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UNDER/ SEC 126/1.
-7 JAN 1998
CENT SEC

Rights & European Division

From Tony Beeton
MBx 0210
6 January 1998

ASST/ SEC 401
-7 JAN 1998
C.C.R.U.

IMMEDIATE

PS/SECRETARY OF STATE (L&B)

- cc PS/Mr Murphy (L&B)
- PS/Mr Ingram (L&B)
- PS/PUS (L&B)
- Mr Thomas
- Mr Steele
- Mr Bell
- Mr Stephens
- Mr Brooker
- Mr Hill
- Mr Maccabe
- Mr Woods
- Ms Healy
- Mr Warner
- Mrs Evans, HOLAB
- Mr Sanderson, Cab Off
- Mr Fergusson, RID

1. B. pt. remind AP/m
Beeton to keep my
name on the cc list.

2. cc PS/m Sample
in Ferguson

3. in ~~Laumann~~
1/9
Ho
7.1

9011
Mrs Maccabe

BLOODY SUNDAY - LETTER TO N°10

The Secretary of State's note of 31 December (not to all) provided an outline of a letter about *Bloody Sunday* to send to the Prime Minister. I attach a re-worked version of this, together with a slightly revised draft of the intended statement, a handling plan and Q&A material.

2. Assuming Dr Mowlam's agreement, this should go to N°10 *today* so that it is available in time for her meeting with the Prime Minister tomorrow.
3. You may want to note particularly that the draft letter exposes - in square brackets - the difficulty Dr Mowlam might have if she is obliged to act as the public advocate for our dismissal of most of the allegations raised in the Irish dossier. We have argued consistently that an internal 'review' by officials would not persuade even our more reasonable critics that the allegations had

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been dealt with fully and fairly. Dr Mowlam would certainly come under a great deal of pressure to explain and justify the government's conclusion that no further action was needed and she might want to signal her reservations about that. In fact, on the plan now envisaged, there will be a delay before we get to that point because our response to the Irish - the trigger for publication of the material - cannot be until after we have dealt with [REDACTED]. However, it remains possible that the statement will prompt the Irish to publish their dossier (already promised by the Taoiseach for January anyway), and we might conclude that we have to make our response earlier even if the [REDACTED] matter remains unresolved.

4. I have kept the passage about [REDACTED] intentions from Dr Mowlam's draft in square brackets because I don't know the origin of the information. If we can source it properly then it is relevant and ought to stay in the letter.

5. Also attached is an outline handling plan - necessarily contingent at this stage - for Dr Mowlam's information. I do not think that it needs to go to N°10.

signed

Tony Beeton

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HANDLING PLAN

DATE	ACTION	BY
7 January	<ul style="list-style-type: none">Final draft agreed. Date and place set for making statement	Private Office/Parli Clerk
	<ul style="list-style-type: none">Statement and Q&A material circulated to relevant Departments and posts overseas	Private Office/IPL
7 - 9 January	<ul style="list-style-type: none">Further contact with [REDACTED]	Solicitor-agent
12(?) January a.m.	<ul style="list-style-type: none">Opposition spokesperson briefed on contents of statement	Private Office
	<ul style="list-style-type: none">Irish side briefed and promised fuller briefing by officials on contents of statement	Mr Bell
	<ul style="list-style-type: none">John Hume MP informed that statement will be made	Private Office
	<ul style="list-style-type: none">Relatives informed - John Kelly [REDACTED]	Private Office
p.m.	<ul style="list-style-type: none">Statement made by Secretary of State	
	<ul style="list-style-type: none">Press briefing	Press Office/Special Advisers/No 10
	<ul style="list-style-type: none">Backbenchers	PPS/Special Advisers
<i>After investigations into [REDACTED] allegations completed</i>		
	<ul style="list-style-type: none">Prime Minister writes to Taoiseach with (brief) formal response to the Irish Submission	REL/Private Office
	<ul style="list-style-type: none">Officials brief Irish Side in detail	REL/Secretariat
	<ul style="list-style-type: none">Material submitted to HMG by relatives and Irish published	REL/Press Office

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DRAFT LETTER FOR SIGNATURE BY SECRETARY OF STATE TO
PRIME MINISTER, GEORGE ROBERTSON, JACK STRAW AND
JOHN MORRIS

BLOODY SUNDAY

Before Christmas you agreed in principle that I might make a statement early in the New Year on *Bloody Sunday* which would rule out re-opening the Widgery Tribunal, indicate that we had not entirely completed our work on the Irish dossier (specifically the [REDACTED] allegations, which I'll come back to below), and make a reasonably fulsome apology. I have made one or two minor changes to the draft John Holmes sent back to Ken Lindsay on 16 December in response to points made by legal advisers and our Washington and Dublin embassies (copy attached at Annex A).

Before finally agreeing you wanted to be clearer about the circumstances in which the statement would be made. I should like to be able to do it in the House as soon as possible after the recess (the precise timing will need to take account of the resumption of Talks). Leaving it much longer exposes us to the possibility that the Irish will publish their dossier (as the Taoiseach has already promised) first and we will seem to have been pressured into a response. Delay also takes us up hard against the anniversary of *Bloody Sunday* itself - and the inevitable flurry of rallies, media reports and so on. I very much want to avoid that.

Our difficulty is that we are not ready to respond formally to the Irish dossier. We have been following up the allegations in the statement supposedly made by the former paratrooper, [REDACTED] which, if genuine, amount to substantive new evidence not available to Widgery. On 19 December a meeting took place between [REDACTED], the solicitor-agent who is acting on behalf of the Government,

[REDACTED] explained that he was "disposed to assist", but was very concerned over his personal safety. He has asked for certain undertakings, including our assurance that he will not be accused of any criminal offences in relation to matters contained in the document attributed to him, and he has said that he is deeply concerned that he might be required to give evidence against fellow former soldiers. [REDACTED] was not prepared to answer any further questions at this stage. He was, however, minded to cooperate in an inquiry if it was held. He said that [REDACTED] wanted the events of *Bloody Sunday* to be looked into, but he did not want this to be done merely by seeking to blame the soldiers on the ground, who were only carrying out orders of senior officers.

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██████████ has been instructed to invite ██████████ to make a statement to him, or to ██████████ if he prefers, containing all that he wants to say about *Bloody Sunday*. I anticipate that this will be put to ██████████ in a meeting later this week. If ██████████ agrees to make such a statement, we could pass it to the police and invite them to investigate further any possible criminal offences. I believe that under the law we might have to pass the evidence to the RUC anyway ██████████

██████████ George Robertson (his Private Secretary's letter to John Holmes on 23 December) believes that we already have enough to ask the police to investigate: I am inclined to agree, but I should like John Morris's view and clearly it would be a more straightforward decision were ██████████ to agree to provide us with a statement.

This leaves us, I think, with the following way forward -

- Make the statement next week. We might by then have written evidence ██████████ that needs to be submitted to the RUC. If so, I would have to say so in the House.
- Respond formally to the Irish either when we have referred ██████████ allegations to the prosecuting authorities, or when we conclude we can pursue them no further.
- At that point publish the material given to us (a commitment to be made publicly in next weeks' statement) and our commentary on it.

[I cannot see that we can avoid giving some account of the reasons why we have rejected all but one (or all, depending on the ██████████ decision) of the allegations and evidence put before us. As you know I have grave doubts about the credibility of such a decision in the absence of an independent inquiry, even quite a limited one, and I am not wholly convinced that we can refute all the allegations convincingly. I would be very uncomfortable having to argue the rebuttal case publicly, particularly in the light of the sustained and searching questioning I would expect.]

I know that neither you nor George Robertson favour an independent inquiry. You know I have wanted to keep that option open. I recognize that part of the argument against this course has been based on the effect it could have on army morale. We may soon be facing a police investigation into soldiers' conduct and the possibility (however unlikely) of subsequent prosecutions anyway. And the investigation could leave us with fresh doubts about Widgery's conclusions, but no further action in the courts against individuals. Or it could be the case that ██████████ lets it be known that he would give his evidence to an inquiry, subject to certain guarantees, but we have turned that option down. Speculative, of course, but illustrative of my view

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that we will continue to face pressure – quite possibly increased pressure – for an inquiry, rather than bringing a degree of closure to this issue which was our objective.

I have no doubt that if we revised our position and went for an inquiry now it would not be an easy route to follow. It would be difficult for the MoD, and difficult for unionists who might well see it as a sop to nationalists. But unionism's attitude to *Bloody Sunday* has been shaded in the past (there was some public sympathy for an apology at the time of the 25th anniversary last year) and I believe we would benefit from having the issue cleared once and for all. At the least I would suggest that we keep the option of an inquiry open until we know the outcome of a police investigation into [REDACTED] allegations (assuming there is one).

Naturally I will live with any conclusion we reach, but we can procrastinate no longer – a decision is needed urgently. There is already evidence that the media are getting busy on the story, and the campaigners will be raising their game as we approach the anniversary. I think we can – just – get the momentum working in our favour if we act now.

MARJORIE MOWLAM