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FROM: PS/SECRETARY OF STATE
5 July 1996

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cc: PS/Secretary of State (B&L) - B [2&3]
PS/Sir John Wheeler (L&B) - B [4&5]
PS/Micheal Ancram (L&B) - B [6&7]
PS/PUS (L&B) - B [8&9]
PS/Sir David Fell - B [10]
Mr Legge - B [11]
Mr Thomas - B [12]
Mr Leach - B [13]
Mr Watkins - B [14]
Mr Ray - B [15]
Mr Stephens - B [16]
Mr Hill - B [17]
Mr Perry - B [18]
Mr Maccabe - B [19]
Mr Wood (L&B) - B [20&21]
Mr Budd, Cabinet Office [22] - M
Mr Holmes, No 10 [23] - M

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jm 8/7.

MR STEELE - B [1]

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This note summarises the outcome of the meetings that the Secretary of State had with the Chief Constable and Lord Eames on the question of Drumcree, and further conversations with Lord Eames late last night.

Chief Constable

2. The Chief Constable, accompanied by Ronnie Flanagan, came to see the Secretary of State in the afternoon of 4 July. The Secretary of State was accompanied by Sir John Wheeler, PUS and myself. The Chief Constable and Mr Flanagan gave a detailed assessment of the prospects for the Drumcree march on Sunday 7 July. The key factors influencing their assessment of the situation were as follows:

- a. There had been a complete lack of contact between the local Portadown Orange Lodge and the Garvaghy Road residents. Both sides were taking an extremely hard line.
- b. Martin Smyth, as Grand Master of the Grand Orange Lodge, had suggested that the RUC proposals for a re-routing of the march was reasonable, but this had cut no ice with the local Orangemen. There was evidence of links between Billy Wright, of the mid-Ulster UVF, and the local Orange Lodge with clear threats of an end to the Loyalist ceasefire if the march were not allowed to proceed down the Garvaghy Road.
- c. The Orange Order had laid applications for a large number of marches to take place on Monday and Tuesday in sensitive areas of the Province. These were clearly being used as a means of putting pressure on the Police to force the march down the Garvaghy Road.
- d. On the Nationalist side, there were also fears that if the march did go through, contrary to the wishes of the local population, there would be severe unrest in other Nationalist areas. Both sides saw this as 'Custer's last stand'. The Orange Order regarded the RUC as being directed by the Government who, in turn, were being directed by Dublin through Maryfield. The Nationalists saw the march as a way of demonstrating that they were second class citizens and that the Orange Order could walk where they wanted.
- e. The implications for other marches, notably on the Ormeau Road on 12 July, were very considerable regardless of whatever option the police selected.

3. The Chief Constable summarised the operational options as follows:

Orange Order. Otherwise we would be seen to be giving in to
 a. The RUC could attempt to push the march through the
 Garvaghy Road in accordance with the wishes of the Orange
 Order. There was no guarantee that they could achieve this
 and the public defeat of the RUC could be very damaging. The
 problems would not simply arise on the Garvaghy Road, but
 along the whole route to Drumcree and back to Portadown. The
 Nationalists would stage a counter march in the opposite
 direction which would be a major source of confrontation. If
 physical force were needed to push the march through the
 Garvaghy Road - and it almost certainly would - it would
 gravely damage the reputation of the RUC as an impartial
 police force, possibly for several years. There would almost
 certainly be Nationalist unrest in other parts of Northern
 Ireland as a result, not dissimilar to that which followed
 the release of Private Clegg.

b. Given that the Orange Order did not seem prepared to
 accept the RUC recommendation for an alternative route which
 would take them down part of the Garvaghy Road, the only
 other option was to block the return march close to
 Drumcree. This would almost certainly lead to a similar
 stand off to last year though the RUC had plans to ensure
 that there was less chance of a repetition of last year's
 attempt to outflank the police. This would spark the other
 marches in sensitive areas referred to above and other forms
 of unrest in the rest of Northern Ireland. There was also
 the risk of a return to violence by some or all of the
 Loyalists.

4. The Chief Constable said that this was an extremely
 uncomfortable dilemma. Either option would lead to major trouble,
 though he thought that the first would probably be shorter and
 sharper than the second which could be prolonged and become
 increasingly nasty. At the moment his view was that the right
 operational decision would be to prevent the return march by the

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Orangemen. Otherwise we would be seen to be giving in to blackmail. There was also the possibility of a judicial review being launched by ^{either} other side, though it seemed much more likely that this would come from the Garvaghy Road residents rather than the Orange Order. This would not necessarily be a bad thing if the police and the Government were able to point to a court ruling.

5. The Chief Constable and Mr Flanagan said that they would reach a decision by the morning of 5 July and announce it then.

6. The Secretary of State asked about the prospects of sealing Portadown to avoid reinforcement by PIRA/Sinn Fein supporters. The Chief Constable said that it would only be partially effective. The problem was that there were 5 or 6 thousand local residents who would be more than enough to cause real trouble. The Secretary of State made the point that it was a clear objective of PIRA/Sinn Fein to split the Unionists away from HMG. There was a risk that stopping the march would play into that. The Chief Constable recognised this but said that Nationalists also regarded it as a last stand and he repeated the very severe operational difficulties of trying to force the march through. Sir John Wheeler commented that the Orange Order felt that overall they had gone as far as they could go to accommodate concerns about their marches. Trimble was deeply impaled on the hook of events at Drumcree last year and would be forced to back the Orange Order in the event of unrest.

7. The Secretary of State said that the decision was ultimately a matter for the Chief Constable and whichever option he selected, he could be sure of support from the Government. The Chief Constable thanked the Secretary of State for this, but stressed that he was not closed to new ideas. At the moment, however, he was inclined to stop the return march by the Orange Order from Drumcree and to ban the counter march by the Nationalists.

Lord Eames

8. Shortly after the Secretary of State had seen the Chief Constable, Lord Eames paid a call, at his request. He said that he had been working on the Drumcree problem for some six months and until that afternoon had not seen a glimmer of hope that a major confrontation could be avoided. However, he had very recently learned that the Orange Order had now authorised the local Portadown Lodge to meet directly with the Garvaghy Road residents. Lord Eames' intermediaries were meeting both sides that night with the aim of trying to secure a meeting under Lord Eames' chairmanship either very late on Friday night or early on Saturday morning. There was just a chance if a meeting could be arranged that a compromise involving an alternative route which would allow both the Orange Order to claim they had walked down the Garvaghy Road and the Nationalists to protest peacefully, could be brokered. In the meantime, he felt that it would be best if the RUC were not to announce a decision on how they were going to handle Drumcree.

9. The Secretary of State noted this possibility and suggested that Lord Eames contact me later that night to pass on the outcome of the work carried out by his intermediaries. In the meantime we would warn the RUC of this possibility and ask them to take it into account in reaching a decision on the handling on Sunday's event and the timing of any announcement. Lord Eames thought that this was the right approach. He, unprompted, said that he was very strongly against the idea of the RUC trying to force the march through the Garvaghy Road, for the same reasons enunciated by the Chief Constable at his earlier meeting.

10. Lord Eames subsequently rang me at home at around midnight last night. He said that the possibility of a direct meeting between the two sides still existed, though it had not been agreed. He would, the following morning, be offering his services to chair a meeting with them jointly or severally on an open agenda on Saturday morning. He reported the views of his intermediaries that both sides were beginning to recognise the consequences of their

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positions, particularly on the Orange side. However, his intermediaries had also reported a lack of appreciation by the Orange Lodge of the oduracy of the Nationalist position on this occasion.

11. I duly passed this on to you, the Secretary of State, Sir John Wheeler and PUS last night and you passed it on to Mr Flanagan. In the event, at today's press conference, the RUC did not announce a decision on how they were going to handle Sunday's event.

Brendan McAllister

12. The last ingredient in this particular mixture was thrown into the pot earlier today when Brendan McAllister of the Mediation Network, rang me to say that he had been subpoena'd in support of an action being taken against the Secretary of State by the Garvaghy Road residents. He would be obliged, under oath, to report what he believed to be an undertaking from Mr Flanagan last year, at the same event, that there would be no more marches in areas where they were not accepted. McAllister claimed that this had been a crucial factor in persuading the residents to allow the march down the Garvaghy Road last year. He was very concerned lest this damaged his position vis a vis Mr Flanagan and the rest of the RUC. I offered words of reassurance on the latter point, saying that if he had been subpoena'd he had little alternative but to repeat what he believed to be the case. I also said, however, that it would clearly be difficult personally for him.

13. McAllister seemed grateful for the opportunity to get this off his chest and undertook to keep me in touch with any developments that he might glean in the run-up to Sunday.

SIGNED

MARTIN HOWARD
Private Secretary