

FROM: J R FISHER
ANGLO-IRISH SECRETARIAT
16 July 1996

JR/34366/96/et

cc PS/Secretary of State (B&L) - B
PS/Michael Ancram (B&L) - B
PS/Sir John Wheeler (B&L) - B
PS/PUS (B&L) - B
PS/Sir David Fell - B
Mr Thomas - B
Mr Legge - B
Mr Bell - B
Mr Daniell - B
Mr Leach - B
Mr Steele - B
Mr Watkins - B
Mr Beeton - B
Mr Hill - B
Mr Stephens - B
Mrs Collins - B
Mr Maccabe - B
Mr Perry - B
Mr Clarke - B
HMA, Dublin - B
Mr Lamont, RID - B

Mr Steele - B

The Irish Joint Secretary relayed to me this morning a series of concerns the Irish side have over the handling of events at Drumcree and subsequent occurrences, and sought answers to an equal number of questions. The points (as dictated to me) are listed in the attached note.

2. I have given no commitment to respond within a given time, if at all. Indeed, certain questions are entirely operational matters and the responsibility of the Chief Constable. However, the concerns expressed and the questions asked are revealing. In the main, their importance may be only to draw attention to the remarkable lack of awareness and sensitivity they display on the part of the Irish side especially to the problems faced by the Chief Constable. However, although they are a reflection of a somewhat one sided focus on recent events, I should be grateful for advice and guidance on how this side of the Secretariat should respond.

3. As I am being asked to supply answers urgently, no doubt the Irish side hope that the information will inform views they intend expressing at the Inter-Governmental Conference later this week. In that sense, they give us some insight into what to expect.

4. This is a difficult time and I apologise for the considerable amount of extra work involved in providing the Irish side with the information they are seeking.

J R FISHER

CONDUCT OF SECURITY FORCES IN AFTERMATH OF DRUMCREE

1. What steps have been taken to investigate the circumstances of loyalist disturbances with a view to establishing their degree of planning and co-operation? Which organisations or individuals were responsible and what is the likelihood of their prosecution for incitement?
2. Did the security forces consider preventing such large numbers assembling at Drumcree and what factors arose to prevent this? If consideration was not given to this, why not and would road blocks not have been effective?
3. There were reports that a slurry truck had been prepared for use against the security forces. Was it eventually seized and will prosecutions arise?
4. There were reports that a 'digger' was to be used against the security forces and that protective sheeting had been added to it. Was it seized and are prosecutions likely?
5. The Irish side have reports that a 10.30 am, 11 July dead-line was given to the security forces by loyalist paramilitaries. Was this the case and did reports of the dead-line influence decisions of the Chief Constable?
6. Yesterday evening's Panorama programme suggested that the NIO had imposed a 10.30 am dead-line on mediators. If this is true, does it not conflict with the independence of the Chief Constable.
7. Did the Chief Constable seek to enter discussion with the Orange Order to secure an agreement on the numbers, use of banners (or bands) or partial re-routing of the Garvaghy Road parade, and was the content of those discussions conveyed to local residents directly or indirectly?

8. When was a decision made to allow the parade along the Garvaghy Road and what are the details of the sequence of events preceding and including that decision.

LOWER ORMEAU ROAD

The Irish side have expressed concerns about:-

1. the nature of the RUC operation undertaken and its impact on the movement of local residents;
2. the way in which the parade was 'forced through' on 12 July with no attempt to confine the numbers and bands of the march or attach conditions which would reduce affront to local residents;
3. the routing of the return march did not take account of sensitivities of local residents when it could have been re-routed avoiding the Ormeau Bridge; and
4. finally, no advance notice was given to local residents of the decision to allow the parade to pass.

CONDUCT OF THE RUC

The Irish side have recorded the following concerns:-

1. The beneficial effects in the nationalist community following the decision not to allow the Garvaghy Road parade were lost once the decision was reversed;
2. What progress has been made in the RUC investigations into the deaths of Dermott McShane and Martin Connolly.
3. Why was Bernadette Moyne knocked unconscious (receiving facial and other injuries) at 8380 hours in Colleen Park Street in Belfast on 11 July. The Irish side understand that this incident arose after loyalists and members of the security forces

2. the degree of force used by the RUC on Garvaghy Road residents;
3. Insufficient time was allowed for mediation or the restrained use of force; and
4. 'the degree of enthusiasm and relish shown by the RUC' was in contrast to their earlier attitude when dealing with Unionists. Also most PBR rounds were fired in nationalist areas, seemingly contrary to codes of practice at the heads and upper bodies of individuals, evidence of which is contained in reports from Altnagelvin Hospital.

STATISTICS

The Irish side have requested the following:-

1. The number of PBRs fired in the week beginning 7 July for each evening, broken down regionally.
2. The number of PBRs fired during the Drumcree 'stand-off' and, separately, after the Garvaghy Road march. Also, at what time were the last PBRs fired on the Garvaghy Road.

INCIDENTS

The Irish side have asked

1. Why did the police become involved in violence in Altnagelvin Hospital during the evening of 11 July? Why were PBRs fired without provocation in Ship Quay Street the same evening.
2. What progress has been made in the RUC investigations into the deaths of Dermott McShane and Martin Connolly.
3. Why was Bernadette Moyna knocked unconscious (receiving facial and other injuries) at 0300 hours in Collen Park Street in Belfast on 11 July. The Irish side understand that this incident arose after loyalists and members of the security forces

shouted abuse at local residents and there was an RUC baton charge.

4. Why did the RUC withdraw from Oban Street and Corcrair Road, Portadown on the evening of 11 July which resulted in several houses (comprising a small Catholic terrace of houses) being later attacked.