

From: THE PRIVATE SECRETARY

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22 March 1998

*Dear John,*

**PARADES COMMISSION: PRELIMINARY VIEW**

Thank you for your letter of 18 March in which you acknowledged the strength of the arguments set out in my letter of 13 March, and enquired, if we felt that we wanted to exercise a bit of "discreet persuasion" on the Parades Commission to delay publication of their preliminary view, how might this be done?

We have been in touch with both the Secretary and Chairman of the Parades Commission. Our clear judgement is that the Commission would not be prepared to consider any form of "discreet" representations about this issue. If Government wished to seek to persuade the Commission to delay publication of the preliminary view, it would need to be done openly and on the record. Even then, as I pointed out in my letter, there is no guarantee that the Commission would agree to such a postponement.

In my letter I pointed out that, whatever way the Drumcree decision goes, it will have the capacity to cause problems irrespective of when it is announced. Therefore, even if the announcement were to be delayed until after agreement had been reached in the Talks, it would still impact on the referenda campaigns; and if delayed until after the referenda, it would have an impact on the subsequent elections.

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Ltr Holmes Prelim View 20.3/WKLrm





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A major advantage of the preliminary view is that, in advance of actual determinations made by the Commission, it can be presented as a balanced package. If publication is delayed, the Commission will have to begin to make determinations on individual contentious parades such as that on the Ormeau Road on Easter Monday. Inevitably, such decisions would be viewed by the community in Northern Ireland in isolation and on their perceived individual merits, ie the old "win/lose" scenario, rather than as being part only of a balanced package covering a range of parades. And the more actual determinations which the Commission has to make before publication of the preliminary view, the less relevant the preliminary view will become. Ultimately, if it is delayed too long, there is little point in publishing it at all. As I pointed out in my letter, the Commission is totally committed, in public, to such publication.

You may not be aware that one of the more vocal of the Nationalist residents' organisations, the Lower Ormeau Concerned Community, has been granted leave to apply for judicial review of my Secretary of State's appointments to the Commission, on the grounds that the membership is not balanced and cannot therefore act in an unbiased way. The Commission clearly sees publication of the preliminary view as crucial in terms of being able to counter these allegations and to show that the Commission is an independent and impartial body.

Having said this, our latest information is that some members of the Commission are beginning to have doubts, to a greater or lesser extent, about the wisdom of publishing the preliminary view in advance of the projected date for agreement at the Talks. However, other members including, we think, the Chairman, Alistair Graham, remain committed to publication by the end of March. We understand that there is to be a meeting of the full Commission on Monday 23 March to discuss and take decisions about both the content and the timing of the preliminary view. Either

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way, my Secretary of State remains firmly of the view that we should not make any approach to the Parades Commission, whether formal or informal, about this issue.

You also enquired whether we had any idea what the Parades Commission is going to say in the announcement, in particular about Drumcree. As I have said, there is to be a meeting of the full Commission on 23 March at which final decisions will be taken on the

content of the package. This meeting will follow on from a meeting earlier that day between Alistair Graham and the Chief Constable of the RUC, which may have a bearing on the decisions to be taken by the Commission.

*Yours ever*  
*J. M. Lindsay*  
PP W K LINDSAY

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