

Local Accommodation Effective Practice in Responding to Disputes over Parades

Neil Jarman,
Mary-Kathryn Rallings
and John Bell

*i*CR

INSTITUTE for CONFLICT RESEARCH

Local Accommodation
*Effective Practice in Responding
to Disputes over Parades*

Neil Jarman, Mary-Kathryn Rallings
and John Bell

June 2009

First Published June 2009

Institute for Conflict Research
North City Business Centre
2 Duncairn Gardens
Belfast BT15 2GG
Tel: +44 (0)28 9074 2682
Email: info@conflictresearch.org.uk
Web: www.conflictresearch.org.uk

Belfast Interface Project
Third Floor
109-113 Royal Avenue
Belfast BT1 1FF
Tel: +44 (0)28 9024 2828
Email: info@belfastinterfaceproject.org
Web: www.belfastinterfaceproject.org

ISBN: 978-0-9552259-6-3

This project has been funded through the Belfast City Council Good Relations Unit and the Community Relations Council.

Produced by:
three creative company ltd

	Page
Acknowledgments	4
Executive Summary	5
Preface	9
1. Introduction	11
2. Contexts	15
3. Responding to Disputes	19
4. Key Participants in Local Dialogue	33
5. The Parades Commission and Local Mediators	41
6. Seeking Local Accommodation	47
7. Reducing Tensions at Band Parades	53
8. The Policing of Contentious Parades	57
9. Reaching Accommodation: The Broader Context	61
10. Basic Principles	65
References	67
Appendices	68

Acknowledgments

The authors would like to express their thanks to all those individuals who agreed to be interviewed as part of this research project. We hope that we have successfully represented the diverse range of views that were expressed.

We would like to thank the Parades Commission for making available the data on contentious parades set out in the appendix.

Executive Summary

Disputes over parades have been a persistent feature of the social and political landscape of Northern Ireland since the mid-1990s. Over the past decade there have been numerous reviews of the regulatory framework, but limited attention has been paid to developments on the ground in areas where disputes have occurred and continue to occur. This report explores how the tensions over parades are being dealt with in towns and villages across Northern Ireland with the aim of synthesizing current best practice.

The researchers spoke with people about disputes over parades in 26 locations between January and March 2009. The interviewees included people involved in organising or participating in parades, people opposed to parades, and individuals involved in mediation or facilitating dialogue between the disputant parties. The research also included interviews with police officers and politicians from a range of political parties who were engaged with the issues with different levels of intensity.

We considered disputes over parades in three particular types of location:

1. Urban centres where the parades primarily affected residential areas.
2. Urban centres where the disputed parades occurred in central, commercial and ostensibly shared areas.
3. Villages and rural settings often involving tension between centre and hinterland.

The research found that there have been many positive developments and real progress in a number of locations, although in almost all of them any process needs to be considered as ongoing and there are few locations where disputes might be considered as effectively addressed. Although the Parades Commission remains the principal body tasked with responding to disputes over parades a variety of other interested parties have taken a role in trying to mediate disputes. This diversity reflects the impact that such disputes can have on the wider local community and the range of different approaches that have been brought to bear on the issue.

There is some evidence that individuals or groups have softened their position over recent years. Where in the past they may have resisted responding to protests or complaints about parades, now they are more willing to try to address such issues, reduce tensions and move on. Only

the Orange Order retains a formal restriction on members engaging with republican groups, but even within the Order there have been attempts to reach accommodation in some areas by establishing informal contacts or drawing on the use of third party representatives. Increasingly groups and individuals acknowledged the importance of accepting compromises.

- Those identifying problems with parades were more willing to acknowledge the right to parade, but with an assertion of the need for recognition of the impact that parades have on the wider community and thus the responsibilities that parade organisers have to the wider community.
- Among parade organisers there was more emphasis on the importance of parading as a part of local cultural practice and greater readiness to acknowledge the parading body's social responsibilities to the wider community.

Importantly, there was a repeated desire among both paraders and protesters to avoid violence and public disorder and acknowledgment of the need to work within (and with) the law to ensure that disputes were managed in a peaceful manner. There was also acknowledgement that resolution of any dispute would only come through local accommodation rather than by a determination of the Parades Commission.

It is possible to identify a small number of basic principles that have been important in enabling groups and individuals to reach local forms of accommodation over contested parades. There is no single model approach as in each location people respond to and engage with their own local history, context and personalities, but a number of key features do keep recurring.

1. Recognition of human rights principles.
2. Recognition of shared social environments.
3. Acceptance of cultural diversity.
4. Acknowledgement of the value of shared dialogue.
5. Acknowledgement of problems and the need to address them.
6. Commitment to enter into a disputes resolution process.
7. Preparedness to seek workable compromise where necessary.
8. Willingness to take practical action.

This limited range of principles has been drawn upon by members of groups, organisations and communities across Northern Ireland as they seek to respond positively and effectively to tensions associated with parades-related disputes. Although none of the individuals we spoke to were complacent about the issues they still had to address, in many areas there was satisfaction that there had been progress in reducing tensions and in responding to problems through diverse forms of local accommodation.

Preface

Belfast Interface Project (BIP) is a membership organisation committed to informing and supporting the development of effective regeneration strategies in Belfast's interface areas.

One of the objectives of BIP in recent years has been to enhance and develop the knowledge base regarding key issues for interface areas and effective practice in addressing some of those issues. With this in mind, we have worked closely with the Institute for Conflict Research (ICR) on a range of research projects including research leading to the 2006 publication 'Working at the Interface: Good Practice in Reducing Tension and Violence'.

Given that parades and parade-related protests and disputes have generated division in recent years and that this division has translated into conflict in a number of interface areas, we decided in 2006 that this seemed an area worthy of closer study.

Our approach has been first to gather and summarise as much existing information as possible on this subject, and then to seek to document key features of effective practice in addressing parades-related disputes.

With this approach in mind we fundraised and commissioned ICR in 2007 to carry out the first of these pieces of work by bringing together within one document a collection of abstracts of existing literature on this subject – 'Parades and Protests: an Annotated Bibliography' – we aimed through that document to make this body of literature more accessible to those who may be interested in this area, including our members and key stakeholders. The collection is indexed both by author and chronology and is also available for download from our website at www.belfastinterfaceproject.org.

This publication, 'Local Accommodation: Effective Practice in Responding to Disputes over Parades', represents the second piece of work in the series and aims to highlight some of the key features of the wealth of effective practice that exists in addressing parades-related protests and disputes. The research has again been carried out by ICR.

Our hope is that some of the lessons learned by those who have been effective in addressing parades-related disputes and some of the patterns that appear to underpin effective work will be useful and supportive for those currently addressing parades-related disputes.

We gratefully acknowledge the support of Belfast City Council Good Relations Unit and the Community Relations Council in funding this research and publication, and hope you find this resource relevant and useful.

Chris O'Halloran

Director, Belfast Interface Project.

1. Introduction

Disputes over parades have been a persistent feature of the social and political landscape of Northern Ireland since the mid-1990s. The tensions and violence associated with parades at Drumcree, in Derry Londonderry, on Belfast's Ormeau Road and in numerous other towns and villages encouraged the government to set up the Independent Review of Parades and Marches in 1996, and their report (the North Report¹) in turn resulted in the creation of the Parades Commission in 1997 and a subsequent transferral of powers to regulate parades from the police to the Commission the following year.

Since that time, parade disputes have ebbed in and out of public consciousness and media interest, often depending on levels of violence and disorder and their potential to disrupt the wider political environment. In many areas the disputes retain only a local resonance, with little capacity to impact on the wider stage. Much of the ongoing attention has been focused on the Parades Commission, which has never been formally accepted by the Orange Order and many sections of the wider unionist community who continue to lobby for its removal and replacement by another form of adjudication. As a result of political lobbying the Commission has been subjected to a variety of reviews, most notably the Quigley Review in 2002² and the Strategic Review of Parading led by Paddy Ashdown through 2007 and 2008³, with the aim of creating a system that could achieve greater acceptance and legitimacy. There is thus an air of uncertainty about the high level framework for responding to parades-related disputes which has sometimes impacted on the willingness or otherwise of key actors to attempt to resolve tensions at a local level.

In contrast to the attention that has been paid to the nature of the regulatory body, little attention has been paid to developments on the ground in those areas where disputes have occurred and continued to occur. There has been extensive work in trying to understand why people object to parades (Bell 2007), and what they think should be done to resolve the situation (most recently by the Strategic Review), but little attention has been paid to how the disputed parades have been, or are

- 1 North, P. (1997) Report of the Independent Review of Parades and Marches. Belfast, The Stationery Office
- 2 Quigley, G. (2002) Review of the Parades Commission and Public Processions (Northern Ireland) Act 1998. Belfast, Sir George Quigley Review.
- 3 Strategic Review of Parading in Northern Ireland (2007) Interim Consultative Report. Belfast, SRPNI. Strategic Review of Parading in Northern Ireland (2007) Views of Key Stakeholders. Belfast, SRPNI.

being managed, how close people have come to a full resolution to a dispute in any location, or the extent to which parades remain a contested issue in many areas.

This research project explores how the tensions over parades are being dealt with in towns and villages across Northern Ireland and the extent to which forms of local dialogue or accommodation have been successful in reducing tensions or have enabled local communities to manage the disputes. The intention was to focus on some of the less high profile locations, and to focus on disputes that have arisen in smaller towns and villages and in rural areas. These include locations with a single contentious parade and others with multiple contentious events. Although the majority of locations involve disputes related to loyal order parades – events by the Orange Institution, Royal Black Institution and Apprentice Boys of Derry – we also explored issues related to disputes involving band parades, nationalist parades and the Belfast Pride parade.

In some locations we explored the developments of disputes that had emerged in the middle or late 1990s, while in some areas the disputes had arisen more recently, and in a few areas the tensions over parades appeared to be increasing rather than reducing. Furthermore, although in some areas the tension has largely dissipated from the issue of parades, it would be tempting fate to suggest that the disputes have been fully resolved in any of the locations we considered. Rather the attempt to address the tensions raised by parades remains work in progress and as such the issue retains the capacity to become a more significant issue once again.

One of the primary aims of this research and report is to synthesize the emerging best practice in responding to disputes over parades through forms of local accommodation and thus to highlight approaches and developments that might prove useful for people working on similar disputes in other locations.

Methodology

The research was carried out between January and March 2009 and involved speaking with people about disputes over parades in 26 locations. The interviewees included people involved in organising or participating in parades, people opposed to parades, and individuals involved in mediation or in facilitating dialogue between the disputant parties. The research also included interviews with police officers and politicians from a range of political parties who were engaged with the issues with different levels of intensity.

In many of the areas the individuals we contacted were willing to talk openly about the issues and any process towards resolution that had taken place in their locality. In some areas people were willing to discuss an ongoing process that was sensitive or confidential, but agreed to do so only on the basis that the location and participants would remain anonymous. We were unable to speak to everyone we tried to contact for this research. In a few locations people agreed to participate in the project but it proved difficult to arrange a suitable date for an interview and in some areas individuals who were contacted were unwilling to be interviewed or simply failed to reply to a request for an interview. Nevertheless we managed to speak to a broad range of individuals with first hand knowledge of disputes over parades in their local communities.

In response to the concerns raised by people in some areas we decided to anonymise all the locations, situations and processes, except in those cases where the process or engagement was already in the public domain either as a result of media reports, the publication of various documents or as a result of some other form of publicity. The aim of the research is to highlight the nature of the processes that are taking place or have taken place and to draw lessons that might be applicable to other contexts, rather than to present a detailed case study of the situation in any particular location.

One reason for this was that, as noted, we spoke to a limited number of people as part of this project, and although we believe that in most locations we spoke to individuals who were centrally involved in the disputes and any discussions, other viewpoints could undoubtedly be voiced. The interviews also revealed that while there was some level of general agreement about the nature of the different processes, and the degree of progress in different locations, there were also considerable differences of interpretation of the levels of progress and the relevance of actions taken by different parties. In part these different interpretations and perspectives reflected the differing positions of the various individuals in relation to the dispute: as organisers of or protesters against parades or being involved in mediating or policing disputes, and in part it reflects the fact that in all locations where dialogue was ongoing the interviewees were involved in a process of negotiation, and as one interviewee put it *'the process is only as good as the last agreement'*. In most if not all of the locations where there was an ongoing process there was a sense of optimism that progress was being made, which was tinged with concern for the unknown event, action or speech that might jeopardise the work that had been done.

2. Contexts

All of the disputes occurred in locations that had high levels of community segregation and with limited areas that could be considered as shared space that was used by all sections of the community. In each of the locations the tensions are associated with parades that are organised by members of a local minority community while the protests are organised by members of the local majority community. However, the specific understandings of majority-minority relationships are dependent on specific interpretations and readings of local history, geography, demography and politics. These understandings always extend beyond parade specific issues and include references to wider local history, events that occurred during the Troubles, issues of discrimination and equality and often personal animosities, suspicion and mistrust.

We considered disputes over parades in three particular types of location:

1. Urban centres where the parades primarily affected residential areas: in such areas there was limited shared or neutral space and residential areas were heavily segregated and often marked out with visual displays;
2. Urban centres where the disputed parades occurred in central, commercial and ostensibly shared areas: here segregation was not clearly marked physically, although mental mapping served to designate different spaces to particular communities. However, the location of individual buildings or structures often defied the creation of clear local boundaries and also served as a reminder of the changing nature of local geography;
3. Villages and rural settings often involving tension between centre and hinterland: these included areas with a small often single identity urban core area, which was surrounded by a hinterland that was either mixed or dominated by the other community. The individuals living in the hinterland often have or had strong attachments to, affiliations or associations with, the village and had historically used its resources and facilities, which served as a commercial centre and included buildings used by people living in the rural hinterland.

In many of the locations there have been significant demographic changes in recent years, which have led to changes in the social and physical geography of majority – minority relationships. In almost all such processes of demographic change a similar pattern was described: a Protestant community was declining, in part due to people moving away

and in part because the remaining population was ageing, and an increasing Catholic community, which was also younger than its Protestant counterpart. Moreover the Catholic community was particularly increasing in the urban areas or rural centres, the very locations where the disputes occurred, and the disputes had also resulted in part from the presence of a younger and often more politically radical constituency.

In many locations the minority community claimed a strong attachment to elements of the route of the parade. This included houses of isolated or elderly members of their community, a church, an Orange Hall, or local businesses, while the lack of clear and precise communal boundaries in many areas resisted easy assertions to territoriality and the necessary exclusion of the 'other'. While the desire to retain well-used routes for parades has often been couched under the concept of a longstanding tradition or the importance of a historically traditional route, in many of the areas the notion of the traditional route was often couched in terms of a pragmatic desire to retain access to important local symbolic structures or an affirmation of a sense of belonging to a location, rather than an assertion of rights.

People living in areas that were used as parade routes often highlighted the need for parading organisations to acknowledge that the local geography and demography had indeed changed and they cited the disruption that parades often cause to local trade and daily routines. This was particularly the case where one community felt at best excluded and unwelcomed at a parade, and worse often complained of a feeling of intimidation and a forced exclusion from public spaces within their home community, particularly when a parade that attracted large number of people from further afield was taking place.

It is worth briefly noting at this point that in those areas where some progress has been made in dealing with tensions related to parades, this has involved some degree of reciprocal movement on these issues. In such cases there was a form of exchange whereby each side acknowledged the arguments and complaints of the other and in turn received recognition of their needs. This has involved parading organisations trying to minimise the impact and disruption that might be caused by their event and the protesting community acknowledging the symbolic significance of buildings or places to members of the other community.

The legacy of the conflict and history was a further factor layered on each local context. A number of individuals cited memories of violence

towards themselves, their family or their community over the course of the Troubles. Others cited previous unequal power structures as the basis of past tradition and order and which was re-asserted each year through triumphalist visual and aural displays. Still others noted the presence of individuals with a history of involvement in acts of violence as prominent actors on both sides of the disputes and which encouraged resistance to participation in dialogue. In such situations the parades were sometimes viewed as little more than a symbol of past hurt or abuses of power and they provided one opportunity to give expression of such feelings when there was little other opportunity for engagement between the communities.

The legacy of violence and conflict retained a powerful resonance in many areas, and in particular many people recounted recent and ongoing acts of arson, graffiti and vandalism perpetrated on Orange Halls, often immediately prior to a parade or during a process of dialogue. Others recalled the receiving of threats, whether imputed, sensed or more concrete, by some of those who wanted to engage in dialogue and which limited their willingness to engage as fully as they would have wished. There was a broad acknowledgement that such acts of violence and intimidation only served to reinforce social divisions and segregation and made it more difficult to bridge the divide.

Another distinctive factor in many of the locations was the importance of key individuals. In particular in many of the smaller rural locations, individuals knew each other, or knew of each other. Personal histories, family backgrounds, length of residence could and at times did matter. The relatively small population and the close-knit nature of rural communities meant that there may well be a sub-text of personal knowledge, animosities and grudges that impacted on a willingness or unwillingness to meet and talk, in addition to the arguments or information that is general public knowledge. There was thus a sense that the disputes were more personalised and individualised than similar disputes in the bigger cities. And while this might well have a negative impact where one individual could effectively block progress, it also had positive benefits if for example a prominent local individual was prepared to take risks and engage in dialogue.

The local context was thus extremely important in all the locations that we considered, but in understanding the local context it was important to acknowledge the range of factors that at one level appeared to have nothing to do with parades or disputes over parades, but at another level had everything to do with seeking some form of effective local accommodation.

3. Responding to Disputes

The approach favoured by the government when the disputes over parades began to achieve political significance in 1995 was to encourage the key parties to engage in discussion and dialogue at a local level with a view to addressing the concerns of groups or individuals who objected to a parade, or aspects of a parade, and to reach a mutually acceptable compromise. This approach was formalised in the North Report as the desire to encourage 'local accommodation' wherever possible and to impose legal rulings only when this was not achievable. This has remained the preferred method of addressing disputes over parades.

However, translating the aspiration to encourage 'local accommodation' into effective local engagement involving all the key parties to the dispute has proved difficult. From the outset many within the loyal orders and loyalist bands refused to meet face to face with members of Sinn Féin or with residents' groups, particularly if they included individuals with a republican background. Then when the Parades Commission was established the Orange Order refused to recognise or engage with the Commission. The formal policy of the Grand Lodge of the Orange Order remains that lodges should not meet with 'Sinn Féin controlled residents' groups', nor with the Parades Commission, and the Order continues to demand the disbandment of the Parades Commission and the replacement of the Public Processions Act 'with equitable legislation based on the European Convention of Human Rights'. This policy position obviously limits the potential for local accommodation through face to face discussion.

The Apprentice Boys of Derry did not adopt the same position and in fact members of the Central Committee have engaged in face to face talks with representatives of the Bogside Residents' Group since 1996⁴. Unlike the Orange Order the ABoD never imposed a uniform approach to responding to opposition to parades but rather left the decision on whether to participate in face to face dialogue to each local club.

Those objecting to elements of a parade have generally advocated the need for face to face talk and they have always insisted that they were willing to participate in face to face discussions with members of the loyal orders. However, in a number of locations this assertion was often not tested to any extent due to the resistance of the loyal orders to meet with republicans.

4 Kelly, G. (1998) *Mediation in Practice*. Derry Londonderry, Incore.

Between 1995 and 1997 there were a number of attempts to engage the key parties in various forms of dialogue and mediation in a number of locations, although with limited success⁵. When the Parades Commission achieved full legal powers in 1998 it sought to encourage local engagement and it also established a network of Authorised Officers to act as its field workers, with responsibility to build relationships at a local level, to encourage dialogue and to facilitate the flow of information between the Commission and the parties on the ground. The Parades Commission only issues a legally binding determination if the local parties cannot reach local accommodation.

The research found that a broad spectrum of levels of engagement and local initiatives have been developed in response to the disputes over parades in the past decade since the Parades Commission has been established. These range from full and regular face to face meetings between parade organisers and the protesters against parades in some locations, while in other locations there has been no form of direct contact between the disputant parties. In between, we found degrees of engagement which fell short of full and sustained face to face discussions but which appeared to be based on a genuine desire to resolve the disputes and to reduce tensions, and more importantly had gone some way to achieving this.

In some of those locations where there has been full engagement the parties feel they are edging towards (but have not yet reached) a full and sustainable resolution to the dispute. At the other extreme the dispute appears frozen in time, with local parading practice little changed since the late 1990s. Yet even in the cases of 'frozen disputes' we found that some things had moved on, and there had been developments that had helped to reduce local tensions.

Below we consider some of the forms of engagement that have been described to us. Most of these involve current and ongoing discussions, while in some cases the engagement has been or is episodic, and in a few cases the engagement has occurred some time in the past.

a) Formal Public Engagement

In a small number of areas there has been what might be considered as formal public engagement, as the discussions have been publicised, reported on in the media or publicly acknowledged in some other way.

5 Jarman, N. and Bryan, D. (1996) *Parade and Protest: A Discussion of Parading Disputes in Northern Ireland*. Coleraine, Centre for the Study of Conflict, University of Ulster.
Kelly, G. (1998) *Mediation in Practice*. Derry Londonderry, Incore.

Three examples that have been widely publicised give some indication of the ways in which disputes over parades have been addressed in a local setting through the involvement of various third parties.

In **Derry Londonderry** representatives of the Apprentice Boys and the Bogside Residents' Group have met on a regular basis over a number of years to plan for the two main annual parades in the city. The initial phase of this engagement was chaired by John Hume, then MP for the area, later the process was led by the Mayor of Derry, while the third and current phase of dialogue was initiated by members of the local business community, and has included the input of the Chamber of Commerce and the Town Centre Management / City Centre Initiative.

The current phase of dialogue meetings, involving up to three representatives of the Apprentice Boys and the Bogside Residents' Group, have been independently chaired by a local businessman for a number of years. They involve a mixture of face to face meetings of the key participants and bi-lateral meetings between the chair and the relevant groups. They were described by one interviewee as a *'long drawn out, tiresome and delicate process'* and by another as an *'extended problem solving exercise'*. But they have resulted in a number of areas of agreement, which have succeeded in reducing tensions considerably.

Among the changes, developments or improvements that were cited by various interviewees are the following:

- The rights of the Apprentice Boys to parade the walls of Derry has been accepted by members of the nationalist community;
- The Apprentice Boys have agreed that this right should be exercised only by members of the Parent Clubs of the Apprentice Boys;
- The Maiden City Festival, which has run for a week in August, has been set up in an attempt to broaden the understanding of the importance of the Siege of Derry and the parades among the wider unionist and nationalist communities;
- The date of the December 'Closing of the Gates' parade has been moved from the third to the first weekend in December to reduce the impact of the parade on pre-Christmas shopping and on local businesses;
- The Apprentice Boys have condensed the timetable for the December parade to reduce the amount of time people are waiting around and to reduce opportunities for drinking;
- The Apprentice Boys have established an extensive network of trained marshals who help manage the parade, particularly in the Diamond area;

- The Apprentice Boys and the police have worked to reduce the level of disorder caused by consumption of alcohol;
- The Apprentice Boys and the police have worked to improve the behaviour of bands participating on the parades;
- Diversionary activities have been put on for young people in the nationalist community on the days when the parades take place.

Despite this broad range of activities where improvements have been made, it was acknowledged that there are still a number of issues that remain to be addressed. It was noted that the dialogue process remains a work in progress, and although there have been significant areas of agreement, they have not yet reached a stage where there is no need for meetings prior to each parade.

Furthermore, the various interface areas across the city also remain a source of tension, and this can and at times does impact on parades. The ongoing work to manage tensions in interface areas involving members of local communities, the city council, the PSNI and other key agencies remains an important area of work to help ensure the parades remain peaceful.

Newry: There have been forms of both formal and informal engagement in Newry, where the District Council has taken a positive approach to encouraging dialogue and building relationships between members of the nationalist and unionist communities in order to address some of the 'hard issues' that create tensions and division. This process has been underway for many years now and has resulted in a reduction in protests and tensions associated with parades.

The Good Relations Forum was set up by Newry District Council following protests about parades in the late 1990s⁶ and has played a positive role in helping to build relations between members of the loyal orders, local bands and representatives of the nationalist community. Although it was not set up primarily to focus on parades, the GR Forum has provided a space for people to meet and talk about a range of community relations issues affecting individuals and organisations living in Newry. Members of the Orange Order and local bands have participated in the Forum and the relationships that have been established have enabled individuals to address the disputes over parades with greater ease and confidence than might otherwise have been possible. Other council bodies such as the

6 See Kelly, G. (2004) Shared Space, Shared Problem: Local civic fora and intercommunal relations. Belfast, Democratic Dialogue, available at <http://cain.ulst.ac.uk/dd/papers/dd04fora.pdf>

Elected Members Forum and meetings of the party leaders have also played a role in building relationships and enabling opportunities for dialogue, communication and understanding.

As a result of the various discussions, tensions over parades have been considerably reduced and some degree of engagement has enabled a number of parades to have access to key areas of the city centre. In 2004 the Newry District Twelfth of July parade was able to walk past the town hall and war memorial, in 2007 the South Down Defenders Flute Band were able to parade a similar route prior to their main band parade (as a result of a determination by the Parades Commission) and in 2008 Altnaveigh LOL were able to parade from Monaghan Street through the city centre along a route that the Orange Order had not been able to parade since 1996. Loyal order church parades have also been able to take place in the city centre without protest or opposition. Although there has been progress in reducing tensions over parades in Newry, there are still disagreements among key parties about the way forward, and while Sinn Féin remain opposed to band parades in the city centre, they have not organised formal protests against the event.

Ballycastle: In Ballycastle there were concerns about the impact that the 2006 District Orange Lodge Twelfth of July parade might have on the predominately nationalist town. The previous Twelfth parade in the town in 2001 had led to tensions and some disorder. As a result Moyle District Council worked with the parade organisers to facilitate a number of events prior to the Twelfth. These included:

- Distributing a leaflet to all households with information about the parade and why it was taking place;
- Holding an open meeting to enable people to hear about Orange culture and ask questions; and
- Diversionary projects with young people.

As well as supporting and participating in these activities, the parade organisers also undertook a range of activities to try to address concerns and reduce tensions: These included:

- Meeting with the PSNI to agree the logistics for buses and transport on the day and to discuss elements of the parade route;
- Contacting local secondary schools to organise discussions with young people about the parade;
- Ensuring adequate marshalling at key points;
- Writing to visiting bands setting out their expectations for their behaviour, highlighting the Parades Commission Code of Conduct; and

- Arranging the layout of the platform at the field to reduce the impact of amplified noise on local residents.

Moyle District Council also commissioned an independent audit of attitudes among business and residents to the parade late in 2006⁷. This found that:

- The parade went off peacefully, although it required a large police deployment;
- The parade organiser made efforts to engage with some within the nationalist community through an open public meeting;
- Opponents protested peacefully and helped maintain order;
- A majority of businesses and residents regarded the parade in negative terms, Catholics generally opposed the parade and Protestants generally supported it;
- The PSNI were generally well regarded; and
- There was goodwill from all sections of the community to the principles of sharing over separation and cultural diversity.

The report also set out a number of recommendations for future action and identified a number of indicators (costs, numbers of police deployed, support for the parade, prior positive media coverage and retailer involvement) that should be the focus for activities in advance of the next major Twelfth parade in the town in 2011. However, despite this research and the information that had been gathered the people we interviewed claimed that there had been little action to take forward the recommendations since the report was published and one local councillor from the nationalist community said that the council were waiting until closer to the time before they did anything. A local member of the Orange Order was critical of the lack of action by the council and noted that the Order was already well advanced in their preparations for the 2011 parade.

These three examples illustrate some of the ways in which local councils or other third parties have been able to take a role in facilitating dialogue or raising awareness about parades and through such work they have helped to enable parades to take place with less disruption to the community and with a reduction in tensions.

⁷ See Moyle District Council (2007) 12th July Parade Review. Ballycastle, Moyle District Council available at <http://www.moyle-council.org/uploads/publications/Full%20Report.pdf>

b) Formal Non-Public Engagement

In some locations there have been face to face discussions involving representatives of the key parties, although the discussions have remained confidential and unpublicised. The non-public nature of the discussions is generally because of a perceived opposition to engagement with republicans by sections of the unionist community. In some areas the discussions have involved members of the Orange Order, although this generally involves members who are participating in other public roles as political representatives or in a personal capacity. In other areas the participants include members of loyalist bands, who are willing to make changes to their parade but are cautious about the response they might get from members of their wider community or from other bands if they announced they were meeting republicans.

In one location a local forum involving members of the loyal orders, band members, residents, community workers and politicians has been meeting for more than year in an attempt to address issues related to parades through the town. They believe they have made considerable progress and have helped defuse tensions and have reduced the number of parades passing a contentious area. In some cases this has involved parade organisers using a less contentious route, in others the route of the return parade has been slightly changed to avoid a contentious spot. Bands have also agreed to avoid playing at a contentious site and instead walk to the beat of a single drum and parades have been subjected to better time management to avoid disruption late in the evening. The success of the discussions over parades was also a factor that enabled tensions over the desire to display unionist and nationalist flags around the same time and in the same area to be defused with relative ease.

The regular meetings have helped to establish better relationships between the various individuals involved and have increased understanding of the issues and concerns associated with parades. Despite the relative success that has been achieved the group acknowledges the need to continue meeting to discuss the issue of parades. The relative success that has been achieved to date has also encouraged the group to extend its agenda and plans to move on to consider the development of an agreed strategy for regeneration of the local areas and to explore how to meet the needs of young people.

In another location meetings between members of a local flute band and prominent local businesses were convened to address concerns raised about a planned band competition and in particular the level of

disruption that might be caused to both traffic and trade. The discussions were facilitated by a local individual with extensive experience in community relations and meetings took place at a discrete neutral venue. These resulted in the band agreeing to move the date of their parade, in order to avoid a clash with another prominent event, and the parade passed off peacefully. Less formal contacts took place the following year and the parade again passed off peacefully. There are still tensions over parades in the town and there has been some suggestion that a community forum should be created to discuss wider issues of sectarianism and inter-communal tensions.

In a third area members of the loyal order have met with local residents on occasion over a number of years and this led to some reductions in tensions and led to some improvements in the context around parading. The loyal orders voluntarily curtailed some sections of the parade route and agreed some limitations on the playing of music, and in return received some reduction in opposition to other aspects of the parades. However, the loyal orders felt that they were not getting sufficient recognition for their engagement and following a leak to the local media decided to withdraw from the process. More recently the local MLA has facilitated contact between residents and the local band and this has led to an extension of the parade route for their annual band parade, a cessation of protests and a reduction in police levels.

In each of the locations where we have noted some form of non-public face to face engagement, the process has involved a role for an independent chair or facilitator, or in some cases co-chairs, who has the respect and confidence of each of the participants and who have helped to move the process forward. In each case the people have been wary of making their discussion public due to concerns about how sections of the wider community might react and it is noticeable that in one location a leak to the media led to accusations of bad faith and an interruption to the process.

c) Indirect Engagement

By indirect engagement we mean discussions that have not involved face to face talks, but rather have taken place through an intermediary or through a form of 'shuttle mediation', and significantly have resulted in some level of local compromise or agreement that has moved the dispute closer to resolution. In such cases the lack of direct discussion has been a strategic decision, either taken because of formalised opposition to such meetings by one party or because of concerns for safety and security

and fear that the participant might be threatened in some way if their participation became public. It is notable however, that the representatives of the community who favoured face to face discussions were still willing to participate in less direct engagement in order to be able to address the issues that were creating tensions.

In one example issues were raised by a councillor about the route, timing and general disruption to local routines by a band parade. The concerns were communicated to the band via the Parades Commission and although the band expressed surprise at the complaints they agreed to respond to the issues that had been raised. As a result a number of changes have been made:

- The route of the parade has been changed to avoid a contentious area;
- Attempts have been made to ensure the parade does not run too late;
- Signs have been erected to identify the sections of the route where music should not be played;
- Some visiting bands have been spoken to about their behaviour;
- Attempts have been made to limit alcohol consumption; and
- Portaloos have been hired to reduce on-street urinating.

The band have also met with the Parades Commission on an annual basis to review progress and discuss any ongoing problems, although sufficient progress has been made that they have been informed by the Commission that they no longer have to do this.

Another band in an urban location began discussions with local nationalist residents through a third party interlocutor to clarify issues around the band's annual competition in June. It was in this context that a community representative went to the band with a series of questions from nationalist residents with regards to the parade. Through this process each side was able to express their views and concerns with regards to particular events which helped increase the flow of information between the relevant parties and reduced the tension associated with not knowing what was going to happen on the day of a particular parade or protest. Indeed, it became apparent throughout discussions that dialogue and the sharing of information was crucial to reducing tensions. It is vital that the relevant parties are informed of specifics regarding the parade (such as location, route, time, numbers of participants etc.) which better enables them to plan effectively for how they will manage with the situation as it develops on the day.

The representatives of the nationalist community have also tried to control the activities of young people and at times have used stewards to control crowds. As things have improved they no longer feel the need to deploy stewards although they still send observers to watch the parade to ensure it complies with the Parades Commission Code of Conduct. There are still some changes that the nationalist representatives would like to see but they acknowledge the work done by the band and the improvements that have been made.

d) Exploratory Engagement

In some areas the only progress has been what might be termed 'talks about talks'. In such instances the dispute has been unresolved or 'frozen' for some time, but in an attempt to initiate a process political representatives or representatives of the parade organisers have made contact with, or sought to make contact with representatives of the residents group or a local politician, with a view to seeking a local agreement.

In one case the exploratory contact involved political representatives who were members of the loyal orders but who were acting independently and without the knowledge of the loyal orders, approaching members of the residents' group to explore their willingness to engage in discussions about a contentious parade. In this case the process did not develop any further as it was felt that the residents did not respond positively to the approach and there was unlikely to have been any progress resulting from face to face meetings.

In another location members of the local band have written to a senior local nationalist political representative requesting a meeting to discuss possible changes that would allow their proposed parade to proceed further along their desired route. The band have had no response to their requests either from the politician or from other members of the political party concerned.

In a third location members of two loyal orders had reached an informal agreement with the Parades Commission by which they would each give up one annual parade if the two annual church parades were permitted. However, the agreement was symbolically broken by one of the orders and the Parades Commission have since imposed determinations constraining one of the church parades each year. The local order has since made representation to the Commission to seek to reinstate the agreement but they have been told that they would have to engage with the local residents' groups before this could happen, and they have refused to do this.

e) Resolving Disputes

In a small number of areas, issues related to or associated with parades appeared to have been dealt with, largely or completely, to the satisfaction of the local parties. This generally occurred in relatively small predominately rural locations, where local contacts were utilised to address concerns that could potentially grow into a source of tension and conflict. In such situations the issue appears to have been nipped in the bud to prevent it becoming a more serious source of inter-communal tension.

In one location protests had led to restrictions on parades organised both by the local loyal orders and by the local flute band. A local community forum was set up to try to open the debate to a broader section of the local community and the role of the residents' groups reduced. The band parade was identified as the real issue and the Parades Commission imposed restrictions on their parade. Restrictions were not imposed on the various loyal order parades through the town and they have been able to proceed without hindrance since then. Parades Commission data indicates that only one parade through the village has been considered contentious in the past four years.

In another area concerns were raised about plans to display flags prior to a parade through the town as the parade was due to take place the day before a major local GAA match. Accommodation was reached between the loyal order and the GAA to enable the loyal order to fly their flags for the parade, but to remove them soon after to enable the GAA to erect their flags for the match the following day.

In a third location the organiser of a band parade was informed by the police about growing tensions over an upcoming parade in a nearby nationalist housing estate. As a result the band organiser voluntarily agreed to change the route of the parade. Since then there have been no complaints or protests about the parade and the police have been able to scale down the number of officers they deploy considerably.

While most of the developments between the relevant parties took place within rural elements, there were also some elements of progress in urban areas. The development of relationships and building of trust in one urban location has allowed a flags and emblems deal to be agreed whereby flags are not put up on lampposts outside schools, churches or Orange Halls. In one area, discussions had led to the reduction of flags from lampposts in the area from over 100 to two, a move which was

welcomed in reducing tensions at the interface. In addition, in another location an Easter Commemoration march in recent years has stopped playing music while passing Protestant churches and Orange Halls. Interviewees noted that the principle of respect for one another's cultural practices was coupled with a recognition that the situation regarding parading could not be allowed to degenerate to such an extent as it did with regards to the Drumcree dispute.

There were two other categories of disputed parades, which do not fit neatly within these main forms of engagement. In some areas there has been more evident engagement and the disputes are effectively 'frozen'. There are also small number of locations where the tensions or disputes have emerged more recently and any process is at a very early stage.

Frozen Disputes

In a number of areas there appear to have been no attempts at engagement between the parade organisers and the opponents of the parade. In each case the reason cited was the Orange Order policy of no engagement with residents' groups where Sinn Féin has some presence or perceived presence. However, it is worth noting that in some locations the representatives of the Orange Order indicated that they were not averse to meeting with the residents or members of Sinn Féin, but they would not go against the agreed policy of the organisation.

In some of these locations the parade organisers indicated that they did not anticipate any changes in the situation unless or until the Parades Commission was replaced by an alternative regulatory body. In each case the organisers expressed a sense of injustice over the restrictions that had been imposed, but there was also a sense of resignation in their attitudes, which conveyed an underlying belief that they were unlikely to ever secure the preferred route for their parade.

Recent Disputes

Although in many of the locations the disputes date back to the 1990s and the early days of the current cycle of disputes, in some locations the disputes were of more recent origin and appeared to be still developing momentum. In such locations some of the patterns from the mid 1990s were being replicated, with the parade organisers accusing opponents of being unreasonable, intolerant or politically motivated and refusing to engage in discussions, while those opposed to elements of the parade were seeking face to face dialogue and restrictions on the parades until this was achieved.

It is notable that in some locations where disputes have arisen relatively recently, and where the parade organisers have been willing to respond to concerns that have been raised, the protests have not developed any momentum and a relatively satisfactory local accommodation has been reached without necessarily involving face to face discussions.

Summary

This review of a variety of locations where there have been disputes over parades reveals that there have been some positive developments and real progress in a number of locations, although in almost all of them any process needs to be considered as ongoing and there are few locations where disputes might be considered as effectively addressed.

The basic lessons that can be drawn from this are:

- Where opposing parties are prepared to engage in some form of dialogue or process of acknowledging the views and concerns of the other, then it is possible to address the issues and begin to reduce tensions.
- If people are unwilling to engage there is little opportunity for progress. Perceived positive changes are unlikely to be imposed without dialogue.

There are a few variations on these two main lessons, however:

1. If the dispute is a longstanding one, and particularly if it dates from the 1990s, then face to face dialogue will probably be necessary to move the process along;
2. If parade organisers are willing to respond quickly to complaints then it is possible to resolve an issue without face to face dialogue;
3. If an agreement is made and this is then broken, it will be difficult to reinstate the agreement and any new agreement may require more extensive restrictions on the party who broke the agreement;
4. If an offer of a compromise or an agreement is rejected, it will be more difficult to engage the rejected party in future dialogue;
5. If there is a breach of trust, particularly involving the media, it will be difficult to re-establish a process;
6. All potential participants in a dialogue process are part of a wider community, not all of which has benign views of such dialogue. Threats and intimidation can impact on the capacity of some parties to participate in inclusive dialogue.

4. Key Participants in Local Dialogue

Across the various locations a diverse range of parties have been engaged in trying to address the different disputes associated with parades. As we have noted, in a small number of locations the central disputants (parade organisers and members of residents groups) were directly involved in a process, in other areas there was some form of delegated or representative involvement. In this section we discuss the attitudes of the main organisations or sectors of the community to participating in dialogue in search of resolutions to disputes, and we then discuss the different types of authority that individuals may have and the impact this may have on attempts to reach some form of local resolution to a dispute.

It is difficult to generalise about attitudes to responses to disputes across organisations such as the Orange Order, with a diverse range of members across a wide geographical area, or across looser networks of localised groups, such as the loyalist flute bands, but it is possible to offer some general perspectives.

The Orange Order: The current policy by the Grand Orange Lodge of Ireland prevents individual members of the Order or Orange Lodges from engaging with Sinn Féin associated residents' groups or the Parades Commission. However, in practice some individual members and some private lodges have engaged with opponents of parades and have had some level of contact with the Parades Commission:

- In some cases this has been done with the tacit knowledge (if not support or approval) of the Orange Order, which appears to have turned a blind eye to the engagement;
- In some cases this has been done through drawing on the role of political representatives who may also be members of the Order;
- In some cases an individual member or a small group of individuals have participated in discussions without the knowledge of their lodge;
- In at least one case members of a private lodge set up a community group and met the Parades Commission in this capacity.

The Apprentice Boys of Derry: The central committee of the ABoD have been involved in discussions with the Bogside Residents' Group for more than a decade. Branch clubs of the Apprentice Boys are allowed to follow the wishes of local members in responding to complaints about parades. In some areas clubs have engaged with local residents and/or the Parades Commission, in others they have refused to do so.

Bands: A significant change has been in the willingness of a number of bands to respond to concerns raised about their parades and engage in discussions or offer some form of changes in response to protests about their parades.

- In some cases members of bands have been prepared to participate in roundtable discussions as part of a broader group;
- In at least one case band members have sought to engage with politicians representing the other community, but this willingness has not always been reciprocated;
- In a number of cases band members have been willing to make changes to elements of their parades, and have participated in forms of shuttle mediation, although they have resisted face to face talks;
- In some cases band members have refused to participate in discussions because of a fear of intimidation from within their own community;
- In one location we were informed that a band member had been thrown out of a band for meeting representatives from the republican community in order to discuss a parade.

Residents' Groups: In general the residents' groups state that they are keen to participate in face to face dialogue with parade organisers, and in many areas they have been involved in various forms of dialogue. Several representatives from residents' groups based in one location suggested that without dialogue there is a lack of information and knowledge within the local community as to what is going to happen on the day of a parade. It was generally believed that it is in this atmosphere of mistrust that tensions increase and there is a greater likelihood of disturbances on the day of a parade.

However, in a small number of locations there appears to be very limited organised opposition to parades, or any such organisation has diminished over the years and some parade organisers have claimed that the residents' group are not representative of local people. In a small number of locations, where a contentious parade has been restricted for some time, residents' groups appear to be reluctant to engage in any discussions as they are content with the current situation and believe that any dialogue might lead to parades being increased or routes being extended.

Politicians: In many areas local politicians appear to be playing a more prominent role in local processes than previously. In particular we have noted that some MLAs have been involved in taking positive steps to promote dialogue, a fact that may derive from the higher status of MLAs compared with local councillors and the opportunities they have for

informal contacts with members of other political parties while at Stormont. We noted that politicians have been playing a diverse range of influential roles that are difficult to simplify:

- In some cases politicians have used their representative status as an MLA or as a Mayor to reach out to engage, or to explore interest in engagement, with the other community in an informal manner and without any official mandate;
- In other cases members of a loyal order have used their positions as political representatives to engage in dialogue. This approach offers both an opportunity to explore a channel of communication and also the potential of deniability of participation in discussion by the loyal order;
- In some areas a local politician has tried to encourage or foster a process of dialogue and to bring people together;
- In a small number of areas a politician has refused to engage in dialogue and has thus effectively wielded a veto on any progress towards resolution.

It has been noted that disputes over parades are political issues and politicians have often been accused of manipulating a situation or stimulating contention to advance their political profile or in support of a political agenda. In one location it was noted that the fact that a prominent local politician was no longer making any public pronouncements about a contentious parade, and no longer attended the event to make public his opposition was considered as an indicator that the situation was becoming either less contentious or had less mileage as a political issue. Furthermore the reduced political profile of the disputed parade in turn appeared to diminish the interest among other sections of the community.

The changing approaches by some local politicians can be considered as indicative of those individuals adopting a more positive style of leadership, drawing on their representative status in trying to address parades-related issues in a more concerted effort. On the other hand the fact that some politicians are either not interested in engaging or appear to have less interest in the issue may be a reflection of the fact that much of the tension has dissipated from the parades issue and disputes over parades are now considered of limited political interest.

The Importance of Authority

Although local forms of engagement are considered to be an important factor in addressing the tensions over parades, it is also important that

the appropriate individuals participate in any dialogue process. One interviewee noted that face to face dialogue was necessary if any process was to be successful, but it was also evident that it was not enough simply to have someone attend meetings simply to represent a group or an organisation, rather it had to involve one or more individuals with the appropriate forms of authority to move the process forward. Furthermore, although face to face talks may be considered to offer the most committed form of engagement, in some areas some key actors have responded to protests and complaints through engagement with the Parades Commission or some other form of indirect mediation, and have successfully reduced tensions and addressed concerns. We discuss engagement with the Parades Commission and other mediators in the next chapter.

In participating in direct or indirect dialogue over parades individuals may bring with them and draw upon different forms of authority, which we have classified as representative, delegated, membership, personal and political authority. The next section briefly describes the elements of each of these forms of authority and considers their value and potential impact in attempts to address tensions over parades.

Representative Authority: An individual with representative authority is considered to be formally representing a group or organisation in any discussions, but crucially the individual also has the authority to negotiate decisions and agreements and to take a decision on behalf of their organisation without going back to seek approval for any decisions or compromises that might be made. In some cases the representative may not represent the entire group or organisation, but rather may be part of a key core group, who nevertheless collectively have sufficient personal authority (see below) to ensure that any agreement they reach is upheld.

Delegated Authority: This we define as occurring when an individual is formally delegated to represent a group or organisation, but does not have the status or power to agree to any proposals that might emerge from the discussions. Rather the delegate must take any proposals back to the main body for consideration and or approval and only then return to the dialogue process to confirm agreement. This delegated authority may not necessarily be a negative factor as it may result from a democratic imperative within the organisation, rather than a lack of trust in the individuals participating in the talks.

Membership Authority: This is a lower level of authority whereby an individual may participate in a discussion as a simple member of a group or organisation, but may not have any formal representative or delegated authority. Individual members may be more likely to be involved in more informal processes or at a preliminary stage of engagement which may result from individuals drawing on existing personal contacts.

Personal Authority: This occurs when an individual participates in discussions because of their individual or personal status within the broader community rather than because they are a formal delegate of an organisation. In such cases the individuals are likely to rely on their personal authority, reputation and contacts to contribute to the discussions and to help facilitate any proposed accommodation.

Interviewees were clear that it is vital that key representatives with influence within their respective community are involved in discussions, ie those who 'can deliver'. Not only was it suggested that the involvement of key local representatives was crucial to secure community support for any compromise in relation to parading and protesting, but those with influence were also able to provide an effective stewarding service which reduced the need for a visible and heavy police presence, which as we have seen, may result in increasing tensions on the day of a parade rather than reducing them. According to one police officer such developments have allowed the police to take a diminished role at parades and protests, allowed communities to take responsibility and police themselves and is a more sustainable approach in the long-term. As such the role of loyalist and republican representatives within their respective communities in 'self-policing' their communities on the day of a parade or protest has been important.

Political Authority: This refers to politicians who draw upon their status as elected representatives to participate in any discussions. Such individuals may also use either or both of their personal political authority or their party political authority to 'sell' any proposed agreement or changes. In some cases political representatives may be given some level of informal delegated authority to speak on behalf of an organisation, while the organisation also retains an element of 'deniability' that it has been involved in discussions.

Although we have tried to separate these different forms of authority, individuals may bring a combination of different types of authority or elements of different forms of authority to the discussions. For example a politician may draw on a mixture of political, personal and

membership authority, while representatives and delegates may also rely on elements of personal authority to be effective.

There is evidence that each of these forms of authority have been drawn upon in different locations and at different times in attempting to address disputes over parades, however not all are considered as similarly effective in addressing differences and resolving disputes.

The most effective face to face discussions appear to be those that involve individuals with representative authority, as they have the flexibility to be able to explore a range of options and to function within a context of developing dialogue and emerging options, but can also commit their organisations to supporting agreements on the spot. Processes involving individuals with representative authority can also take place in a discrete and even informal manner and agreements may be reached relatively quickly.

In contrast, discussions involving individuals with delegated authority tend to be more protracted as delegates must return to their organisation to seek approval for possible agreements and they may in turn need to return to the dialogue process to clarify issues or to renegotiate elements of an agreement. Furthermore, on a number of occasions proto-agreements made in roundtable discussions have been overruled by members of organisations or through leaking possible compromises to outside parties who may then try to influence the decision. Any process of 'to-ing and fro-ing' or the rejection of an agreement by some members of an organisation or group may also undermine the trust that might have been built up in the broader discussions or may lead to accusations of bad faith from the other party.

Problems may specifically occur in cases where there is an imbalance in the levels of authority among the participants in any process, for example if one party brings with them representative authority and the capacity to offer compromises and reach an agreement, and the other party only has delegated authority, requiring them to seek subsequent approval outside of the discussions. This may create tension amongst the participants with a feeling that the other party is playing for time, or it may lead to a belief that an agreement has been reached, which may subsequently not be approved by the delegating body.

Discussions that involve individuals who rely on their personal authority may be successful in reaching an agreement or proposing some form of change, but they run the risk of the individual not actually having

sufficient personal authority to convince members of his or her organisation to support the agreement. Furthermore, if an agreement is dependent on the authority of a single individual it will be reliant on the ongoing presence or participation of that individual in the process, and if knowledge of a 'deal behind closed doors' becomes public people may react adversely to the nature of the process even if they support the outcomes.

Similarly, political authority also has an element of fragility with it. It will be dependent on the ongoing status of the politician and on his or her standing in their party. But it may also be subject to in-fighting between members of the organisation he/she is representing, who may prefer to exploit party political positions rather than reach a resolution of a local dispute.

Summary

There have been numerous attempts by key local actors to reach local accommodation over contested parades in many areas across Northern Ireland. In many cases individuals or groups have changed their position over recent years. Where in the past they may have resisted responding to protests and complaints about parades, now they are more willing to try to address such issues, reduce tensions and move on. Only the Orange Order retains a formal restriction on members engaging with republican groups, but even within the Order there have been attempts to reach accommodation in some areas by establishing informal contacts or drawing on the use of third party representatives.

We have identified a number of different forms of authority that may be drawn upon to try to ensure that dialogue, whether direct or indirect, is productive. While some forms of process and some types of authority may appear to be more effective at securing local accommodation than others, the research suggests that there is no simple prescriptive approach that can be applied to all contexts and all disputes.

5. The Parades Commission and Local Mediators

Although groups and organisations in many locations appear more willing to explore opportunities for dialogue, there is also often a role for a third party to help facilitate that process, through prompting, supporting, passing information, performing shuttle mediation and various other activities. The Parades Commission has overall responsibility for addressing disputes over parades but in many locations other groups or individuals have played an important role in processes of dialogue. We begin this section by discussing attitudes to and engagement with the Parades Commission, before considering the work done by other types of mediator or facilitator.

The Parades Commission

The Parades Commission was readily acknowledged as the body with primary responsibility for making decisions over contentious parades. The Parades Commission was also acknowledged in some locations as having played a positive role in the background of disputes, through facilitating contacts, listening to different parties and providing space for local dialogue. It was noted that the Commission would be prepared to desist from making a determination if there was a possibility of local accommodation or that a determination could be issued that reflected an unpublished local agreement.

In many locations individuals did not admit to having much serious engagement with the Commission, and it was not identified as a significant player in many of the processes seeking a local agreement. In some locations where people described having engagement with the Parades Commission, this appears to have largely been limited to discussions with one of the Commission's Authorised Officers. In a number of locations the Commission was accused of having an inflexible approach and of failing to acknowledge or give credit for work done or attempts at dialogue by parade organisers.

Overleaf we review individuals' general responses to the Parades Commission, it was notable that attitudes to the Commission and a willingness to engage with the Commission and its AOs varied greatly among key local actors. We discuss specific engagement with the AOs at the end of this section.

The Orange Order: As previously noted the Orange Order has refused to engage with the Parades Commission and all lodges and members are expected to adhere this policy. This position has been supported by parade organisers in most of the areas we visited, for example one parade organiser noted that a representative of the Parades Commission attends the parades he organises at least once each year, but he always refuses to engage with the representative.

As also has been noted, in other locations members of local lodges have circumvented the Grand Lodge ruling either directly, indirectly through adopting different roles, or through use of intermediaries who are often political representatives and also members of the Orange Order.

All members of the Orange Order we interviewed also noted that despite their dislike of the Parades Commission they would always aim to adhere to their determinations and would not break the law no matter how much they disagreed with a ruling. A number also commented that they also looked forward to the time that the Parades Commission was replaced by another body or structure and regarded this as the best option for resolving the disputes to their satisfaction.

Bands: Many of the bands we spoke to had had some form of engagement with the Parades Commission, some with the Authorised Officers and some directly with the Commissioners. Some bands found the engagement useful, as it provided them with an opportunity to express their views directly to the decision makers. They felt that the Commission had recognised the efforts made by bands to address concerns and they acknowledged that meeting the Commission had been an element in a process in which restrictions on their parade had been eased. Others found the process more frustrating and felt that even though they had proposed significant changes no benefits had been gained and their dispute remained frozen.

Unionist Politicians: A number of unionist political representatives noted that they had engaged with the Parades Commission to explore possible ways of addressing a dispute as an intermediary for a parade organiser. One noted that the Commission had required 'full blown engagement' with residents but as the Commission could not 'guarantee' that this would lead to a parade, it came to nothing.

Another unionist politician, who has engaged with the Parades Commission even though he is opposed to the body on principle, believed that the process could be improved if organisers and disputants

were asked to present their arguments in a roundtable format which would allow some opportunity for developing dialogue and discussion, which did not exist under the present approach. However, after engaging with the Commission over a number of years this individual has decided there is nothing to gain from further engagement.

A third unionist politician, who was involved in a roundtable process that was having some success, noted that the Parades Commission were aware of the discussions and were happy to simply be kept informed of developments. Furthermore, it was acknowledged that the Commission would accept that decisions made through a local agreement would provide the framework for any determinations they might issue.

Nationalists: Members of the nationalist community have no constraints on engaging with the Parades Commission, although they believed that progress would best be achieved by direct engagement with parade organisers. Some noted that they had more confidence in the Parades Commission making a fair decision than they would have had in the police. There was also some scepticism about the independence of Parades Commission decisions, with some interviewees believing that decisions were heavily dependent on information provided by the police or in response to police preferences.

One complaint made by those involved in opposing parades was that the Parades Commission emphasised the importance of their own Code of Conduct, but often failed to enforce this or did not appear to take breaches of the Code of Conduct into account when issuing subsequent determinations, or were inconsistent in responding to breaches of the Code of Conduct. This created a sense of impunity with regard to this document as it was felt that ignoring the Code of Conduct was unlikely to result in any punishment.

Nationalist Politicians: The nationalist politicians we interviewed acknowledged the importance of understanding the role of the Parades Commission as a legally empowered body so that they could raise concerns and identify issues that they felt needed to be addressed more effectively. They also acknowledged that the Parades Commission could be a useful channel for making contacts and exploring opportunities for dialogue with parade organisers, although this did not always achieve the desired results. There was also an indication that in some areas nationalist politicians were trying to highlight concerns about some parades with the Parades Commission at an early stage and in a more discrete manner and without any form of public protest.

Authorised Officers

Although interviewees often spoke of having had contact with the Parades Commission, it was clear that most of this contact was with one of the Authorised Officers rather than with one of the Commissioners (although a number of interviewees had met with one or more of the Commissioners). In a number of locations the Parades Commission's Authorised Officers were identified as having played a valuable role in facilitating local discussions. Many of the AOs have longstanding experience in dealing with disputes over parades and have developed a wide range of contacts among key local actors. In many instances noted to us, the AO was involved in helping to facilitate contacts either between parade organisers and the Commission or between organisers and people opposed to elements of a parade. Interviewees were also keen to distinguish between different AOs and noted that some had proved more effective than others, had a better range of contacts, were regarded as being more sympathetic to a particular position or responsive to local concerns.

In some locations the AOs were cited as playing a key role in helping to initiate a process, while in others local individuals stated that they did not want the AO involved in their discussions or preferred to keep them at arms length, although they valued having them as a line of communication with the Parades Commission.

One AO we spoke to highlighted one aspect of their work as ensuring that people delivered on any assurances that they gave in the course of discussions and noted that failure to do so could lead to a breakdown in trust and the collapse of a local process. However, some people involved in local disputes had also noted that the AO they were working with had at times failed to deliver on assurances they had given and as a result they were sceptical about the benefits of working with the AO.

Another AO said that he believed that it took at least four years to establish local relationships that had sufficient levels of trust that could withstand set backs resulting from people not always being able to deliver what they hoped to be able to deliver. It may be that the greater levels of engagement and willingness to compromise, or make changes to the form or content of a parade in a number of areas is the fruit of a long period of sustained engagement.

Facilitating Discussion and Mediating Disputes

The Authorised Officers were often cited as having played a positive role in assisting contacts between individuals at a local level and also in encouraging discussion by facilitating exchanges of views through a form of 'shuttle communication'. However, there are a diverse range of other individuals and organisations who have been employed in some form to act as mediators or to help facilitate a process designed to support dialogue and discussion related to disputes over parades. In fact most of the locations where there have been discussions about parades have involved a third party acting as a facilitator or as an intermediary in the process, although there is no common profile as to the background or nature of the individual or organisation that might play such a role.

Independent Mediators: There are a small number of independent professional mediators that have been employed to facilitate contacts and bring parties together. There are a number of reasons why a particular independent mediator might be chosen:

- In some areas the independent mediators have been chosen because they have particular experience in facilitating discussions over parades.
- In others it is because the mediator has a well established reputation as an independent but fair operator with one of the key organisations involved in the disputes.
- In some cases the individual has been chosen because he/she has been working on the ground in the location on issues un-related to parades and has established a good reputation among key local actors.
- In some locations the mediator may also be able to offer a safe, neutral, convenient, but discrete venue for discussions to take place.

It is notable that in some locations an independent mediator has been utilised at the beginning of a process but as the process becomes more established the independent mediator has given way to another person with more local connections.

Local Councils: In a small number of areas the local council has been involved in facilitating a process or set of discussions about parades. This may be because the council are already facilitating discussions around general good relations issues or because it is regarded as a broadly representative body that can play an effective role as an independent facilitator. Where a local authority has taken an active role in addressing disputes over parades, it may have been effective in pulling people

together and sustaining a process over time. However, in reality few councils have taken any form of active role in responding to disputes over parades and in those instances where a council has been active it appears to be due to the initiative and energy of individual officers and thus dependent on their continued presence in an appropriate post to enable them to continue the work.

Local Forums: In some areas discussions over parades have taken place within a local forum that aims to include a broader range of participants than simply the key actors involved with parades. Alternatively in some areas a local forum had been established to consider wider community relations issues and this provided an opportunity for relationship building that facilitated discussions over parades⁸. In a small number of areas interviewees highlighted the potential of a local community forum to build on the work that had been started around parades and to begin to address other issues that created tensions between the two main communities.

Business Leaders: In a number of locations members of the local business community have successfully taken a lead role in facilitating dialogue over parades. In a number of places interviewees cited the disruption that a parade may cause to trade, local business or tourism as a particular problem. As a result, members of the business community may be able to play a role within a context where they have an interest in reducing the disruption that a parade might cause but are not seen as motivated by a political agenda.

Summary

Although the Parades Commission and the Authorised Officers are the principal body tasked with responding to disputes over parades a number of other interested parties have taken a role in trying to mediate disputes. This diversity reflects the impact that such disputes can have on the wider local community and the range of different approaches that have been brought to bear on the issue.

8 Kelly, G. (2004) Shared Space, Shared Problem: Local civic fora and intercommunal relations. Belfast, Democratic Dialogue, available at <http://cain.ulst.ac.uk/dd/papers/dd04fora.pdf>

6. Seeking Local Accommodation

The key factor that came out of the discussions about how people were addressing the disputes was the recognition of the importance of making changes and accepting compromises. Although some of the frozen disputes were perceived to have resulted in zero-sum outcomes, whereby one side had largely achieved what they wanted and the other felt they had lost out, where there was some form of active engagement this had progressed because each party was willing to participate in a process of exchange, and thus each felt they benefited.

One of the key reasons why there was a greater willingness to engage with the other side in a more positive manner appears to be that the process of participation in dialogue had led to a greater degree of understanding of the role of parades in Northern Irish society. This may appear to be an obvious expectation of dialogue, but it is not necessarily always a realistic outcome. However, a number of parade organisers stated that they believed that a greater understanding of the complexity and diversity among unionist parades and parading bodies had developed among nationalist protesters as a result of local dialogue. This included recognition that not all parades could be adequately described by the cover-all term of an 'Orange parade' and that some parades, or particular aspects of some parades were more problematic than others. This had led to a more discriminatory approach in some areas with a focus on the need to address issues that cause concern rather than simply ban all parades.

This was balanced by an acknowledgement among some people that parade organisers in turn were willing to acknowledge that there were issues that needed to be addressed and that changes could be made to elements of the practice of parading, which would in no way undermine the broader culture of parading for religious or commemorative processes. There thus appeared to be a greater degree of acknowledgement of the position of the other party than was evident previously and of the contrasting significance of parading within each community. This recognition was increasingly couched both in the language of human rights and through concepts of sharing and belonging.

- Among those identifying problems with parades there was a willingness to acknowledge that freedom of assembly included the right to parade, but with this came an assertion that there also needed to be recognition of the impact that parades have on the wider

community and thus the responsibilities that parade organisers should have to the wider community.

- Among parade organisers there was less emphasis on a simple assertion of their right to parade and instead the importance of parading as a part of local cultural practice was emphasised. There was also greater readiness to acknowledge the parading body's position as part of the wider community and of their social responsibilities to that community, but with that came an expectation that the parading body would be recognised as a part of the local community rather than as an outsider or interloper.

Although some elements of the recognition of the rights of the other community were couched in rather tentative terms, there was a clear change of attitudes to the other compared to when the disputes over parades first emerged in the 1990s. One result of this was that there appeared to be less bitterness and hostility among the participants towards the 'other' community, and instead there was a greater pragmatism in the need to find ways to accommodate each other and to make compromises to move the issue forward in some way. In areas where the dispute remained frozen, bitterness and hostility appear to have been replaced by an air of resignation in relation to a lack of capacity to change the situation and, amongst parade organisers in particular, the attitudes of opponents of the parades had led to a sense of loss and a feeling of being excluded from their local community.

In a number of areas (except those locations where the disputes remained frozen) there was also some degree of acknowledgement that the other side were trying to improve the situation and were willing to explore opportunities for compromise. It might be going too far to describe this as grudging respect, but there certainly did appear to be some acceptance of the importance of tolerance towards the activities and opinions of the other group. In a number of locations interviewees noted that the dialogue had led to a greater awareness of the importance of parades among the loyal orders and of the diversity of parades and the differences among the parading bodies.

Importantly, there was a desire among both paraders and protesters to avoid violence and public disorder. This was accompanied by a frequent assertion of the need to work within the law to try to ensure that disputes were managed (and resolved) in a peaceful manner. There was thus an acknowledgement that a final resolution to any dispute would only come through discussion and local agreement rather than the imposition of a determination by the Parades Commission. To this end:

- All parade organisers, and in particular those who refused to engage with residents or the Parades Commission, asserted the importance of upholding the law, even if they did not agree with it;
- In most locations people spoke of moving away from formal protests, or the mobilisation of people on the streets;
- Protesters highlighted the role of a small number of individuals who would act as monitors to observe the behaviour of those on parade;
- Parade organisers referred to having members trained as marshals to try to reduce possibilities for disorder; and
- Both parade organisers and opponents of parades talked of improved working relations with the police and a reduction in police deployments at contentious parades (see below).

One outcome of this was evidence of a diverse range of compromises that had been offered, agreed and made. Some changes had been offered and accepted, some had been discussed and agreed, some had been made and rejected. Collectively they offer evidence of the desire to address the tensions over parades, to deal with the worst of the problems and a move away from the absolutism of the positions posed in the late 1990s under the rhetoric of 'No Orange feet' or 'the right to walk the Queen's highway'. Ultimately, any agreements or forms of local accommodation that have been reached have aimed to address the primary concerns of the protesters while trying to retain the essential elements of the event for the parade organiser.

However, as an indication of the still limited levels of trust that have been developed and of the tenuous nature of the relationships that have been established, there were no cases where the compromises that had been made by the 'other side' were regarded as highly as they were by the people that had made them. There was generally a grudging acknowledgement that the other group had moved its position, but also that they had not fully addressed the concerns that had been raised.

The main elements of parades-related issues where local accommodation was reached included:

- Changes to the route, involving avoidance of contentious or sensitive locations;
- Changes to the time of the event to avoid late night activity or clashes with other events;
- Changes to the bands being used or the number of bands participating;
- Changes to the music being played, particularly near contentious or sensitive locations;

- Changes to the displays of flags, placards or signs, both those carried on the parade and those displayed in public spaces;
- Reductions in levels of visible public protests;
- Improvements in barriers and crowd control techniques.

While most of these changes appear to relate to elements of the parade, in many areas those objecting to aspects of a parade have dropped facets of their opposition and have acknowledged the basic principle of the right to parade in response to a recognition of rights of the wider community and the disruption that a parade can cause to daily routines.

One outcome of the process of making or offering a compromise was that there was an expectation that it would be reciprocated and lead to compromises in return from the other side. This was not exactly the same as one side agreeing to do X if the other side agreed to do Y, but rather the initial offer might be seen as a one-sided move to indicate good faith and a desire to reach some longer term agreement. Thus instead of the decision to change being seen as coming from a position of weakness and leading to demands for further changes, it could instead be seen as recognition of the concerns of the other group, and this in turn could lead to a return compromise being made and thus a gain for the party making the first compromise. In one case the interviewee described it as a process of taking one step backwards one year in the hope of being able to take two steps forward the next year or at some stage in the future.

In academic terms such a process is referred to as 'delayed reciprocity', in contrast to simple direct reciprocity. While direct reciprocity is a form of immediate exchange, under a system of delayed reciprocity there is no guarantee that what you give will be compensated for, rather there is an expectation that one will be given something in return. The process is based on some degree of trust in the partner being willing or able to give something back in the future, rather than any certainty of this. There was thus recognition that offering a change committed one to being involved in a longer process which would take some time to achieve completion and that would ultimately involve give-and-take on both sides before a final resolution could be reached. It was also acknowledged that the party making the initial proposal was taking a risk, as there was no cast iron guarantee that the gesture would be returned and as such the suggestion of a one-sided compromise was not popular among those members of the group least amenable to change or seeking accommodation with the other.

The willingness to engage in discussions and to seek practical ways of addressing disputes represents a real step forward in addressing both the practical mundane matters associated with parades, and also begins to address some of the symbolic and relational dimensions that have served as the foundation for the disputes in the first place.

7. Reducing Tensions at Band Parades

In the past flute bands have been regarded as making a specific and distinctive contribution to tensions over parades, either because of the music they played, their visual displays or the disruption caused by the numerous band competitions that are held in many towns and villages across Northern Ireland. Furthermore, the bands often draw large crowds of spectators to their events, the majority of whom are young people, and there has frequently been excessive alcohol consumption, which in turn has resulted in outbreaks of alcohol related disorder. As a result the bands have often been highlighted as the source of much of the tension and disorder associated with parades, both by the authorities and by members of the nationalist community, and also at times by members of the loyal orders.

Many of the bands we spoke with were based in rural areas and they noted that while their members often lived outside of the local town or village they nevertheless had a strong attachment to the local centre, which was therefore the natural location for their annual parade or competition. They stated that the parade was an opportunity for them to reaffirm their sense of belonging and that opposition to the parade also felt like a rejection of their association with the area and that they were being told that they did not belong or were not welcome in the place where they were born or grew up.

Many of the band members acknowledged that their parades had provoked opposition or caused disruption or disorder and that the most disruptive aspects of the band parades did need to be addressed. They also emphasised that they were keen to respond to concerns about their parades and were willing to make changes that would address the issues raised by members of the wider or nationalist community, particularly if this meant they would have the opportunity to parade through 'their' community.

Many of the band members accepted that they would have to make the initial steps if they were to have any chance of achieving the removal of restrictions on their parades, rather than simply asserting their right to parade, and that this would involve engaging with various key groups and organisations. Most of the bands said that they had begun to be more proactive in this regard, and the range of activities that they were involved in included meetings with:

- The police - on a regular basis to discuss what they could do to ensure the event passed peacefully and safely;
- The Parades Commission - to explore what they would need to do to enable a parade to take place;
- Residents or members of the wider nationalist community - through participation in a community forum or some other public event or process; and
- Local politicians – in particular the SDLP who were considered as an acceptable face of nationalism. However, most bands were still not willing to meet with Sinn Féin as they were considered to be more opposed to parades in general and less amenable to proposed changes or possible compromises.

Discussions revealed that a conscious decision was taken by key members of one band's managing committee to adopt a more conciliatory and pragmatic approach when dealing with local nationalist representatives. The band established a Code of Conduct for its members to adhere to and now meet regularly with residents, the Community Safety Partnership and the police to discuss any potential negative impacts from their band competition. There is also a post-parade meeting which evaluates how the event passed off with a view to making the following parade run even more smoothly.

In some areas bands had organised or participated in open public meetings as a means of trying to inform people about the band and their parades and to give an opportunity for people to raise concerns and ask questions. The public events that we have been informed of do not appear to have been particularly well attended, but they were accepted as an honest attempt at engagement and greater openness with the wider community.

In a number of locations the Parades Commission appears to have recognised the work that the bands have done in responding to local concerns and either reduced the nature of the restrictions they have imposed or have refrained from issuing a determination altogether. However, in other locations the band have been frustrated when they have made overtures to sections of the nationalist community which have been rejected, and the Parades Commission have continued to impose restrictions on their events. In such situations the bands feel there is no way that they can move the process along.

The various band members highlighted their willingness to respond to complaints made about band parades by changing a variety of elements of their parade. Although each band is independent and therefore has to

address issues within the context of their own local community a recurrent number of types of changes can be identified:

1. In some cases the band competition that brought in bands from a wider area had been stopped and only the local band paraded in the town / village.
2. In others the host band paraded along the full route of the parade first and visiting bands paraded a shorter route afterwards avoiding any controversial locations.
3. In a number of locations the time of the parade had been changed to ensure the event ended at a more reasonable time in the evening.
4. Some bands had changed the date of their parade, or had moved their parade away from the weekend to a mid-week night to reduce the likelihood of disorder and disruption.
5. In some cases the bands said they tried to facilitate traffic flow, by adapting the route or by utilising just part of the carriageway.
6. Some bands said they would not carry paramilitary flags and had clarified with the police that their flags did not contravene the law.
7. A number of bands said they had imposed limitations on the music they played, and in at least one case a band erected signs along the parade route setting out where music could and could not be played.
8. Some bands had spoken to visiting bands about the standards of behaviour they expected and had warned that bands might not be invited in future.
9. A number of bands said they worked closely with the PSNI to try to reduce alcohol consumption. This included advising visiting bands about control of alcohol and hiring portaloos to reduce the likelihood of individuals urinating in public.
10. Some bands had provided marshal training for their members, who were expected to help marshal the parade after they had marched themselves.
11. Some bands stated that they had disciplined or even expelled members for poor behaviour.

In some locations bands are considering opportunities for further outreach or engagement with their local community. A couple of bands spoke of expanding their band parade so that it became one element in a wider local community festival, while another is involved in exploring the potential for developing their musical activities by linking up with some Irish traditional musicians to record a CD.

A key element which remains a potential flashpoint for future conflict over parade related issues is the role and behaviour of young people,

both those who support the bands and those young people from areas through which a parade may pass. There was also recognition of the importance of funding being available to resource youth diversionary activities, which were essentially planned to take large numbers of young people away on day trips when a potentially contentious parade was occurring. To date this has worked relatively well in several locations, with mini-buses made available on the day of a parade to take young people to other locations for activities in the event of the outbreak of violence.

8. The Policing of Contentious Parades

The police have always had a prominent role in the management of parades. Prior to 1998, when the Parades Commission took responsibility for imposing any restrictions or constraints on parade and protests, the police had responsibility for making decisions about any restriction that should be imposed as well as for policing the subsequent event. However, since 1998 the police have had sole responsibility for ensuring that the determinations of the Parades Commission are adhered to and for managing any subsequent protests or public disorder.

Although the police no longer have responsibility for imposing restrictions on parades, in a number of locations the restrictions that were imposed by the police prior to 1998 remain as the basis for subsequent determinations imposed by the Parades Commission. This is particularly the case in a number of locations where the disputes remain frozen due to a refusal of the Orange Order to engage in dialogue either with the Commission or with local residents' groups.

Community Views of the Police

In the past the police were often the target of anger and hostility by those involved in the parade or those involved in the protest, or both. However, although there remains some suspicion over the role played by the police in the decisions that are made by the Parades Commission, the police are generally considered today to have a much less significant role in disputes over parades.

In the majority of locations, people noted positive changes that had occurred in relation to the policing of parades, with the main improvements being cited as follows:

- Fewer police on the ground: in most areas interviewees noted that in general only a small number of police officers were required at parades and that those officers who attended generally wore normal uniforms or high visibility coats;
- Less use of riot gear: it was generally noted that the presence of police officers in riot gear was far less common than in the past, and although TSG units were sometimes still present they were usually kept out of sight;
- Better communication and relations: in many locations people noted an improvement in relations between the key actors and the police, with more discussion and sharing of information before an event;

- More interaction between police and people on the streets: if the police were less likely to be behind barriers or in riot uniforms there was more opportunity for casual engagement and informal resolution of small problems; and
- Fewer arrests: in some areas people regarded a reduction in the numbers of people arrested at contentious parades or for public disorder associated with parades as an indicator of greater tolerance by the police.

However, in some areas people believed that the police could go still further in reducing their presence at parades and that there was still a tendency to plan for the worst situation and to 'over police' some parades. Some people noted that the simple presence of police in riot uniform could still serve to inflame a situation.

In a few locations, interviewees also noted that the quality of police / community or police / parade organiser relations could too often be dependent on the attitudes of an individual officer. Whereas it was felt by interviewees that some officers favoured facilitating dialogue and reaching a successful resolution, it was felt that others took an enforcement approach that was considered to sustain tensions rather than reduce them.

It was also suggested that the closure of some police stations, particularly in smaller rural locations, reduced day to day contacts with the police and had led to a reduction in police knowledge of a local community or environment. This meant that responses to such things as parade disputes were addressed in a more formulaic manner rather than through drawing on a more disparate and nuanced understanding of a community.

It was noted that the improved relations between nationalists and the police over recent years, and in particular since Sinn Féin agreed to support the PSNI, had helped to reduce tensions and thus also to reduce the risk of violence at parades, and this in turn had encouraged the police to reduce the number of officers at contentious events, thus further reducing tensions. Furthermore, if tensions are reduced in advance of a parade, they were considered as being less attractive to younger people, which further reduces the potential for disorder and also makes the policing easier. One positive spin-off that was noted from this was a reduction in the costs of policing parades, which was an important factor at a time when police resources were stretched and people wanted the police to be more focused on day to day crime.

Police Perspectives on Parades

The police officers that we spoke to also cited a number of areas where they believed there had been significant improvements in the policing of contentious parades and protests.

- Use of high visibility coats: the police highlighted that front line officers were deployed in high visibility jackets as part of moves to normalise the policing of contentious parades;
- Working with stewards and marshals: the police stated that they were happy to work with and brief parade marshals and that this can work well as long as there are clear boundaries between the respective roles and an understanding of the limitations of marshals' responsibilities;
- More proactive engagement with key parties: the police stated that they were trying to be more pro-active in engaging with communities and parade organisers in advance of an event, and that where possible they were sharing information and explaining their plans for deployment;
- Greater openness: in one location the local commander spoke of trying to increase transparency by sharing the information they would give to the Parades Commission with the relevant local parties.

One issue that was widely cited as an area where considerable improvements had been made was in the control of alcohol at parades. In the recent past there has been widespread use of alcohol at parades and particularly at band parades, with the so-called 'blue-bag brigade' being widely blamed by parade organisers for much of the unruly behaviour and public disorder that occurred. Excessive alcohol consumption has also resulted in people urinating in public areas, which also attracted significant numbers of complaints.

The police stated that they had specific aims of reducing the levels of consumption of alcohol in public places when a parade was taking place and to enforce the provisions of the Public Processions Act. To this end the following actions had been taken in different areas:

- Imposing limitations on areas where public consumption of alcohol will be accepted or tolerated;
- Removing alcohol from people in public areas close to a parade or preventing people from drinking while watching a parade;
- Working to reduce bands from transporting alcohol on buses carrying them to parades;
- Providing recycling bins to contain confiscated alcohol at assembly and / or dispersal points of a parade;
- Designating officers to deal specifically with alcohol issues;

- Engaging with licensees and off licenses to regulate sales of alcohol when a parade is taking place; and
- Generally imposing a more rigorous enforcement of alcohol legislation, including both local by-laws and the Public Processions Act.

Senior police officers noted that they had been working to limit the use and impact of alcohol at parades over a number of years and despite some level of success, the process is not yet completed and this would remain an aspect of the culture of parading that would continue to demand attention. The police also noted that this required a heavy investment of time and resources, particularly at the outset, but could lead to a reduction both in police costs and public disorder in the longer run.

All of the parade organisers we spoke to were fully supportive of this policing activity and were working with the police to discourage alcohol consumption. This involved activities such as advising visiting bands of the restrictions on alcohol, and in some cases the band had hired portaloos to be positioned at the bus arrival point to reduce the potential for public urination.

The police and parade organisers both considered alcohol controls to be an important aspect in developing better working relationships, which had also led to improvements in the behaviour at parades, a reduction in the potential for disorder and a lowering of tensions.

In general the police noted that policing of contentious parades had become considerably easier since republicans had been willing to engage with them and as most key actors want to ensure that events pass off peacefully. It was also noted that engagement between the police and the organisers or protesters against parades still tends to occur as a bilateral process: the police meet with the organisers and then they meet with those raising objections and it was suggested that a tri-lateral / roundtable process would be beneficial and make the overall policing of parades easier still.

9. Reaching Accommodation: The Broader Context

The research indicated that there has been considerable progress in some areas in reaching some form of accommodation in relation to contested parades. It has also noted that progress has been uneven, and in some areas there has been no movement towards resolution of disputes that have largely remained frozen since the late 1990s.

The report has explored some of the locally specific factors that help to explain why movement has occurred in some areas and not in others. There are also a number of more general factors that were highlighted by individuals in a number of areas or which could be inferred from various conversations.

1. **Time:** It was clear that there was generally less anger, tension and emotion associated with parades than there was in the late 1990s, when disputes over parades were an integral part of the then still nascent peace process. People recognised that the atmosphere has improved generally in Northern Ireland and they found it easier to engage with such issues rather than regarding disputes over parades as a symbol of the wider political context.
2. **Drumcree:** In the late 1990s the disputes over the Drumcree parade had a significant impact on more localised disputes. Few interviewees mentioned Drumcree except as a point of historical reference and now that Drumcree no longer served to stir such strong emotions it was easier to focus on the local issues. It was notable that in those areas where disputes had arisen since 2000 engagement appeared to have occurred quicker and with relative ease, whereas the frozen disputes were largely confined to locations where disputes had arisen in the late 1990s.
3. **Relationships:** One AO highlighted the need for sustained engagement over a number of years before there was likely to be any significant improvement in trust and relationships. In some areas discussions and forms of dialogue are now being sustained and the positive impact of that sustained engagement is now being realised and people are finding it easier to address problems and respond to differences.
4. **Political Progress:** People noted that politics had moved on, cross party political relationships had improved and there was less political mileage in promoting, encouraging or supporting issues associated with parades or opposition to parades.

5. **Stable Government:** It was suggested that having an established and apparently stable government at Stormont and with local politicians having more responsibility for policy and budgets, had helped focus some political minds and encouraged people to take a less partisan view and begin to explore options for negotiation and accommodation. Furthermore, the more statesmanlike approaches by some politicians had impacted on people on the ground who in their turn also accepted a greater responsibility to address local disputes and resolve tensions.
6. **Economics:** In many areas people cited the negative impacts of parades and disputes over parades on the local economy. Some cited the disruption to local businesses that was often caused by a parade; others focused on the impact that a dispute could have on businesses owned by the minority community; others highlighted a negative impact on tourism, and others noted the general negative impact caused by sectarianising the local economy so that people only shopped 'with their own'. The involvement of members of the local business community in trying to facilitate agreements and reduce tensions was one indication of the real impact that such disputes were having.
7. **Networks:** One impact of the wider peace process and political stability has been the development of more diverse and extensive social and political networks. These networks were not primarily orientated towards parades or community relations issues but the contacts that were established through political, business and social networks could readily be applied to such problems.
8. **Policing:** Policing is an important factor in disputes over parades and the reform of policing and changes to public order policing have been significant foundation factors in addressing local tensions. The more recent decision by Sinn Féin to engage fully with policing was also noted as a positive influence upon parades-related dispute resolution processes.

It was also noted that in some areas there have been other positive spin-offs from participation in a process of dialogue over parades. These have included networks recognising that they could work together to explore other important local issues, including factors relating to young people, other potentially contentious cultural activities such as bonfires, or wider issues of local regeneration and trade.

Collectively, one could suggest that the process of consolidating the political transition has enabled people to feel more easy in their identities and relationships, while a growing maturity across the social,

economic and political spectrum has helped focus people's minds and clarify their needs, and furthermore time has simply moved on and the issues that aroused strong emotions a decade ago are now viewed through a more pragmatic lens.

10. Basic Principles

It is possible to identify a small number of basic principles that have been important in enabling groups and individuals to reach local forms of accommodation over contested parades. There is no single model approach as in each location people respond to and engage with their own local history, context and personalities, but a number of key features do keep recurring.

1. **Recognition of human rights principles:** There needs to be an acceptance of the basic principles of human rights, in particular this should include recognition of the right to freedom of peaceful assembly as well as the right to protest and a general acknowledgement of the rights of members of the wider community.
2. **Recognition of shared social environments:** There needs to be recognition and tolerance of social and cultural diversity as few (if any) communities are purely mono-cultural. Disputants need to recognise that towns and villages exist alongside, and as part of, their hinterlands. This also involves acknowledging the importance of attachment, affiliation and association to place.
3. **Acceptance of cultural diversity:** There needs to be a mutual acknowledgment of the importance and value of the presence of diverse social and cultural activities in any community. This must be balanced by accepting the legitimacy of objections to elements of cultural activities of others.
4. **Acknowledgement of the value of shared dialogue:** Reaching local accommodation requires a willingness to develop a greater understanding of the views, perspectives and positions of members of the other community. This will most readily be achieved through participation in face to face dialogue,
5. **Acknowledgement of problems and the need to address them:** Tension and conflict is a normal part of social interaction. Such tensions need to be acknowledged and addressed or they may lead to more violent responses.
6. **Commitment to enter into a dispute resolution process:** Achieving a successful dispute resolution process will require the involvement of all key actors in a local dispute.
 - In longstanding disputes this will probably require sustained face to face engagement to reach any satisfactory resolution.
 - In more recent or emergent disputes a prompt response by one party without face to face engagement may be sufficient.

7. **Preparedness to seek workable compromise where necessary:** Most disputes will involve reaching some level of mutual compromise to achieve an agreeable and sustainable local accommodation, rather than one side giving and the other gaining.
8. **Willingness to take practical action:** Implementing practical changes in how events take place will form the basis of any successful and sustainable local accommodation. These changes will generally need to focus on:
 - Limiting disruption to local residents;
 - Limiting disruption to local businesses;
 - Sensitivity around symbolic displays;
 - Reducing anti-social behaviour / control of alcohol;
 - Creating a mutually safe social environment.

This limited range of principles has been drawn upon by members of groups, organisations and communities across Northern Ireland as they seek to respond positively and effectively to tensions associated with parades-related disputes. Although none of the individuals we spoke to were complacent about the issues they still had to address, in many areas there was satisfaction that there had been progress in reducing tensions and in responding to problems through diverse forms of local accommodation.

References

- Bell, J. (2007) *Parades and Protests: An Annotated Bibliography*. Belfast, Institute for Conflict Research.
- Jarman, N. and Bryan, D. (1996) *Parade and Protest: A Discussion of Parading Disputes in Northern Ireland*. Coleraine, Centre for the Study of Conflict, University of Ulster.
- Kelly, G. (1998) *Mediation in Practice*. Derry Londonderry, Incore.
- Kelly, G. (2004) *Shared Space, Shared Problem: Local civic fora and intercommunal relations*. Belfast, Democratic Dialogue,
- North, P. (1997) *Report of the Independent Review of Parades and Marches*. Belfast, The Stationery Office
- Quigley, G. (2002) *Review of the Parades Commission and Public Processions (Northern Ireland) Act 1998*. Belfast, Sir George Quigley Review.
- Strategic Review of Parading in Northern Ireland (2007) *Interim Consultative Report*. Belfast, SRPNI.
- Strategic Review of Parading in Northern Ireland (2007) *Views of Key Stakeholders*. Belfast, SRPNI.

Appendix 1

Contentious Parades by Location and Year

	2005	2006	2007	2008	Total	Rank
Ahoghill	0	1	0	0	1	
Armagh	3	2	3	2	10	18
Aughnacloy	0	1	0	0	1	
Ballycastle	2	2	2	0	6	
Ballymartin	1	0	2	1	4	
Ballymena	8	19	16	13	56	4
Ballynahinch	1	1	1	1	4	
Belfast	58	60	57	51	226	1
Bellaghy	6	8	9	6	29	8
Buckna	0	1	0	0	1	
Carnlough	0	0	2	0	2	
Castledearg	15	15	17	11	58	3
Castledawson	1	1	1	5	8	
Castlewellan	2	2	2	2	8	
Claudy		0	0	1	0	1
Coleraine	0	0	0	2	2	
Cookstown	0	0	1	0	1	
Crumlin	0	1	0	0	1	
Downpatrick	1	1	1	2	5	
Dundrum	0	0	1	0	1	
Dungiven	0	2	0	0	2	
Dunloy	8	6	6	6	26	10
Enniskillen	0	2	0	0	2	
Glasdrummon	0	0	2	1	3	
Glenarm & Carnlough	0	0	1	0	1	
Glengormley	2	1	1	1	5	
Keady	4	4	3	3	14	14
Kilkeel	7	8	7	8	30	6
Killen	0	1	0	0	1	
Kilrea	5	5	4	1	15	13

Larne	1	0	0	0	1	
Limavady	0	3	1	0	4	
Londonderry	5	0	2	5	12	16
Loughbrickland	1	0	0	0	1	
Lurgan	9	10	15	11	45	5
Maghera	11	8	6	5	30	6
Magherafelt	0	1	0	0	1	
Mountfield	1	1	1	1	4	
Newcastle	2	2	2	3	9	
Newry	3	4	2	1	10	18
Newtownabbey	0	1	0	1	2	
Newtownbutler	4	4	5	4	17	10
Newtownstewart	5	3	3	0	11	17
Pomeroy	4	4	4	4	16	11
Portadown	56	59	56	53	224	2
Rasharkin	4	8	8	9	29	8
Roslea	2	2	1	1	6	
Strabane	4	8	2	2	16	11
Stoneyford	0	1	1	12	14	14

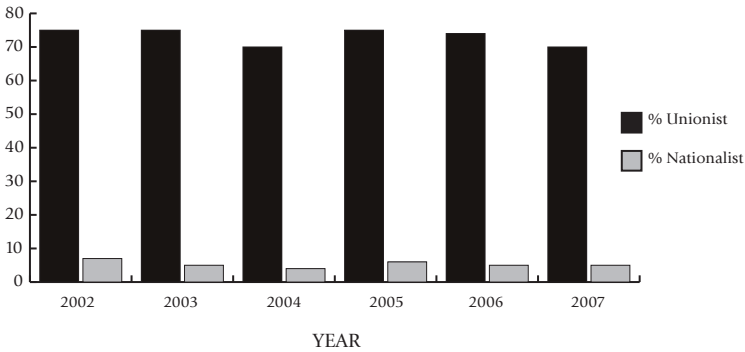
# Contentious U	208	203	257
# Contentious N	21	16	9
# Contentious Other	0	1	1

Appendix 2 Total Parades and Contentious Parades

The following charts are drawn from data in the annual reports published by the Parades Commission.

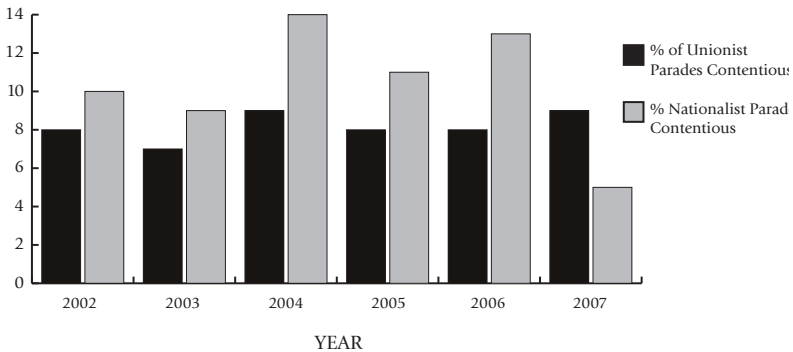
The chart below shows the percentages of unionist and nationalist parades of the total number of parades recorded by the Parades Commission from 2002 to 2007

Parades Commission Annual Report Statistics:
% of Nationalist and Unionist Parades



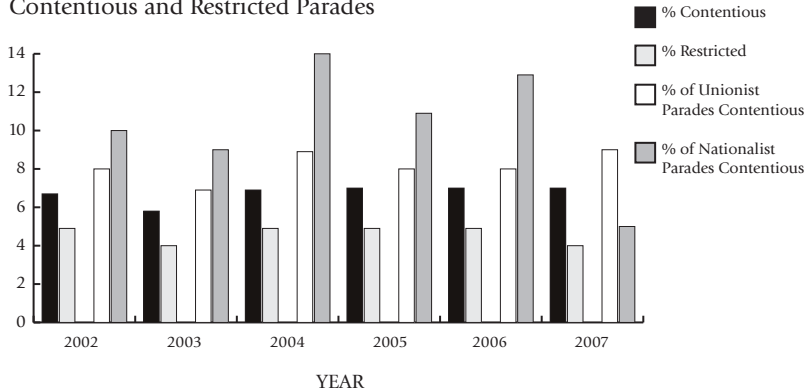
The chart below indicates the percentage of unionist and nationalist parades that were considered to be contentious each year from 2002 to 2007.

Parades Commission Annual Report Statistics:
% Contentious Reports



The chart below illustrates the percentages of parades that have had restrictions imposed on them by the Parades Commission from 2002 to 2007.

Parades Commission Annual Report Statistics:
Contentious and Restricted Parades



The chart below shows contentious unionist and nationalist parades as a percentage of the total number of unionist and nationalist parades from 2002 to 2007.

Parades Commission Annual Report Statistics:
Nationalist and Unionist Parades



Parades Commission Annual Report Statistics

	1999	2000	2001	2002	2003	2004	2005	2006	2007
# Parades Notified	3211	3403	3440	3301	3280	3124	3342	3292	3911
# - % Unionist	2012	^	^	2476	2516	2296	2526	2408	2737
# - % Nationalist	81	^	^	231	149	126	195	128	186
# - % Other	1118	^	^	594	615	702	621	756	978
# - % Contentious	^	297	235	220	191	231	229	220	267
# Contentious U % of U parades cont.	^	^	211 8%*	197 8%*	178 7%	213 9%	208 8%	203 8%	257 9%
# Contentious N % of N parades cont.	^	^	24 13%	22 10%	13 9%	18 14%	21 11%	16 13%	9 5%
# Contentious Other	^	^	0	1	0	0	0	1	1
# Restricted # Restricted: #Total Ratio	119 4%	152 4%	175 5%	152 5%	130* 4%	162 5%	158 5%	155 5%	155 4%
% Contentious that were restricted	^	51%	74%	69%	75%	70%	69%	70%	58%



This report analyses how the tensions over parades are being dealt with in towns and villages across Northern Ireland and the extent to which local attempts to reach accommodation have been successful in reducing tensions and move towards resolving the dispute. The research focuses primarily on disputes in smaller towns and rural areas and through highlighting areas where progress has been made the report aims to identify lessons that are applicable in trying to deal with disputes in other locations.



*Belfast
Interface
Project*



Community Relations Council

*i*CR

INSTITUTE for CONFLICT RESEARCH

Institute for Conflict Research
North City Business Centre
2 Duncairn Gardens,
Belfast BT15 2GG
Northern Ireland

ISBN 978-0-9552259-6-3

Telephone: +44 (0)28 9074 2682
Fax: +44 (0)28 9035 6654

£5