

Row continues over police reform in Northern Ireland

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In Northern Ireland the row is continuing over the implementation of police reforms. Both the main Catholic and nationalist parties, the Social and Democratic Labour Party (SDLP) and Sinn Fein, are refusing to make nominations for the new Police Board. Efforts to find an agreement now focus on the three-day visit by US President Clinton to Belfast beginning on December 12.

The dispute centres on whether the Police Bill (Northern Ireland), passed by the British parliament last month, is true to the pledge in the Good Friday Agreement to create a "representative" and "accountable" police force that would enjoy credibility amongst Catholics and Protestants. The existing Royal Ulster Constabulary (RUC) is overwhelmingly Protestant and regarded as an integral part of the British occupation of the Six Counties.

The Blair government claims that the remit of the new service is based upon the recommendations of the Commission into Policing Reform, headed by former Hong Kong Governor Chris Patten, which were broadly welcomed by the SDLP and Sinn Fein. The nationalist parties complain that the Patten Report has been "gutted" and that the new force will be incapable of winning "cross-community" support. Their stance has won backing from some members of the Patten Commission, such as Professor Clifford Shearing, director of criminology at the University of Ontario, who last month attacked Labour's Police Bill and stated that the new force, "will not serve the people of Northern Ireland."

Patten hit back at Shearing's comments in an article in the *Belfast Telegraph* on November 28. Welcoming the new Police Bill, Patten said that the northern parties should "look beyond old political arguments and towards building new policing arrangements for Northern Ireland which are second to none in the world". Commission member Kathleen O'Toole, former secretary of public safety for Massachusetts, supported Patten's remarks saying the new force would work and that it was time to "take the politics out of policing".

The Patten Report had ruled out RUC disbandment in favour of the new police force adopting a more neutral name

and image. This included ditching the term "Royal" from its title; a new oath of allegiance emphasising human rights; a recruitment drive aimed at achieving balanced religious composition and a redesign of the force's badge and logo.

To ensure its passage through Parliament, the Blair government has deferred decisions on several of these recommendations to a new Policing Board to be created next year. The Board will comprise 10 members nominated from the Northern Ireland Assembly based on proportional representation and nine to be directly appointed by the Secretary of State Peter Mandelson.

By deferring the decision to the new Board, the British government hoped that it would force the nationalist and Unionist parties into agreeing some form of compromise so that the new force could claim to have "cross-community" backing.

However, despite a December 11 deadline, the SDLP and Sinn Fein's refusal to give their support to the new police force and make nominations to the Board render it ineffective. All Sinn Fein's leading members have denounced the Police Bill, which they have branded "Mandelson's Bill" after the Northern Ireland Secretary whom they accuse of Unionist bias. Writing in the *Belfast Telegraph* on Thursday November 30, party chairman Mitchel McLaughlin said that Mandelson's "arrogance and attitude" had caused "outrage" in discussions. Whilst speaking in Australia Northern Ireland Education Minister Martin McGuinness (Sinn Fein) said the Secretary of State was a "peace wrecker" and a "political disaster".

The SDLP has been far more circumspect, stating that it will not take a position on nominations to the new Board until the Blair government has outlined full details of the Bill's implementation. The party, already facing the loss of its most prominent leader John Hume, due to ill-health, is afraid that to adopt an uncritical approach would damage it in elections due next year. Yet it faces the dilemma of how to continue playing a leading role in the new administration—SDLP leader Seamus Mallon is the Assembly's Deputy First Minister—whilst refusing to support

its police force.

The Irish government has also placed great emphasis on the implementation timetable and so far has refused to positively endorse the new force. A spokesman for the Irish premier Bertie Ahern said that it was necessary to look at the "issue of flags and emblems [displayed by the reformed force] and to ensure that such reassurance that can be offered to the nationalist parties is there, so that they can be in a position hopefully to recommend joining".

Dublin's stance brought condemnation from many quarters in Britain that it was giving succour to SDLP/Sinn Fein opposition. In an interview with the BBC's *Breakfast with Frost* programme on December 3, Patten expressed his disappointment at Ahern's stance.

It is likely, however, that the Irish government is following a similar course to their London counterpart—seeking a means of enabling the SDLP to endorse the new force whilst saving face, and thereby isolating Sinn Fein. Last week's decision by Senator Maurice Hayes, the Policing Commission's only northern Catholic member, to endorse Patten's remarks and call on Catholics to join the new force was probably agreed with the Irish government. Hayes had said that nationalists had to decide whether they would "settle for 90 percent of something or 100 percent of nothing". For the first time in 80 years, senior police officers from the Republic's *Garda Siochana* are to be formally invited to apply for high-level jobs in the new Northern Ireland force.

Earlier this week, the Irish government announced that it is to introduce legislation banning foreign fund-raising for political parties as part of a new package of "anti-corruption" measures. Under amendments to the Prevention of Corruption Bill 2000, donations from any single source will be capped at £20,000 for a political party and £5,000 for an individual politician in any one-year. There will be no ban on private or corporate donations.

The measures are clearly targeted at Sinn Fein, which is the largest single recipient of American financial aid in Ireland. According to US Department of Justice records, Sinn Fein received \$2.484 million between October 1995 and August 1999. The organisation Friends of Sinn Fein estimate that the party has received at least a further \$1.5 million since the 1999 returns, making a total of \$4 million. Sinn Fein President Gerry Adams admitted that the party received about £100,000 from foreign donations, but complained that the new legislation was a "scam" aimed at stopping Sinn Fein's growth.

Dublin's announcement coincided with the passage of the Disqualification's Bill through the British parliament last week. This allows members of the Irish *Dail* (parliament) to stand for election to the Northern Ireland Assembly or

Westminster. The Blair government defended the measure, which was strongly opposed by the Conservative Party, as being in line with rights already available to Commonwealth countries. By enabling Sinn Fein to sit in the *Dail* as well as the Belfast Assembly, the government argued, it would be possible to "lock" the party more tightly into the new structures. Clearly, the southern Irish parties do not relish the idea of a strengthened political rival, especially one with so much financial clout. Ahern admitted that his measures were to ensure that the playing field between participants in the Irish political system were not "distorted" by large sums of overseas finance.

Ahern is known to have been in contact with the British Prime Minister over the Police Bill's "implementation plan" at the same time that Blair was meeting with SDLP leader Seamus Mallon. It is reported that during these discussions Mallon had identified seven requirements that must be fulfilled if his party is to endorse the new police force. These include provision for independent inquiries to be conducted into sectarian killings allegedly committed with RUC collusion; that should the Policing Board fail to agree on the new force's symbols those finally chosen must be kept "neutral" of the British and Irish states; and that the RUC's former Special Branch will be subsumed into the new force's general crime division.

Government sources indicate that London has agreed it will be possible to reconcile these requirements with the terms of the new Bill, and on Sunday Mallon said he had been given to understand that they would be included in the implementation plan. The final arrangements are to be drawn up in time for Clinton's visit, in the hope that these concessions—combined with US pressure—will bring Sinn Fein to heel.



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