

NATIONAL ARCHIVES**IRELAND**

Reference Code: 2003/17/292

Title: Text of a statement made in the House of Commons by Edward Heath MP regarding the Widgery Tribunal Report on the events of 'Bloody Sunday' (30 January 1972) in Derry. Includes subsequent statements made by James Callaghan MP, Stanley Orme MP, Captain Lawrence Percy Story Orr MP, James Edward Ramsden MP, Frank McManus MP, James Alexander Kilfedder MP, and Hugh James Delargy MP.

Creation Date(s): 19 April, 1972

Level of description: Item

Extent and medium: 6 pages

Creator(s): Department of Foreign Affairs

Access Conditions: Open

Copyright: National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

21/5/2
Text of statement made in the British House of Commons by the Prime Minister Mr. Edward Heath M.P., regarding the Widgery Tribunal Report and subsequent statements made by Mr. James Callaghan M.P. and other members of the House.

My right hon. Friend the Home Secretary has formally presented to Parliament the Report of the Lord Chief Justice into the events of Sunday, 30th January, 1972, at Londonderry. Copies of the report are now available in the Vote Office.

The Government accept Lord Widgery's findings. All shades of opinion sincerely concerned with the truth must feel indebted to him for his objective and painstaking analysis of events.

The Lord Chief Justice finds that:

There would have been no deaths in Londonderry if those who organised the march had not thereby created a highly dangerous situation in which a clash between demonstrators and the security forces was almost inevitable.

The decision to contain the march was fully justified by events and was successfully carried out.

If the Army had persisted in its "low key" attitude and had not launched a large scale operation to arrest hooligans, the day might have passed off without serious incident. The dangers of an arrest operation carried out in the prevalent circumstances might have been underestimated by the Commander 8 Brigade: but he sought to minimise the risks by withholding the order to launch the arrest operation until, as he believed, the rioters and marchers were adequately separated. As Lord Widgery observes, he took his decision in good faith on the information available. Furthermore, Lord Widgery describes the dangerous violence to which the troops were exposed. He observes that the future threat to law and order posed by the hard core of hooligans in Londonderry made the arrest of some of them a legitimate security objective.

The intention of the senior Army officers to use the Parachute Battalion as an arrest force and not for other offensive purposes was sincere. Allegations to the contrary are dismissed as unsupported by any shred of evidence.

Proper orders were given for the arrest operation. The Commanding Officer of the Parachute Battalion did not exceed his orders.

There is no reason to suppose that the soldiers engaged in the arrest operation would have opened fire if they had not been fired upon first.

Soldiers who identified armed gunmen fired upon them in accordance with the standing orders in the Yellow Card. Each soldier had to exercise his own judgment, which reflected differences of individual character and temperament. At one end of the scale some soldiers showed a high degree of responsibility; at the other, notably in Glenfada Park, firing bordered on the reckless. But I should point out that the soldiers' own lives were at risk - as indeed the world must recognise that they have been, and still are, during a great part of their time in Northern Ireland.

Lord Widgery goes on to say that further restrictions on opening fire would inhibit the soldier from taking proper steps for his own safety and that of his comrades and unduly hamper the engagement of gunmen.

- 2 -

None of the dead and wounded is proved to have been shot whilst handling a firearm or bomb. Some are wholly acquitted from complicity in such action; but there is a strong suspicion that some others had been firing weapons or handling bombs in the course of the afternoon and that yet others had been closely supporting them.

Lord Widgery finally concludes that the individual soldier ought not to have to bear the burden of deciding whether to open fire in confusion such as prevailed on 30th January. Unfortunately, he adds, in the circumstances prevailing in Northern Ireland this burden of decision is often inescapable.

The Government deeply regret that there were any casualties, whatever the individual circumstances.

Situations such as that which occurred in Londonderry can only be avoided by ending the law-breaking and violence which are responsible for the continuing loss of life among the security forces and the public in Londonderry and throughout the Province, and by a return to legality, reconciliation and reason. I hope I may have the support of the House in a renewed appeal for a combined effort to prevent any repetition of circumstances such as led to this tragedy.

Mr. Callaghan: The Prime Minister was good enough to allow me to see the report a little earlier -

Mr. Orme: Why could we not all see it?

Mr. Callaghan: - and I am obliged to him for so doing. No doubt everyone will reach his own conclusions about the report. At first sight, the two conclusions that stand out are, first, that the Army was fired on first and that it would not have fired if it had not been fired on, and second, that it was probably an error of judgment to change what Lord Widgery describes as the "low key" attitude of the Army to this march and to endeavour to make large-scale arrests. I am confirmed in that view by the fact that since this tragic march other marches, equally illegal, have taken place in which the Army has not intervened and when there has been no loss of life.

These tragic events belong in the past. They took place when there was divided responsibility for security and when it is fair to say that very heavy pressure was being brought to bear upon the Army commanders to step up their attitude. I do not suppose any of us will ever know whether they were acting on their own judgment or whether they yielded to the judgment of others.

The description of Lord Widgery demonstrates the bankruptcy of the old policy and the need for a new one, which has now superseded the old one. The Prime Minister asks for the combined support of the House. He has it. The Secretary of State for Northern Ireland has the support of the House in the new efforts which are being made. Despite the setbacks, we trust that they will be successful.

I will say one concluding thing this afternoon about this march. In circumstances like this the lesson for the future is that, whatever the provocation, if the consequences of the Army's action are to be the killing of 13 people who may or may not have been innocent bystanders or onlookers or, at the very most, non-violent participants in the march, because none of them is proved to have been shot whilst handling a firearm or a bomb, the predominant approach of the Army must be to safeguard the lives of those who are onlookers whilst protecting themselves and not engaging in operations that might endanger innocent lives in this way.

The Prime Minister: I am grateful to the right hon. Gentleman for what he has said about the future of Northern Ireland. I am also grateful to him for the support which he is always giving to this policy.

I agree with him about his first impression of the report. Lord Widgery says this in paragraph 54:

"To those who seek to apportion responsibility for the events of 30 January the question 'Who fired first' is vital. I am entirely satisfied that the first firing in the courtyards was directed at the soldiers."

On the second point, this is always, as the right hon. Gentleman recognises a most difficult question to decide and is a matter of judgment. The Lord Chief Justice has questioned the judgment which was exercised at the time. At the same time, he says in paragraph 32 of the report that he believes that the arrests or the attempted arrests of the hooligans were "a legitimate security objective" because they were operating on such a scale.

What the Army always has to consider is whether, in attempting to deal with this problem of enforcing law and order, it is liable to be shot at by gunmen so that firing then ensues in which innocent bystanders may be killed or wounded. This is the most difficult problem which the Army has to face.

Captain Orr: Is my right hon. Friend aware that every peace-loving person in Ulster will endorse his appeal about the return to reason and reconciliation? Is he aware also that everyone will be pleased that Lord Widgery has so far vindicated Her Majesty's Forces and exploded some of the myths surrounding the so-called "Bloody Sunday"?

Will my right hon. Friend deal with the point made by the right hon. Member for Cardiff, South-East (Mr. Callaghan) about pressures put upon the military commanders? Is there anything in Lord Widgery's comments which suggests that this was, in fact, the case and that what happened was the result of divided responsibility?

The Prime Minister: I have read the report carefully many times, but I cannot recall that there is anything in it which says that any political pressure was exercised upon the General Officer Commanding, upon the Commander Land Forces, or upon the Commander 8 Brigade to take particular action of this kind. It was known to Ministers that there was to be an action to contain the march - not to prevent the march entirely, but to contain it within an area in which it would be peaceable so that it would not go into the centre of the city and, therefore, risk a sectarian clash, which would have been very much more dangerous.

As regards the question of divided responsibility, this operation was under the control of the General Officer Commanding; and the Lord Chief Justice discusses in his report the operation orders, gives details of them and states that the operation orders were adhered to by the commanders concerned,

Mr. Callaghan: Lord Widgery also says that the general decision was taken after reference to a higher authority.

The Prime Minister: Yes, the right hon. Gentleman is right. That is what I meant by saying that the plan was prepared by the Brigade Commander and went to the Commander Land Forces. It also went to the General Officer Commanding, who discussed it with the Chief Constable; and it was known to Ministers. That is what I meant by saying that it was known to higher authority.

Mr. Orme: Is the Prime Minister aware that the Press have had copies of this report for a number of hours and that my right hon. Friend the Member for Cardiff, South-East (Mr. Callaghan) has also had a copy? Why could not all hon. Members have been provided with copies so that we could have read the report with care?

Is the Prime Minister aware that, judging from my cursory look at the

report and from what the right hon. Gentleman has said, Lord Widgery has given a much more balanced report of the situation than his noble Friend did in regard to the operations of the British Army.

Is the Prime Minister aware that many of us would support what my right hon. Friend said about paragraph 3, that the low key approach by the Army is absolutely vital and this approach is what many of us wish to see in the future, with the Army withdrawn from the sensitive areas and operating a much more balanced approach.

In the difficult days since direct rule was begun many of us have openly and publicly supported those elected representatives in the Catholic community who have opposed the IRA and are looking for an end to violence. We recognise that what happened yesterday and the funeral in Belfast makes this much more difficult but we want to achieve it, and in these circumstances will the Prime Minister recognise that the low key approach is the answer to the problem?

The Prime Minister: On the hon. Member's first point, certain customary facilities are provided to the Press if a Government publication is issued by Governments of any party, and this custom has been observed on this occasion. As for the reports which I personally saw this morning in the Press, the Press did not have the report in time for these stories to be based on their own copies. But I have asked my right hon. Friend the Secretary of State for Defence to make enquiries as to how such reports could have come to be published. They were certainly not authorised in any way.

On the low key approach I agree with the hon. Member. The Lord Chief Justice points out that it was the element of attack on the Army by hooligans which led it to make the arrests. It is important that the Lord Chief Justice dismisses as not having a shred of evidence to support it any accusation which was made at the time of the incident or later before him that the Parachute Regiment was chosen not to make the arrests but to go in for some aggressive attack. He says there is no justification for that claim at all.

I recognise the support that is given in very difficult circumstances to the Government's policy in Northern Ireland, and we appreciate it and are grateful for it. The low key approach could not be extended to the stage where it allows the IRA or the Provisionals to establish control over an area so that it is no longer policed by either the RUC or the Army, but is controlled only by gunmen. That is the difference between the two approaches, and it is one which my right hon. Friend the Secretary of State for Northern Ireland is endeavouring to pursue.

Mr. Ramsden: Many of us are very much concerned about the good name of the Army during the events of that afternoon. Would the Prime Minister not agree that, by comparison with the hostile propaganda which arose out of these events and the very wild allegations that were made, the effect of the findings, the gist of which he has given us, has been virtually completely to exonerate the conduct of the officers and men of 1 Parachute? This will be of the greatest satisfaction particularly to those who have had the privilege of meeting these men and seeing their constructive attitude to an extremely difficult task in Northern Ireland.

The Prime Minister: In the body of his report the Lord Chief Justice gives his very clear impressions of the 1 Battalion Parachute Regiment and of the way in which they gave their evidence and of the extent to which he was impressed by it. When the House reads that paragraph it will agree with what my right hon. Friend the Member for Harrogate (Mr. Ramsden) has said. As the House will see, he examines in very great detail each occasion on which shots were fired. He examined the soldiers who fired them and he heard the evidence of the newsmen and saw the television films as well as the photographs. He also goes into great detail about those who were the casualties. Having read the whole of it I, like the Lord Chief Justice himself, was immediately impressed by the conduct of the forces.

Mr. Thorpe: Accepting that the Army was faced with an illegal march and with extreme provocation, does the Prime Minister not believe that the most disquieting single finding of the report is that 13 people died, none of whom was proved to have been in possession of weapons at the time, and some of whom are completely acquitted of complicity? That being so, may I press him on the low key point? Since the Lord Chief Justice makes quite plain the dangers inherent in a low key containment escalating into an arrest operation, is the Prime Minister satisfied that there are sufficiently clear instructions as to when the low key containment shall be changed into an arrest operation? Is he satisfied that the directives are sufficiently clear?

The Prime Minister: The directives are laid down on each occasion in the operation order, and I am satisfied, certainly on this occasion, as the Lord Chief Justice says, that the operation orders were very clear and that they were adhered to.

The tragedy was, as the right hon. Gentleman says, that 13 people lost their lives and many others were wounded. As the Lord Chief Justice points out, however, the Army was undoubtedly fired upon, and fired upon first, and it was in the action which individual soldiers took against those who were firing upon them that other people, some of whom were undoubtedly innocent, were killed or wounded. If the right hon. Gentleman studies the paragraphs about the forensic evidence he will see why the Lord Chief Justice concludes that there was certainly a strong suspicion in a number of cases that the deceased and wounded had either been using weapons that afternoon or had been in close proximity to those who were and had been supporting them.

Mr. McManus: The Prime Minister has mentioned a few pious hopes for the future, but for the minority in Northern Ireland this report will certainly not add anything to the prospects for peace and reconciliation in the future. The only thing it will succeed in doing is finally to bankrupt any shred of confidence the minority ever had in tribunals or judicial inquiries set up by this House or this Government. In their eyes it is plainly a spurious and desperate attempt to whitewash the activities of the Army on that Sunday. [Interruption.] No amount of reports or verbiage will eliminate or explain away "Bloody Sunday".

Hon. Members: Have you read the report?

Mr. McManus: It was the greatest single outrage that has been perpetrated in our country for a long time. Will the right hon. Gentleman refuse to allow the impression to go abroad that the Government take the view that if there had been no march there would have been no violence, because by so doing he is saying that the punishment for organising the illegal march on that day was death for 13 people? If the Prime Minister has a grain of sense in his head or if there is a grain of sense in the Government, they will not lift this ridiculous ban on marches and grant an amnesty to all who have been punished.

The Prime Minister: I completely reject what the hon. Member has said. Those who are prepared to read the Lord Chief Justice's report with an open mind and consider it impartially will realise that he has gone into these matters - which were very difficult and complex, and which occurred in a state of considerable confusion, as has been quite obvious from the beginning - as deeply as it is possible for any man to do. He has weighed up the evidence and set out very frankly his conclusions, which I have read out this afternoon.

Of course, in the conditions of Northern Ireland in the last three years, if marches are to be held, there is an immense danger at least of sectarian conflict if of nothing else, and the Army was sent there by the last Administration to try to prevent this conflict. If marches are to be held which are against the law, as this march was, then the dangers become greater. If the hon. Gentleman would persuade those concerned not to break the law and would advise those who are gunmen to cease their activities he would be playing a considerable part in bringing peace to Northern Ireland.

- 6 -

Mr. Kilfedder: Does the Prime Minister realise that every soldier serving in Northern Ireland, and serving, I think I can say with the agreement of the whole House, with great courage and amazing restraint, will have his morale maintained by Lord Widgery's findings, which have dealt a blow to the Irish Republican Army propaganda.

Furthermore, does my right hon. Friend appreciate that there are areas in Northern Ireland today which are no-go areas? Can he send out a message from this House that the Government will do everything they can to get rid of the gunmen who are terrorising the people in those areas - Roman Catholic people who wish for nothing but peace?

The Prime Minister: Yes, Sir. I think that when members of the Forces can see Lord Widgery's conclusions they will agree with my hon. Friend's comments. The question of the no-go areas is rather wider than the matters Lord Widgery was dealing with. He sets out very clearly what his terms of reference were, how he interpreted them and how he explained them to all those who were concerned in Londonderry and all those who gave evidence. It is desirable that in every part of the United Kingdom it should be possible for the police to patrol peaceably and maintain law and order and the freedom of our citizens.

Mr. Delargy: Does the Prime Minister realise that some of us were pleased to hear him express regret towards the end of his statement at the deaths of 13 persons, because so far no one from the Government side of the House has ever expressed it.

Hon. Members: We have.

Mr. Delargy: No, you have not.

The Prime Minister: The hon. Gentleman is being less than fair. I myself expressed the utmost concern at the time about the tragedy of that Sunday in Londonderry.

Mr. Callaghan: Before we leave this topic, may I ask one further question in relation to what my hon. Friend the Member for Thurrock (Mr. Delargy) has just said? Is it possible in the case of those who have been found innocent yet lost their lives to make some restitution to their relatives in the way of compensation? Would not this be a gesture to those who have been caught up in these events, to the relatives of those who have lost their lives in this way?

The Prime Minister: I should like to give consideration to that. I think there are proceedings which could be pursued in these matters.