

C O N F I D E N T I A L

SPEAKING NOTE - PRIME MINISTER'S MEETING WITH DR ALDERDICE

MARCHES UNSTABLE'S POSITION: LINES TO TAKE

Drumcree of Chief Constable from office

I understand the depth of feeling in the nationalist community. Don't believe it is helpful to argue over interpretation of past events. HMG has set out its account in Parliament, and the Chief Constable has been quite open in his view of events. Whatever our different views, recognise there has been a serious set back. Widespread intimidation of Catholics despicable. Challenge by Orange marchers to rule of law a serious affront. Equally, nothing can justify rioting in nationalist areas.

We must now move on beyond the recriminations to find a political way forward. This is the only answer. None of us should give up on it.

Review of Marches to draw attention to the Chief Constable's own words (during an interview on 14 July) when he said that:

Recognise need for wide-ranging review. Not to adjudicate on routes of individual marches, but to look at overall legal Framework and whether there are any other mechanics which will help to avoid conflicts. Hope that your party will put forward any ideas you may have.

Future Marches ty's motion of no confidence

Understand anxieties about this year's marches yet to come. Must do all we can to encourage local agreement. Do you have any views? Authority has indicated that he will table a motion of no confidence in the Chief Constable after the Chief Constable has spoken to Members. It remains to be seen whether Mr Neeson will press his no confidence motion after having the opportunity to hear the Chief

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POLICING

CHIEF CONSTABLE'S POSITION: LINES TO TAKE

Removal of Chief Constable from office

1. The Secretary of State made it quite clear during his statement to the House on Monday that the Chief Constable, in all of his decisions regarding the return of the Orange Parade from Drumcree Church and his handling of the situation which developed in Northern Ireland during that week, had and continues to retain the Government's full support. Neither I nor the Secretary of State have any intention of taking any steps to cause the Chief Constable's removal from office.

Political interference in the Chief Constable's decision making

2. I totally reject such an assertion. The Chief Constable is, as he must be, operationally independent. It would be wholly wrong in any circumstances for any political interference in any such operational policing matters. The Secretary of State, in the House on Monday, was able to draw attention to the Chief Constable's own words (during an interview on 14 July) when he said that:

"... he was subjected to no political interference at the beginning, or the middle, or at the end of that episode".

That is quite clear.

Police Authority's motion of no confidence

3. I understand that the Police Authority is to meet with the Chief Constable on Friday. I also understand that Mr Neeson of the Authority has indicated that he will table a motion of no confidence in the Chief Constable after the Chief Constable has spoken to Members. It remains to be seen whether Mr Neeson will press his no confidence motion after having the opportunity to hear the Chief

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Constable. If it were to be the case that the motion was passed the Secretary of State would naturally wish to speak to the Chairman of the Authority. We shall have to wait and see how the meeting develops: it would not be helpful to speculate, at this stage, on what might take place within the Authority on Friday.

"The Police Authority with the approval of the Secretary of State may call upon any senior officer of the Royal Ulster Constabulary to retire in the interests of efficiency and (without prejudice to the foregoing) shall, if required by the Secretary of State, call upon the Chief Constable so to retire."

It would therefore be open to the Secretary of State to require the Police Authority for Northern Ireland to call upon the Chief Constable to retire. It would however be likely to be a lengthy affair because section 7(3) of the same Act provides for officers subjected to that call to be able to make representations on their own behalf and where such representations are made that an inquiry shall be held to consider the matter and to report to the Secretary of State. The Chief Constable is of course due to retire, in normal circumstances, on 3 November this year.

2. However in direct relation to recent events in Northern Ireland, decisions taken by the Chief Constable and utterances from various local and other politicians and others the Chief Constable's position must now be viewed against the backdrop of what was said in the House by the Secretary of State on Monday 15 July. Then, when addressing the week's developments and particularly in relation to the Chief Constable's handling of the situation he made it clear that the Chief Constable "... had and retains the Government's full support". In reply to one point made by Mr Mates (official report column 974) he said:- "... he (the Chief Constable) has taken an unparalleled degree of personal criticism. I reiterate what I said in my statement on behalf of the Government: we uphold each of the decisions that he took".

3. Alderman Sean Neeson, a member of Mr Alderdice's Alliance Party and ex-mayor of Carrickfergus has indicated his intention of putting

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BACKGROUND BRIEFING

Section 7(2) of the Police Act (Northern Ireland) 1970 provides that:

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forward a motion of no confidence in the Chief Constable because of the decisions he has taken over the past 10 days in relation to Drumcree et seq. He is to do so, apparently, after the Authority and has discussed recent events with the Chief Constable at a meeting on Friday afternoon. It is by no means certain that Mr Neeson will press the motion but if he does, while there is no positive intelligence about the mood of all the Members of the Authority, it is thought the motion would not be passed: there can however be no guarantee. If it were to be passed it would be of serious concern and a matter for the Secretary of State to discuss with the Chairman of the Police Authority.

We are determined to do all we can to make significant progress quickly. Hope the Alliance party will continue its constructive contributions to the talks.

SINN FEIN

Sinn Fein exclude themselves from talks until the IRA unequivocally restores its 1994 ceasefire. This is enshrined in statute and could not be changed without altering legislation. Both we and the Irish Government stands firm on this point and there is no question of either the Government or Parliament (agreeing to such an amendment.

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TALKS PROCESS

HMG believes dialogue is the only alternative to street politics and the violence we have seen in recent days. The Talks offer the best chance of progress. HMG firmly committed to the process. Determined not to allow it to be wrecked, whether by Sinn Fein or Unionist extremists. From discussions Sir Patrick Mayhew had with the parties on Tuesday, all wanted the talks to continue. While we cannot ignore what has happened, we hope that it can provide an impetus to progress.

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The consequences for the future of the peace process were even more serious. He was not necessarily predicting large scale violence. It was rather that the nationalists simply had no more confidence in the British Government and their ability to protect them, and in the possibility of the kind of political settlement which had seemed to be on offer. The Nationalists could not sign up to any kind of deal which would be remotely acceptable to the Unionists. He therefore saw no prospect of a settlement. He underlined several times that he could not convey to me sufficiently, and via me to the Prime Minister, the seriousness of the situation that had been created, and the depth of the anger felt.

Dr. Alderdice said that there now had to be a question mark over the Belfast talks. Would others be prepared to sit down with the Unionist leaders, who he believed had behaved absolutely appallingly over the past few days, and were in practice in breach of the Mitchell principles they had signed? The underlying point was that force had been seen to triumph. The protestant community could enforce its will on the British Government when it wanted. This was worse than 1974.

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