Let them bring forward a balanced view, not the sectarian view that they normally come out with.



I want to deal with what I believe to be the kernel of this problem, which is identified in the findings and the conclusions on page 36 of Volume I and in the recommendations in paragraphs 6.3 and 6.4. Anyone who approaches the question of parades without recognizing the IRA/Sinn Fein strategy will invariably form an incorrect judgement. It is precisely for that reason that the North Report is fundamentally flawed, failing, as it does, to address the root cause of the contention. To address the parades issue adequately one must include the perspective of the Sinn Fein/IRA rebellion and their unrelenting policy to drive the "Brits" out and render the Protestant population impotent by all means — legal and illegal, but, I must say, mostly illegal.

It is absolute folly to believe that some sort of agreement can be reached with the Republican enemies of Northern Ireland on this essential, Protestant civil right to express culture and identity. There are none so blind as those who will not see. Even the dogs in the street know that Sinn Fein/IRA are orchestrating the confrontation and manipulating local groups to destabilize further and undermine the traditional way of life of Protestants. People like Brendan McKenna are only a mouthpiece for Sinn Fein/IRA. They are being manipulated. He is just like a puppet on a string, being manipulated by Sinn Fein/IRA. The reality is simply that IRA/Sinn Fein want to drive Protestants out of Northern Ireland and are prepared to use their fellow co-religionists in the Roman Catholic communities in the carrying out of their evil and pernicious plans.

Part of their scheme is to discredit the RUC. Here we have the SDLP — the constitutional Nationalist party, so-called — playing a willing part in partnership with Republicans. Evidence of this hatred for the RUC is ample in the display of unwanted signs and symbols in Nationalist areas. Another part of the confrontational scheme is to deny Protestants the right to express their cultural identity in the traditional way — by parading — and to prohibit signs and symbols depicting the British and Protestant way of life. That is in contrast to what has already been referred to — the rather large Irish tricolours that now adorn every lamp-post down the Garvaghy Road. It used to be the odd lamp-post. Now it is every lamp-post, and I have inside information from the Garvaghy Road that even the Roman Catholic priest, Eamon Stack, is actually working at putting these tricolours together to enable others to have them planted.

**Rev Dr Ian Paisley:** The Jesuit.

12.30 pm

**Mr Carrick:** Yes, the Jesuit. We therefore have clearly set out the bottom line for the parades problem. Protestants are not to be permitted civil liberties in their own country. Sinn Fein/IRA have successfully infiltrated residents' groups and, by threats, coercion and intimidation, have poisoned the local Roman Catholic community with Republican bigotry and sectarianism. We hear the hypocrites stating that they have nothing against Protestants. In reality, what is being said by Sinn Fein/IRA is that they will tolerate Protestants as long as we get rid of our culture, our history, our identity and our Britishness — that is what they are really saying to us. These hypocritical utterances are, of course, in keeping with the explicit expressions of rebellion and hatred, as displayed by the flying of the Irish Tricolour from every lamp standard along the Garvaghy Road.



The parades problem cannot, therefore, be resolved without addressing the root cause of the confrontation and contention. Terrorism and terrorists must be removed from the community. The Government must govern and cease to pander to the enemies of Northern Ireland.

It is time for the Government to take account of the law-abiding citizens and to create an environment free of terrorism to allow the different communities to coexist. The solution to the parades problem has to involve the removal of Sinn Féin/IRA and their community spokespersons from the equation. That would stop the programme of agitation and conflict. There can be no equivocation on this point, and there is no room for doubt — the 'Prime Time' programme on RTE demonstrated that.

Finally, it is imperative that resolute action be taken to eliminate the orchestrated communal confrontation, to re-assert the rule of law and order in all areas of Northern Ireland and to permit the lawful demonstration of our traditional, political and cultural heritage and identity.

**Mr Alcock:** In rising to support the motion moved by Mr Cedric Wilson, I feel that the Parades Committee failed to exploit fully the evidence laid before it — possibly because of its unfamiliarity with the situation in certain European countries.

I refer to the evidence submitted by Prof Tom Hadden and Ms Ann Donnelly of the Centre for International and Comparative Human Rights of Queen's University. Prof Hadden and Ms Donnelly submitted a booklet for legal control of marches in Northern Ireland.

I refer to the situation in Italy. Now, in Italy the right of assembly is governed by constitutional guarantees and by specific legislation on public safety. For meetings in public places, the local police chief, the Questore, must have three days' notice and such meetings may be forbidden only for the valid reasons of public safety and security, public health, public order or morality.

In May 1991, the German-speaking South Tyrolese Schützen — an order which almost exactly reflects the Orange Order — sought permission for a demonstration in the capital of South Tyrol, Bolzano. Two days later, the near-fascist MSI sought permission for a demonstration in the same place at the same time. The Questore banned both demonstrations on the grounds that there was a risk of disorder. Despite the ban, the South Tyrolese Schützen held their demonstration, and the organizers were prosecuted and fined for a breach of the regulations. On appeal, the conviction was quashed. The Court of Appeal held that the obligation to give prior notice to the authorities of meetings at a public place did not mean that prior permission must be given by the police authorities. It obliged the promoters to give three days' advance notice to the Questore, who had the power to forbid it on the grounds that I have given.

In exercising this power of veto the Questore was required to state valid grounds or, at least, to account, precisely on accurate and consistent grounds, for the order contained in the prohibition — precisely because it imposed a constraint, or even the deprivation of a right, guaranteed by the Constitution.



Since the Questore had based his decision on the fact that two demonstrations were planned for the same time and place he had fallen into patent inconsistency, precisely because the ban had been made dependent on the second demonstration, which, itself, had ultimately prevented the assertion of a constitutional right by the South Tyrolean Schützen. Thus, the Court of Appeal held that the Questore's concern, that the holding of two demonstrations by ideologically opposed groups in the same place and at the same time was not a valid reason for banning both meetings. Prof Hadden's conclusion, which, I am sorry, was neither brought out in the evidence or in the report, was that the authorities had in effect been required to give some measure of protection, from counter demonstrators, to peaceful demonstrations which had been duly notified.

Italy is often derided for its political ineptitude and military incompetence. Let us compare its ineptitude with the outstanding competence of the British Government. As I said on a previous occasion in the Forum, when the Austrian Government allowed its territory in North Tyrol to be used as a base for terrorists to operate in Italian South Tyrol, and when it allowed openly confessed terrorists to appear on Austrian television to boast of their crimes, that inept Government in Rome brought an abrupt halt to the proceedings by brutally vetoing discussions between Austria and the EC on Austrian membership of the community. That inept Government in Rome did not hold clandestine, or open, negotiations with terrorists. No wonder that South Tyrol today is a classic example of good majority-minority relations. As for the issue of parades, would we rather be governed by Italian law and constitution, inept as they are, or by the political cowardice of the British Government?

**Mr McKee:** As a Member of the Committee who attended, if not all, most of the meetings on this issue, which is very important for the Unionist community, I would like to pay tribute to my colleagues, to those who stuck it out, toughed it out and were determined to try to get a resolution to the situation in Northern Ireland satisfactory to all in the community who want peace, who want to see democracy at work and who want to see tradition kept alive. I pay tribute to Cedric Wilson for his handling of the meetings. He was a very fair Chairman: he gave everybody an opportunity to speak, called them when they needed to be called, and gave a fair hearing to those who came to give evidence to the Committee. I did not hear any complaints from the RUC, from different Orders, or from the other groups and bodies that gave evidence. I would also like to pay tribute to one person who, although not an elected Member of the Forum, serves a party in the Forum. Joe English toughed it out. He certainly made a very worthwhile contribution to the Committee. We learned a lot from him, and we were able to compile a better report for his serving with us.

I am sorry that I cannot say the same for the PUP, who had the same opportunity. Bear in mind that they come from the Unionist community. They know what the parades issue means to Northern Ireland, to the life of this community and to keeping our heritage and our tradition alive. They did not see fit or think it worthwhile to come along to the Committee to make a contribution or to try to help the situation. David Ervine pulled out of the Committee over some remark that Cedric Wilson had made to the press, because he thought that it would offend the sensitivity of the Nationalist community. His position became untenable. He could not come to make representation, to hear evidence, or to try to get the parades issue resolved.



I was not surprised at the attitude adopted by the Alliance Party and the Women's Coalition. I predicted, before we even started, that somewhere along the line there would be trouble and that, at an opportune moment, they would leave the Committee in a furore to try to do it down and to rubbish the report. I am glad that they certainly did not achieve that end. It was very suspicious how they all left on the one day — the day after the Garvaghy Road residents sent the letter which followed a debate that the members had had in private the week before. Who informed the Garvaghy Road residents of the Committee's debate the week before? That letter was sent to cause trouble, which it did — trouble that was concocted by all the Nationalists groups on the Committee. Although Gerry Adams was not present at the Committee, his views and his thoughts were heard and put forward by the Alliance Party and the Women's Coalition. They all sang from the same hymn sheet to do down the Unionist and the Protestant community. Not one of them was concerned about the right of the Orangemen to march down the streets of Northern Ireland — something that our forefathers have done for hundreds of years.

I represent the ordinary people who work on the shop floor — the eight-to-five workers — and I hear their views. And I say that Ulster is a ticking time bomb. There is fear in the community and great apprehension among Unionists, who are worried about what is going to happen. Are the British Government going to lance the Unionist and Orange boil? Are they going to take the Orangemen on? How are we going to face it? These are the worries of the community today.

I say to the British Government and to the self-righteous Opposition parties, so full of importance, who represent nobody but themselves, and one of which has only one councillor in the whole of Northern Ireland, but who lecture us week after week, that they should think before it is too late about what will happen in Northern Ireland if the situation goes wrong. If Mo Mowlam takes the wrong decision how will the Unionist people will react, and how will Sinn Féin/IRA react? We know how they are going to react; we know what is in their mind. But law-abiding, decent people may feel that they are being pushed too far — a road too far, and more than they can bear.

What would our forefathers have done if they had been faced with the same situation? Are we any less men of Ulster than our forefathers were? I think not. The Unionist people will stand up for their birth-right, because if they do not march this year they will never march again. They might as well put their collarettes in the bin and go home because they would mean nothing. That is the intent of the Women's Coalition, Labour, Alliance, Gerry Adams and the whole Republican crew — to destroy us, to do us down.

There may be those who bow their heads and say that that is terrible. But it is what is in the heart of the Ulster Protestant, what is in the heart of the ordinary man and woman in the street today. They are worrying about what is going to happen to Ulster and how people are going to react if the parades are banned.

**Ms Sagar:** Will the Member give way?

**Mr McKee:** I will not. *[Interruption]*

**The Chairman:** He is not giving way.



12.45 pm

**Mr McKee:** I give notice that if the parades are banned and we are called upon to take our stand, I will certainly be on the streets to take my stand for Ulster, and to take my stand for the right to march along the streets. Law-breakers on the Republican side are getting everything because they are prepared to back their position. I am not saying that we should break the law, but I am prepared to say that we will take a stand for what is right and for what is ours.

**Mr Cedric Wilson:** May I thank all of those Members of the Forum who made a contribution this morning. Many of the contributions have helped to highlight the significance of this report. I do not want to keep people from their lunch, but it is important to nail one lie which has been told over and over again this morning: that in some way the Committee refused to take evidence from any group in Northern Ireland. That is absolutely untrue. There was a six-month opportunity, from the commencement of this process, for groups to submit their evidence. Every residents' group was contacted on, I think, two occasions — at least once — and asked for a submission. No attempt was made to prevent anyone from making a submission to the Forum or to the Committee. Those are the facts, in spite of all of the rhetoric we have heard this morning. One group said that it would not make a submission unless it was able to give an oral submission on the very last day that the Committee could meet. That is the fact — a piece of deliberate coat-trailing.

I will not dwell on that because it is important at this crucial time in Northern Ireland — with the province teetering on the brink of possible violence in the weeks ahead — that we look at the parades issue and try, in some way, to put it into perspective. In Northern Ireland during 1996 only 1% of all the parades which took place were the subject of a dispute or problem. What people fear in Northern Ireland today — and this is a result of what was referred to earlier as weak government that has let protesters and their protests be elevated to a position of prominence — is multiplication, over the next few weeks and months, of the number of contentious parades and protests. This does not need to happen.

The point I want to put across is that in the course of taking evidence from a wide range of people we benefited — I said earlier that I personally benefited, and I know that most of the members of the Committee feel similarly — from going out and meeting people on the ground and from having people come to us and give evidence.

We met people from the Loyal institutions who in any community would be considered to be pillars of society — solid men who, in spite of the abuse that they have taken, had no bitterness. Rather, they had great sadness that because of IRA/Sinn Féin's engineering and work, to which I referred earlier, neighbour has been set against neighbour, and shopkeeper or customer against shopkeeper. That issue was dealt with in the review of boycotting that we presented to the Forum some months ago.

The people are sad because — to quote Dr Marie Fitzduff of the Community Relations Council — relations between the two communities are "at an all-time low." And this is a result of weak government, the introduction of the Public Order Order in 1987 and



the scourge of terrorism. This has been engineered by IRA/Sinn Fein as a second front, and it is part and parcel of, a continuation of, the armed struggle.

Speaking to people around the province, we heard many tales of how the community had broken down and how the spirit of the people had been broken to some extent. I was told by a member of one of the flute band associations with whom I had a personal conversation about how he remembered his father taking him on his first outing with the band, and how his father did not have an extra drum for his son. But they were lent a drum by the Irish Nationalist Foresters band so that he could drum alongside his father. So his father walked to the field with a drum which had a green, white and gold band around it.

There are other stories in places like Kilmooney, where people tell of how the local band marched down the street. The drummer, in his enthusiasm, took the side out of the drum, but members of St Patrick's band were standing at the bottom of the street with a new skin. There was friendly rivalry between the bands in those days. People respected each other and each other's traditions — cultural, religious or otherwise. I trust that we can get back to that situation; but it will happen only if the Government tackle the scourge of terrorism. Only when the cancer of terrorism in our midst has been removed can the healing process commence.

Mr Chairman, I hope that when you come to look at our report and consider whether you, as Chairman, can endorse the view of the Forum — should it adopt the report — you will base your reflections purely upon the recommendations, because that is what we are here to consider this morning. We were asked to make recommendations to the Forum, and I suggest that there is absolutely nothing in the recommendations that should present you as Chairman with any difficulty.

Mr Casey said that the report was one-sided and represented the Unionist viewpoint only. Nothing in the recommendations of the Committee that applies to the Unionist, Loyalist and Protestant community would not apply, and should not apply, to the Nationalist and Roman Catholic community. Paragraph 5.12 is the cornerstone upon which the report is built:

"The Committee concludes that, as is the case in a democratic society, the fundamental right of freedom of assembly and procession must be upheld."

That is not partisan. That is not a right that I want for the Loyal Institutions but not for the Nationalist community. There is nothing in this report that should cause any Member, including yourself, Mr Chairman, any difficulty in endorsing it. It is for that endorsement that I ask.

*Question put.*

*The Forum divided: Ayes 44 (86%); Noes 7.*

*Ayes: Antony Alcock, May Beattie, Robert Bolton, David Browne, Cecil Calvert, David Campbell, Gregory Campbell, Mervyn Carrick, James Clarke, Wilson Clyde, Robert Coulter, Ivan Davis, Nigel Dodds, Reg Empey,*



*Sam Foster, Sam Gardiner, Joseph Gaston, Derek Hussey, John Junkin, Trevor Kirkland, St Clair McAlister, Robert McCartney, William McCrea, Alan McFarland, Jack McKee, Maurice Morrow, Dermot Nesbitt, Ian R K Paisley, Ian Paisley Jnr, Joan Parkes, Cecil Poots, Peter Robinson, Thomas Robinson, James Shannon, Eric Smyth, Hugh Smyth, James Speers, May Steele, Des Stewart, John Taylor, Peter Weir, John White, Robert John White, Cedric Wilson.*

*Noes: Eileen Bell, Hugh Casey, Kieran McCarthy, Monica McWilliams, Oliver Napier, Sean Neeson, Pearl Sagar.*

*Question accordingly agreed to.*

*Resolved:*

That the Forum adopts the report on the review of the parades issue in Northern Ireland prepared by Standing Committee A (Public Order Issues).

**The Chairman:** I would like a break of five minutes because I really want to think about this.

*The meeting was suspended at 1.03 pm and resumed at 1.08 pm.*

**The Chairman:** Before I address the Rule 13(1) issue, I would like to put on record my thanks to the Standing Committee for the work that it put into this report. I was impressed by the volume of it — particularly Volume II. It was well worth reading — an education to many people, including myself, on the views of the disparate group of people to whom the Committee managed to speak. It heard the views of people like Dr Fitzduff, Messrs Jarman and Bryan of The Centre for the Study of Conflict, University of Ulster, and Archbishop Brady, among others.

I was very impressed also by the contribution to the Committee's work by representatives of all parties in the Forum — acknowledging, sadly, that after the bulk of the evidence had been received, certain parties resigned their Committee seats.

In registering my opinion, as required by Rule 13(1), may I initially point out to Members that the motion on which we have just voted uses the word "adopt". That word does not mean to note; it means to choose and to follow a plan or technique, or to take over an idea as if it were one's own. Members will all be aware that for an affirmative decision on a motion of this nature, two hurdles must be crossed. The first is that not less than 66% must vote for the motion; the second is that I, as Forum Chairman, must record my opinion that such an affirmative decision may reasonably be deemed to command support across the various traditions in Northern Ireland. We have got over the first hurdle, and I must now apply my mind to the second.



Since the Rules of Procedure of the Forum were agreed by the Secretary of State, I have on three occasions, following a vote of at least 66% in favour, negatived a motion on Rule 13(1). On each occasion it has been a difficult decision for me to make, particularly in the absence of the SDLP, which has chosen not to join us. However, I did give the Forum my undertaking that in applying this Rule I would act even-handedly.

With regard to this particular motion, I am further disadvantaged because the representatives of three parties — Alliance, Labour and the Women's Coalition — resigned from the Committee in late February, thus depriving the Committee of their input into the report that we are considering. I therefore listened with great care to the debate today. In doing so, I have paid particular attention to the comments of all those who have contributed. This is an issue which is contentious and divisive, and we are dealing with it in a week that has seen the dastardly murder of two policemen, at a time when the atmosphere across the province is tense and is tinged with a degree of hopelessness with regard to the immediate future.

Whatever conclusion I reach, there will be those who disagree. In reaching my decision I have carefully read the report, noted its content and followed today's debate closely. I have also borne in mind that to be persuaded to give a positive decision I have to assure that the Committee, to the best of its ability, attempted to produce a report which was as balanced and as objective as possible from the perspective of both the Loyal Orders and the Nationalist community.

How am I to assess that an affirmative decision might reasonably be deemed to command support across the traditions of Northern Ireland? As a member of the Catholic and Unionist tradition myself, I have to avoid bias. Deprived of a constitutional Nationalist Forum viewpoint, I must consider public utterances by people in the Catholic community who are esteemed widely, not least by me. Sinn Fein/ IRA statements I shall exclude, for reasons which I shall develop.

What is the public view of the SDLP? Eamonn O'Neill, who leads the SDLP group in Down Council — my council — said this week, in reply to Sinn Fein Cllr Frank McDowell, that Sinn Fein's efforts to raise tensions and stir up animosities were dangerous and irresponsible. His comments about the Orange parade were provocative in an area — Newcastle — well known for good community relations. Council facilities were for the use of all, including the Orange. The SDLP would ensure that no group of citizens was or would feel discriminated against. Mr O'Neill went on to say

"The SDLP has always viewed the Orange Order as a sectarian, political organization which has exercised great and undue power and influence in support of Protestant and Unionist dominance in the affairs of the land. That is no secret. We do, however, recognize that the Orange Order is viewed by the greater majority of the Protestant and Unionist section of the Irish population as a traditional part of their heritage and culture. In addition, we recognize their right to march and demonstrate, provided this does not infringe on the civil or religious rights of other communities."

Writing in the press two days ago, Dr Maurice Hayes said

"The SDLP will now wish to reassess their own commitment to peace and to distance themselves from Sinn Fein. Whatever chance there was of Orangemen talking to residents' groups containing Sinn Fein activists



— slight at the best of times — is now gone for good. The tragedy of this is that when talking is more necessary than ever, communication has been made impossible. It will be a triumph of leadership, perhaps even a miracle, if the combined efforts of politicians, political parties, churches, businesses, trade union and community leaders can keep the ship on an even keel without serious disaster over the next weeks.”

Dr Conor Cruise O’Brien, a Forum Member, writes about the murders, quoting the Chief Constable:

“These can only further inflame our already tense and volatile situation and are designed to do just that.”

Speaking of the strain on the CLMC, he says

“The IRA is hoping to goad Loyalist gangs into new atrocities against Catholics. In that case the IRA would emerge once more in their role of predilection — that of defenders of the Catholic people against Loyalist aggression — while the security forces would be drawn into collision with the Protestant masses, in the hope of causing a British withdrawal.”

Hugh Casey, our own Member, speaking to the Parades Committee — Members will have read this — said

“I am very pleased to be here as a member of the Catholic Community. I am listening keenly to everything you are saying. I agree that these situations are being manipulated by Sinn Féin and the Republican movement. We have the same thing in Portadown. We have it in the Bogside. We have it all over.”

So, despite certain misgivings, I am sufficiently persuaded of the Committee’s honest attempt to produce a balanced and objective report. I therefore give an affirmative answer in discharge of my responsibility under Rule 13(1).

Speaking personally — not as Forum Chairman — I must say that I was most impressed by ‘the Irish News’ and the Belfast ‘News Letter’ in their recommendation of dialogue using modern communication techniques. Let me give an example. I have had discussions — it is quite common nowadays — with people in London, including the last Secretary of State himself. The advantage was that the discussions involved a limited number of people, took place on neutral territory and could be developed, face to face, with no media in attendance. I simply put this out as a suggestion, that it might be considered by those who, I know, feel inhibited about talking to groups of residents or residents’ representatives. It is not too late to try this or anything else.

*The meeting was suspended at 1.18 pm and resumed at 2.20 pm (Mr H Smyth in the Chair)*



## SEXUAL HARASSMENT

**Ms McWilliams:** I beg to move the following motion:

The Northern Ireland Forum for Political Dialogue agrees: that sexual harassment is unwanted conduct of a sexual nature, or other conduct based on sex affecting the dignity of women and men; that the Forum is committed to challenging and eliminating sexual harassment in politics and at all meetings and functions of the Forum; and that the Forum should adopt a code of practice as part of this commitment.

This motion is very important, and I am glad to see that a number of Members have turned up for the debate. Although we are not accepting the DUP amendment, we agree with its sentiments. We do not wish to accept it because it is far too general. It deplores sexual harassment wherever it happens, whereas our motion refers specifically to the political arena. That is the one we are involved in, and it is the one to which we should be addressing ourselves.

Sexual harassment in the workplace is a very serious problem in Northern Ireland. A number of definitions based on experience and on domestic and European case law have been developed over the years. The one that we present to the Forum is a good working definition:

“unwanted conduct of a sexual nature or other conduct based on sex affecting the dignity of women and men at work.”

We believe that the Forum — our place of work on a Friday — should adopt such a definition and strive to establish a code of practice which would provide a real strategy for challenging sexual harassment in the workplace. We recognize that there may be a lack of awareness about what precisely constitutes sexual harassment and what the key issues are. I shall illustrate some of them here, but the list is not exhaustive.

First, of course, there is physical conduct of a sexual nature. Secondly, and more likely to occur, is verbal conduct of a sexual nature. This may include unwelcome sexual advances, propositions or pressure; continued suggestions for social activity outside the workplace which are unwelcome; questioning about or bantering about aspects of a person's private life; and offensive flirtations, suggestive remarks, innuendoes or lewd comments. People often do not make these comments in any conscious fashion; it is only when they are pulled up and they go away and think about them that they realize how offensive the remarks can be to a member of the opposite sex.

One of the problems with abuse of any kind — be it sexual harassment or verbal or physical abuse of a sexual nature — is that too often the offender minimizes or rationalizes his actions, or denies that he has done anything wrong in the first place. It is a step forward when an individual takes responsibility for his actions, but often we have to go through a long, arduous process, with a person saying that he did this because someone else did that, or denying that he did anything at all. The offender may minimize it: “I was only joking; I did not mean it. Can you not take a bit of fun?” He has no idea of how offensive it can be to the person on the receiving end.

There can also be non-verbal conduct of a sexual nature, including the display of pornographic or sexually suggestive pictures, objects or written materials, and although one



might not find it offensive, it is now agreed that making gestures or whistling or leering constitutes sexual harassment. It is unpleasant for a person of the opposite sex to be in that sort of environment.

In addition, there is sex-based conduct that denigrates or ridicules in an intimidatory or physically abusive fashion, and it may take the form of derogatory or degrading abuse or insults, about the appearance or dress of a member of the opposite sex.

The essential characteristic of sexual harassment is that it is unwanted by the recipient. It is for each individual to determine what behaviour he considers acceptable and what he regards as offensive, and that is often where the problem lies. Sexual attention becomes sexual harassment if it is persisted with once it has been made clear that it is regarded as offensive by the recipient. Only one incident, however, may constitute sexual harassment if it is sufficiently serious. But the important point is that it is the unwanted nature of the conduct which distinguishes sexual harassment from friendly behaviour. The European Commission's recommendation further specifies that sexual harassment is unacceptable where such conduct is

"unwanted, unreasonable and offensive to the recipient",

and it is that particular recommendation that we would like the Forum to endorse.

We also commend the Equal Opportunities Commission's document 'Sexual Harassment at Work', which contains guidance on the prevention of, and procedures for dealing with, the problem. Sexual harassment pollutes the working environment. It can have a devastating effect upon the health, confidence and morale of those affected by it. This has resonance in the workplace. When the workplace is political — there are women in Parliament (and this is the first time I have uttered the word "women") — even though women are under-represented in that arena, it is important that space and the opportunity to participate, on the basis of the principle of equality, be given. Included in that is the right to be free from sexual harassment. So, although we agree with the sentiments of the DUP's amendment, we believe that it is our motion that should be upheld because it specifically addresses the political arena.

**Mr Peter Robinson:** I beg to move the following amendment: Leave out all the words after "Dialogue" and add

"deprecates sexual harassment in all its forms, and believes that it should be challenged and opposed in every sphere of life."

May I, first of all, agree that this is a subject of significance and importance. Anybody, at whatever level in life — including myself as a constituency representative — who has actually spoken to people who have been affected by sexual harassment at their place of work will know just what impact it can have on a person's life not just in the workplace itself but outside as well. It is a subject that deserves more than macho giggling or girlie sniggers; it is a serious subject and must be treated as such by the Forum.



It is for precisely the reasons that the Northern Ireland Women's Coalition prefer their original motion that I am against it, and the reasons they are against my amendment are the reasons that I advance in favour of it. This is the Forum for Political Dialogue for the people of Northern Ireland; it is not for us to look after ourselves alone. It is not simply a case of saying "Look, we are in a political Forum, therefore we have to look after ourselves." Our responsibility goes beyond this Chamber to the people of Northern Ireland. It is the interests of the people of Northern Ireland that are foremost in the minds, or should be foremost in the minds, of those who are representing the electorate here. For that reason our amendment is not limited. But it is very specific. Also, it does not simply deplore sexual harassment but indicates that there is a need to challenge and oppose it.

I recognize that the definition contained in the motion of the Women's Coalition is a fairly standard one — standard in that it comes from the European Commission. I do not like it, however, and I do not find it to be very clear. There has been great difficulty, over a very long period, in getting a clear definition of sexual harassment. We all have our own views about what sexual harassment is. I have difficulty, for instance, in finding any legal terminology that can be used to take into account the kind of comments made by Ms McWilliams. At what stage in any court of law could you determine that somebody was leering, if leering were to become an offence?

We have to be careful and fairly specific if we are going to set down definitions. It is not normal to have a definition in any political resolution — that would be abnormal — but if you are going to have a definition, it is necessary to have one that is very clear and precise. It was for that reason that we left the definition out. We all know what constitutes sexual harassment, but it is very hard to put it into words. There would be no disagreement on our part over the first element of the definition. It is the other element — the

"or other conduct based on sex affecting the dignity of women and men"

part — that is the problem.

If I stand up on a bus to give a lady a seat, that is "conduct based on sex" — because of her gender I am giving her a seat — "affecting the dignity of women". It enhances her dignity, I would argue: this definition does not indicate whether it affects for good or for ill. So we have to be very careful with definitions. We all know what we are talking about, but this definition, like so many others I have seen, does not really get to the heart of the issue.

The second aspect of the Women's Coalition motion is that it limits itself to sexual harassment in the political arena. I have indicated that our amendment is all-embracing, but the Women's Coalition say that there is a responsibility to challenge and eliminate sexual harassment in politics. Then they use the specific phrase

"and at meetings and functions of the Forum".

To suggest that you are going to challenge and eliminate sexual harassment at meetings and functions of the Forum is to say that sexual harassment has taken place at meetings or functions of the Forum. If it has — and I have no evidence that it has (indeed, recently we asked the Chairman about this, and he has had no case brought to him) — and if the



Women's Coalition are aware of it, they have failed to comply with the terms of their own motion, because they did not challenge it. They did not challenge it in the ways that are open for them.

2.30 pm

And what are the ways? There is much more of a safeguard against sexual harassment in the political arena than anywhere else. The bar of public opinion is the ultimate sanction for any political representative who engages in sexual harassment.

They asked for a code of conduct. I do not believe that in this area a code of conduct needs to be introduced. It is already there. The code is clear in the Forum: if any Member has a complaint, he or she has a number of different options, depending on the severity of the offence. Perhaps in the case of an inadvertent comment which it is believed falls within this category, the first step would be to go to the person, explain to the person the effect of that comment and try to bring about a change of attitude. If that does not work, the Member can go to the Leader of the individual's political party or group. I am pretty sure that any political Leader who has any sense at all would ensure that his Members did not infringe this code. If that does not produce the necessary results, we have a Business Committee and a Chairman with whom the matter can be taken up. And if that still does not produce the goods, the Forum is the place where people can raise the issue to challenge and to oppose sexual harassment. So, by comparison with any other area of life, or any other working place, there is less likelihood of this kind of behaviour occurring here, where there are more opportunities to ensure that anybody who is affected can get redress.

As a constituency representative I find that the number of cases to do with sexual harassment has significantly increased over the years. I cannot recall any case having come during my first five or 10 years as a public representative, but within the last several years several cases — I will not say a multiplicity — have come to my attention. Invariably, the person who brings a case is a woman. I have no doubt that there are cases where men find themselves being sexually harassed. I do not know of them, but undoubtedly it can happen.

**Mr Empey:** With regard to the last point, may I inform the Member that, as one who serves on a body which supervises a very large public organization, I know that there is a growing number of sexual harassment cases. A number of the cases before us at the moment have been brought by men.

**Mr Peter Robinson:** I do not doubt that, but I think that, overwhelmingly, it is women who are the victims in these circumstances.

The last case, which came to my attention a matter of weeks ago, concerned a lady who had been sexually harassed in the most vile physical way at her place of work. She naturally went to her employers and to the Equal Opportunities Commission. Ultimately, she won her case and the person was moved to another department — the use of that word may indicate the nature of her job. Unfortunately, even though she was moved to another department, she could not put the problem behind her. All his friends, who made up the overwhelming majority in the department, sent her to Coventry, and she found herself to be almost on her own. There is a need for greater education about the effects sexual harassment



can have, not only within the working environment, but upon the health of an individual as well.

I close by saying that this is a subject of importance which each of us believes has to be dealt with. It has to be dealt with for the community as a whole, though I say to the Women's Coalition that if it were felt that the Business Committee should be giving guidelines of the kind that I have suggested about the steps that any Member, or indeed any member of staff, who found himself or herself in this position could take, I would certainly not oppose that. Indeed, I would support it. That might be helpful for our own working environment. But our responsibility is to the electorate as a whole, and as responsible elected representatives we want to put down a very clear marker that we are committed to a course, not simply of opposing sexual harassment, but, at every opportunity, of challenging sexual harassment.

**Mrs Steele:** May I congratulate the Women's Coalition on their energy and their contribution to the Forum since its inception. I just regret that they have found it necessary to bring this motion forward today.

I agree with a lot of what Mr Robinson has said. We can all agree that a comfortable working environment for both men and women is the ideal for good relationships and working practices, whether in business, commerce or on the shop-floor, which, in turn, can lead to good work production which is to the benefit of the economy and us all. We must educate everyone, particularly the young people coming into work fresh from school or university, towards that end.

I have no disagreement with the Women's Coalition on their definition of sexual harassment as

"unwanted conduct of a sexual nature",

and no one could dispute that this is a very real and serious problem for anyone who experiences it. But may I ask everyone to consider the difference between perception and reality, especially as it affects political life and the Forum in particular.

I worked for 35 years for a public body, rising to senior management in a predominantly male work-force. I have been an active member of the Ulster Unionist Party since 1959, holding many different posts over those years, and I am at present assistant treasurer of the party at Glengall Street. You will no doubt notice that I am the only woman in the 30-strong Ulster Unionist Forum group, though we have many women councillors.

In both these areas of my life I have not experienced any explicit harassment — plenty of good-natured banter, but I can give as good as I get. I have always considered myself a person at work in the party, not as a woman working for women's issues. I have been prepared to tackle any job or function over the years — with one exception: I refuse to climb poles at election time to put up posters. I very much disagree with women getting preferential treatment because they are women. We have laws and the Equal Opportunities Commission for anyone to get redress who has had a serious experience of sexual or any



other kind of harassment. I ask the Women's Coalition not to get this out of proportion, perceiving harassment where none is intended.

I also believe that in the Forum there is no need for a code of practice as called for by the Women's Coalition in the motion. Indeed, it could set some very dangerous precedents for us all. We could get ourselves over strict and hidebound by politically-correct restrictions which can smother individuality and free expression. Any party which allows a Member to indulge in unwanted and harassing practices must take action against that Member. I ask all Members to treat others with respect. Let us allow free speech, and let the ladies take the banter as part of the hurly-burly of political life. Let them grow a thick skin and give us all a smile. Let us rejoice in our individuality and differences and bring a little fun into the daily grind. Where would we all be if we had not experienced some romance throughout our lives? Let us think of that and get on and work together to get our beloved Northern Ireland out of the danger we are facing.

I support the DUP amendment as a sensible approach to this problem.

**Ms Bell:** I agree in part with the sentiment and the content of the Northern Ireland Women's Coalition motion, and I agree completely with its seriousness. But I am supporting the DUP amendment because of a number of remarks that Mr Robinson made and also because the Alliance Party feels that an additional code of practice is not necessary for this body.

The Forum should deprecate the sexual harassment of all human beings, men and women, young and old, whether obvious or oblique — it should be challenged and opposed everywhere and every time it occurs. Furthermore, it should at all times be treated seriously, regardless of how insignificant it appears to others. It should be recognized not only as a momentary embarrassment, but as an assault on a person's dignity as a human being, and that should always be unacceptable to any extent in any society.

As modern society appears to be more and more uncaring and hurtful and, quite frankly, human life and the human condition appear to be more downgraded and undermined, it is even more important that we should always attempt to appreciate the dignity and the rights of all individuals. It must be recognized that what appears to some to be light-hearted banter or making fun of people in a sexual way can be offensive and downgrading to others. Many times it really amounts to an action or a word by people who feel that by speaking that word or doing that action they score over or belittle others to their own advantage. Quite often it is women who are the intended victims — not always, as Mr Empey has already said — because, wrong though it is, it is tradition that men are allowed to make light-hearted but degrading remarks about feminine attributes or physical characteristics, or, worse still, to make physical overtures. If they are rebuffed or denied, their targets are derided as being overly sensitive or bad sports.

However, I am also a realist, and I am a woman as well — in case anyone had not realized — and I know that if women are to take their place in all spheres of society as they have a right to do, they will, unfortunately, have to expect, to a certain extent, to deal with sexual harassment because men will always be boys. I hope that the day will come that some men will not find it necessary to display their manliness by undermining someone of the



opposite sex. We should all be regarded and respected not because we are men and women, but because of what we believe, how we act, what we say and how we treat and deal with each other.

We in the Forum and elsewhere should be able to expect — though it may not happen overnight — not to be treated differently just because we are women, for instance, more sensitively. But neither should men look at women in politics or in business as people who can be treated in a second-class manner; men do not have an in-built right to make remarks or act in a manner which bears no relevance to debate or issues simply because they think that women, no matter how talented or experienced, are fair game for such behaviour.

On a personal note, like Mrs Steele, in 20 years of public and professional life, I have only rarely been treated in this way, and I am firmly convinced that this has happened because I have made it quite clear by my behaviour and comments that I consider it my right to participate, speak and work, whether it be as a colleague, superior officer or in other situations, with men. I have to say that that has been accepted by the men with whom I have worked and dealt in those areas.

Perhaps if we all had more confidence in and less fear of each other, men and women could work together in all fields. It is not a race to determine who is the better; it is simply a recognition of each other's dignity. We can get the benefit of the diverse perspectives and varied backgrounds that make up modern, public, professional and political life for the good of all in our society. As Mr Robinson said, we are all representatives and we should all be looking to make sure that society is equitable for everyone.

2.45 pm

If this debate is carried out in a constructive and frank manner — and I am pleased at the serious way in which it has been conducted — that will establish and outline any necessary codes of practice. We do not need a stratified code of practice — our Rules cover this. If there are occasions when people feel that sexual harassment is not being treated seriously — to quote Mr Peter Robinson again — these can be looked at. There are Rules and consideration can be given under them.

I will be supporting the DUP amendment.

**Mrs Parkes:** I wish to support the amendment.

Sexual harassment in any environment is a serious matter and very degrading, and it causes untold misery and suffering to the victim. It has far-reaching consequences for the individual. Quite apart from the awful effect that it has in the home, in the workplace, with friends, and so on, it can cause many men and women emotional distress, which not only affects their working life but goes deep into family and social life.

Each one of us is entitled to a working environment free from harassment in any form, whether religious, racial, or sexual. I support the amendment because it condemns sexual harassment in every sphere of life; it does not limit its scope unlike the Women's Coalition motion, which singles out the Northern Ireland Forum for criticism. This is a terrible slur on



the Forum, and unless names, dates and evidence can be produced to substantiate the claims that the motion appears to imply, it must be refuted.

We have all read in the papers or seen on television the terrible distress which sexual harassment can cause. People have suffered greatly, and we cannot really imagine what it must be like for a person — particularly, perhaps, one who lives on his or her own — to come to terms with the aftermath of such an event.

People are left with psychological scars which remain with them for the rest of their lives, and this awful event is continually reenacted in their minds causing even more misery, suffering and fear, which, sometimes, they can never get rid of. It is vitally important that this matter is handled with extreme sensitivity so that women and men who have been sexually harassed, and are under constant stress, are encouraged to bring forward their genuine claims so that their cases may be fully investigated with all the understanding and consideration that is required.

I would also like to see much stiffer penalties imposed on those who engage in sexual harassment and compensation commensurate with the level of suffering inflicted. This would send the right signal to those people who have suffered and are suffering and would encourage them to speak out, in the knowledge that they would have the full backing of the statutory authorities in dealing with this disgusting ordeal.

Unless strong, resolute action is taken to grasp the nettle of sexual harassment and all other forms of harassment by providing more resources, better education and improved awareness training, this degrading behaviour will, unfortunately, continue to occur.

**Mr Foster:** “Whatever you say, say nothing” should be today’s slogan.

I support the DUP amendment although I believe that there is no need for this motion at all. It seems to me that this is a plea to go easy on the female party in the Forum. I notice that they call themselves women. That is an admission. Is the Women’s Coalition a sexist party? Can a male join, or is it exclusively for women? If that is the case, what it is saying today, and has said many times in the past, is surely a contradiction in terms.

With the greatest respect, I contend that, whether male or female, we must always be able to take the rough with the smooth, so long as it does not insult personally. This motion is unnecessary. It may be a means of seeking preferential and sympathetic treatment, and I have a fear these days of a gender war. Women want to be in the hurly-burly of the wider world — and rightly so — yet they cannot withstand that hurly-burly when the going gets tough. Despite that, the age of chivalry has not yet passed.

I contend that a lady should not be a slave or feel inferior to any man — indeed, the reverse. But equality for females is fine until it comes to the real slog in life, when the male is expected to become the knight in shining armour.

I am sure that Members have heard the story of the lady who got onto a crowded bus one day, and there were no vacant seats. A male eventually offered her a seat, and she



fainted. When she came to her senses again she thanked him, and he fainted. It is that sort of world these days.

Sigmund Freud said

"Despite my 30 years of research into the feminine soul I have not yet been able to answer the great question that has never been answered: what does a woman want?"

Someone else said

"No man is as anti-feminist as a really feminine woman."

And Brigitte Bardot said

"Women get more unhappy the more they try to liberate themselves."

Does this motion seek equality or supremacy, or is it a sign of an inferiority complex? I contend that nobody should feel inferior.

I have the greatest respect for the gentler sex; we all need each other very much. Maybe I am old-fashioned, but I believe that there is no real warmth in a home without a good wife and a good mother, without a good husband and a good father. But I am saddened by the continual expectation of many women who seek "liberation", whatever that really means. The female is another human, who can never become a man. The reverse cannot happen either.

Let the ladies get on with what they do and what they seek to do. Let them prove themselves in society — prove how able they really are — but not go on pleading "Look what I have done." If they just go ahead and do it, they will be truly respected and admired. They will be acknowledged and appreciated far more than if they continue with all these protestations about suggested unequal treatment.

It is true — nobody can deny it — that women start with a disadvantage, but that is beyond the power of mere mortals. It was the Almighty who created man and then created woman. Who are we, and who are women, to challenge the authority of our Lord and Maker?

Pope Pious XI said

"Woman apparently is doing everything possible to destroy herself, those very qualifications which render her beautiful — namely, modesty, purity and chastity. It is a blindness which can only be explained by the fascination of that vanity about which the Scriptures speak with such severity."

I agree with such sentiments. I ask the ladies not to spoil the lovely femininity with which they are endowed. Ability, sincerity and personality — not quotas — will come through anywhere.

I support the amendment.



**Ms Sagar:** On a point of order, Mr Chairman. I would like it to be noted that the Women's Coalition is still awake, unlike Mr Speers of the Ulster Unionist Party.

**The Deputy Chairperson:** I am not quite sure how that is a point of order.

**Mr Speers:** Will the Member clarify the point she was making?

**The Deputy Chairperson:** She was indicating that you were, perhaps, sleeping.

**Mr Speers:** I was not sleeping.

**The Deputy Chairperson:** He was only resting his eyes.

**Mr Hunter:** This is the Forum for Political Dialogue, and it is sad that it is this type of motion that has been brought forward by the Northern Ireland Women's Coalition. Perhaps it indicates the somewhat puerile nature of political thought that, at a time when people are being murdered in our country and we face major political conflict, they see fit to bring such a motion forward. It brings to mind the idea of fiddling while Rome burns, but I suppose that is just the sort of thing we have come to expect from a group like the Women's Coalition. They have to justify their existence so they submit such a childish motion.

I support the DUP amendment. All Members should deprecate sexual harassment in all its forms and believe that it should be challenged and opposed in every sphere of life, but the major problem from the point of view of the wording of the Women's Coalition motion is — and perhaps this is what really gets to them — that people heckle them from time to time. I know that they sit near Mr McCartney who occasionally shoots across the odd barbed comment, but in the big, bad world of politics people have to be prepared to take the odd brickbat and insult thrown across the Chamber.

The Women's Coalition will never get elected to Westminster, but if its members are ever in London for a day trip or a long weekend they should have a look at Westminster.

**Mr Speers:** That comment is relevant to the Women's Coalition. If any of them had been a Member of Parliament, either at Stormont or Westminster, she would have known where the speakers are and that you can hear best when you lean back in the seat. There are no speakers here, but I could hear every word that the Ladies in question were saying.

**Mr Hunter:** I thank the Member for his very valuable contribution. I assure him that I am very interested in microphones. In fact, there are microphones all round me. There are two to my left and two to my right and there are none where I am now, but I hope that everyone can hear me without difficulty.

For the first time we have heard Ms Sagar engaging in political brickbats and banter. If we were to pass her motion we would have to throw her out for that sort of insulting behaviour towards Mr Speers. You cannot have your cake and eat it, but that appears to be what the Women's Coalition wants at the moment. Are there not more serious issues facing Northern Ireland than this type of nonsense? That is a question that has to be answered. It is worrying, in a way. How on earth can the Women's Coalition take itself seriously if it brings



forward motions like this at a time when there are many more serious issues to be dealt with? It talks about sexual harassment in politics — what about the problems in politics in Northern Ireland? We have few enough people — let alone women — taking an active part in politics. That is one of the major problems; there are not enough people taking an interest. Look at our last local government and Westminster elections. Look at the very poor turn out in the east of our state. That is much more important to look at, rather than looking at —

**A Member:** Women are not coming out.

**Mr Hunter:** Yes. Women are not coming out. How could any women who is interested in taking herself and politics seriously go into politics if she saw the Forum considering passing such a motion.

It is rather sad when you see what the Loony Left has done in parts of England and in local government, and some of the ideas of the Women's Coalition, in terms of political correctness. It is a sad day for politics in this country and, indeed, for the Forum when a group brings forward such a puerile motion — a motion that is entirely unnecessary and does not, in any way, advance the political process. One gets a feeling that the Women's Coalition is, in some way, afraid of political debate, and that is to be regretted very much.

I support the amendment.

**Mr Alcock:** I believe that, to a large extent, the reason the Northern Ireland Women's Coalition felt it necessary to propose the motion that it has reflects the history of the Forum to date. We should remember that the idea of having a Forum at all was not welcomed by many political parties, and consistent efforts were made to rubbish its activities and demean its standing. For its part, the Women's Coalition stated at the outset that it did not want to get involved in constitutional issues but rather to concentrate on economic and social ones. However, right from the beginning, the Forum was involved in a constitutional-type debate — the debate on the flag. It was perhaps unfortunate, therefore, that the Women's Coalition got involved in the argument and offended many Unionists by seeming to side with the SDLP. But that was yet another of the disastrous consequences of the SDLP's withdrawal from the Forum. Along with the abstention of Sinn Féin the SDLP's withdrawal meant that some of the smaller parties were left almost with the onus, the responsibility, to speak up for the Nationalist community.

I am sure I speak for most Members of my party, and the DUP, when I say that the Women's Coalition seemed at times to take upon themselves deliberately the role of spokespersons for that Committee.

3.00 pm

**Ms McWilliams:** On a point of order. Is this debate on the motion that is in front of Mr Alcock at the moment or is it on the agenda of the Women's Coalition?

**Mr Alcock:** I will continue to explain how this becomes relevant.



**The Deputy Chairperson:** Maybe you should. You are beginning to drift a little. You are drifting as far as Jim Speers was half an hour ago.

**Mr Alcock:** I have never once, in the 33 out of 35 sessions that I have attended the Forum, heard one word of sympathy for the Unionist position from the Women's Coalition. Members of the Women's Coalition may be quite right to feel that their dignity as women, as human-beings, has been attained and demeaned, particularly by catcalls and verbal abuse — actions which I deplore, but which I ascribe to the exasperation and disappointment felt at the contempt for Unionism which they have continually displayed. I ask the Coalition to reflect on the part that they may have played in the development of a situation which they are quite right to deplore.

**Ms McWilliams:** In summing up, I will start with Mr Robinson's comments about what constitutes sexual harassment. We feel that there is guidance, there are definitions, and that those will, indeed, change from time to time. It is probably worth remembering that on Monday the Government introduced a piece of legislation — and for the first time introduced it into Northern Ireland on the same day as in the rest of the United Kingdom — under the anti-harassment Act. Stalking was probably not covered by legislation this time last year, but because of such incidents — mainly to do with celebrities and members of the Royal family, but also to do with women and their families — a piece of legislation is now in place that refers to a course of conduct. We have come from the realm of the impossible to the realm of the possible, and it actually gives guidance. There is legislation, and alongside that there are definitions, and it is the same with sexual harassment. Mr Robinson says "it is less likely" to happen in this arena or in the political arena. I ask Mr Robinson to produce empirical evidence for that. Indeed, it may be his impression that this is the case, but as someone who acts on facts, I would like to see the evidence for those words "less likely". People in business, members of the churches, members of community and voluntary organizations always start from the point of view that it is "less likely to happen where I work," so we need to put our own House in order.

If Mr Robinson is suggesting that we be an example — and indeed we do work for the benefit of the whole community — what is wrong with becoming a model of good practice? He also asked us, as did some others, to name incidents. We did not put this motion forward to name incidents. Indeed, naming and shaming and blaming is often a tactic that victims use against perpetrators of offences, but it is not one that we chose to use when we laid this motion before you. We are suggesting that procedures be laid down instead. This is bigger than any one individual. We are not suggesting that this has happened to May, or to Pearl, or to Eileen, or indeed to the Rev William McCrea. We are saying that we should produce a code of practice for all individuals involved in the Forum, but not as the result of any particular incident.

Is it not much better to be ahead of an action rather than have to take something on board retrospectively? Where are the procedures, I ask Mr Robinson? They are in Mr Robinson's head because he was able to take us through them. But I have not seen them on paper. And may I remind Mr Robinson that the last person a victim goes to when an offence has occurred is the person who committed the offence. That is a very dangerous thing to do because it can put up the ante and create re-victimization in relation to sexual harassment and, indeed, to sectarian harassment — the Fair Employment Agency and the



Equal Opportunities Commission have borrowed from each other the terms they use. You do not go to the person who has committed the offence; you report it to a third party. In many institutions that third party is nominated or appointed, and the individual knows who has that responsibility. But he or she does not go to the person who has committed the offence in the first place — as I said, the last thing you want is re-victimization.

I agree with Joan Parkes — strong, resolute action is exactly what we have called for. So I find it somewhat contradictory that Mrs Parkes is taking a different view from us on this because she gave examples of what that strong, resolute action would constitute. She has suggested that we should have awareness training. She has gone even further than we have and suggested compensation for those who have been victimized. We have not done that. We think that compensation lies outside the realm of the Forum and, therefore, we have argued for a code of conduct. We cannot see how anyone could object to such a code.

To Mrs Steele and Ms Bell I say that because it has not happened to you does not mean that it has not happened to others. And we should always follow the principle that it is others whom we should be thinking about despite what may have happened, or not happened, to us personally. May I also say to both Members — unfortunately Mrs Steele is not here — victims are not victims because they lack confidence or self-esteem. It may be that offenders tackle those who are the most vulnerable. I know that this is the case with children and with women. And it may be the case with women because of their lack of physical strength, but that is a debate for another occasion. But may I remind both Members that victims are not victims because of anything that they have done. If you are going to attribute blame, then you put the blame on the offender, not on the victim because of anything that he or she has or has not done. I am also addressing myself to others who have made comments along those lines.

I find what Mr Hunter said amazing: that we should never have brought this motion up. Is there ever a right time to bring it forward? He thinks we should be ashamed of ourselves because we have brought this motion up today, that we should be blamed for the problems of Northern Ireland. It is amazing that when two Members from the Women's Coalition put down a motion, somehow the entire troubles of Northern Ireland become our fault. Had Mr Hunter heard us on other occasions — and I say this to Prof Alcock also — he would know that while we have every right to speak on social and economic issues, we also have every right to speak on constitutional issues. May I remind those Members that when South Africa produced their Constitution one of the principles that they put at the top of that wonderful Constitution was the principle of the equal status of men and women. They made that a constitutional issue. How people can distinguish between what is political and what is not political and between what is a constitutional issue and what is not — somehow because it is a socio-economic matter — is beyond me. We do not do that. If you are a whole person then your whole life revolves around politics.

If Prof Alcock thinks that behaviour towards us from time to time is not right, he should not excuse it. If he does, he colludes in it. We accept that because of our political views — what we may or may not say — there will be disagreements and differences. We have said on many occasions that what we want from the Forum is dialogue about those differences. But that does not mean that a person should be shouted down or should have no



right or place to say what he wanted to say. If that is not democracy, I ask you what is. So, it is in the light of all those comments that we moved this motion today.

I thank Members for the debate, and I am glad to say, as they saw from Ms Sagar's comment, that we have a wonderful sense of humour.

**The Deputy Chairperson:** Will Members agree to vote by a show of hands?

**Ms McWilliams:** You will have to take a vote, Mr Chairman. I wish we had more people supporting us, but you are going to have to take a recorded vote as there are two Members opposed to the amendment.

**The Deputy Chairperson:** I am afraid that we do not have to take a vote. I asked Members whether a show of hands was acceptable, and the vast majority agreed. It will be recorded that two Members voted against it.

**Ms McWilliams:** On a point of order, Mr Chairman. You will note that we have a procedure whereby Members are named when they vote against a motion.

**The Deputy Chairperson:** If the Members insist, we will take a vote.

*Question put:* That the amendment be made.

**Ms Bell:** I do not see how anybody can oppose the amendment. If the Women's Coalition can vote against it, then I wonder.

*The Forum divided: Ayes 28 (93%); Noes 2.*

*Ayes: Antony Alcock, Eileen Bell, Thomas Benson, Robert Bolton, Cecil Calvert, Gregory Campbell, Mervyn Carrick, James Clarke, Wilson Clyde, Sam Foster, John Hunter, Peter King, Rev Trevor Kirkland, Rev William McCrea, Jack McKee, Maurice Morrow, Dermot Nesbitt, Ian Paisley Jnr, Joan Parkes, Edwin Poots, Peter Robinson, Jim Rodgers, James Shannon, Eric Smyth, James Speers, Des Stewart, John White, Sammy Wilson.*

*Noes: Monica McWilliams, Pearl Sagar.*

*Question accordingly agreed to.*

*Main Question, as amended, put.*

*The Ayes and Noes having been registered by show of hands, the Deputy Chairman declared the Ayes to be in excess of the required majority.*

*Main Question, as amended, accordingly agreed to.*



*Resolved:*

The Northern Ireland Forum for Political Dialogue deprecates sexual harassment in all its forms, and believes that it should be challenged and opposed in every sphere of life.

*The Forum was adjourned at 3.21 pm.*