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RÚNAÍOCHT ANGLA-ÉIREANNACH

ANGLO-IRISH SECRETARIAT

BÉAL FEIRSTE

BELFAST

Confidential

26 March 1997

Mr. Sean O hUiginn  
Second Secretary  
Anglo-Irish Division  
Department of Foreign Affairs

PST; PSS: Messrs. Teahon,  
Donlon & Dalton;  
Ambassadors London &  
Washington; Joint Secretary;  
Counsellors A-I

*Tairi each  
One is left with the impression of  
a fundamentally decent and well motivated  
public servant, with the virtues and  
limitations of his class and  
background, but whose good  
aspirations were not, even in his own  
view, matched by the necessary  
political knowledge and skill.*

Dear Second Secretary

Farewell dinner for the Secretary of State

2-4-97

The Secretary of State and Lady Mayhew came to dinner in the Secretariat last night.

It was a particularly successful occasion, with Sir Patrick's private secretary commenting afterwards that "it was the best evening we've had in a long time". Sir Patrick was in very relaxed form, despite a heavy cold. He spent much of the evening in nostalgic mood about his life in politics and the regrets he feels on leaving his present post.

In the course of a very wide-ranging discussion, the following points of current interest arose.

The Maze tunnel

- The Secretary of State admitted frankly that this affair is a serious embarrassment which has cast a shadow over his last weeks in office.
- He made clear, however, that the inquiry will not lead to any fundamental changes in the way in which the Maze has been run. He showed considerable impatience with demands from Conservative or Unionist sources for the introduction at the Maze of the stricter regime which applies at British prisons. An editorial on this theme by Charles Moore in yesterday's Telegraph had particularly incensed him.

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- Emphasising the remoteness of such commentators from reality, Sir Patrick defended the Maze arrangements as the product of careful thought, going back over many years and reflecting the particular circumstances of the paramilitary prison population. A balance must be struck between control and "letting these people do what they want". He is flatly opposed to any fundamental alteration in the present balance, both on penological grounds and because "I would need two battalions" to implement the changes.
- He dwelled at some length on the acute pressures, psychological and physical, to which prison officers and their families are exposed due to paramilitary threats and the near-impossibility, accordingly, of achieving the comprehensive surveillance demanded by the system's critics.
- Sir Patrick did, however, recognise that "certain inefficiencies" had been revealed by last Sunday's discovery of the tunnel. He was aware of one or two specific factors, hinting that deliberate negligence by prison officers under paramilitary pressure had been one of them. These would be identified by the inquiry and consequences drawn. The clear message, however, was that the present arrangements, which have helped to contain tensions both within the Maze and in the community outside, would remain essentially unchanged.
- Sir Patrick was bullish about his decision to confine the inquiry to an internal exercise undertaken by the Prison Service and supervised by John Steele. He saw no compelling need for an independent dimension - "I'm in charge of the prisons and it's up to me to seek advice as I see fit". As the operational outcome of the enquiry was preordained, the involvement of an outsider was clearly unpalatable to him.

### Parades Commission

- The Secretary of State claimed to have been very favourably impressed with Alistair Graham (whose appointment as Chairman of the new Parades Commission was announced this morning). Graham is English, from Newcastle, and has an extensive background in mediation and arbitration. He visited Northern Ireland regularly in the eighties while working for the Industrial Society (though he has not been back more recently).



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Graham is, in Sir Patrick's opinion, a man of great acuity who has taken on this assignment out of "simple patriotic duty". He indicated in the interviews that he is "rearing to go". His appointment (like that of his four colleagues) is for a two-year period and begins from today. He has arranged with his current employer to spend two or three days of each week in Northern Ireland.

We enquired about progress in the consultation, due to finish at the end of this month, on the awarding of adjudicatory powers to the Commission. We emphasised that the Commission would have no credibility without these powers. The Secretary of State indicated that the decisions to be taken on foot of the consultation would effectively be a matter for the next Government. He had not yet seen the submissions received. He had also given no thought to what he might say if asked, following 31 March, for the Government's view as to what should be done.

We suggested that the five members of the Commission might themselves have a view and that this should also be fed into the process. Sir Patrick took this point. He said, however, that they had accepted his invitation without prejudice to the issue of whether or not the additional powers would be granted.

On the outlook for this year's parades, he saluted the courage and independence shown by Robert Saulters, the Grand Master of the Orange Order. He also noted some encouraging signs of constructive Orange Order activity behind the scenes (though he doubted whether this would extend to an agreement to meet a Garvaghy Road delegation including Breandan MacCionnaith).

### Bloody Sunday

We drew attention to the new evidence, which our Government judged to be serious and compelling and which we would be forwarding shortly when our assessment of it was completed. The Secretary of State said that, unlike the Irish Government, the British Government did not yet have the evidence based on soldiers' statements which had come to light over recent days.

He repeated, with greater emphasis than before, his Government's commitment to examining the new evidence with an open mind. There was no issue here of amour propre on the part of the British Government which required it to block a fresh inquiry

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or to uphold the Widgery findings at all costs. However, the British Government would have to be fair to the individual soldiers who were on duty in Derry that day. They could not issue at this stage a generalised view on Bloody Sunday (by implication an apology) without having first scrutinised the new evidence in full and determined the guilt or otherwise of each individual soldier. Otherwise, they would lay themselves open to charges of having publicly dishonoured individuals who had had no involvement in the killings.

We suggested that such concerns illustrated the need for a prompt, systematic and comprehensive review of all the new evidence. Had the British Government considered handing over the material for independent scrutiny? The reply to this was: "We'll look after this properly, I assure you - leave it to us".

### The talks

- Sir Patrick reflected bleakly on the progress of the multi-party talks since last June. He compared the shared tribulations of the two Governments to the suffering of "toads under the harrow". He had found the experience "hateful" and did not disguise his relief at leaving it behind him.
- He dwelled, with some feeling, on the rudeness and incivility displayed by the DUP and UKUP towards all other participants. It was particularly "shaming" that this had occurred in front of the three Independent Chairmen.
- Not mincing his words, he spoke of the talks having exposed "a vein of evil and poison" in Northern Ireland politics and society. The only hope was that the process might, over time, begin to "draw the poison". However dispiriting an experience, these talks were the only game in town and must be pursued. He believed that the right structure had been put in place by the two Governments. Furthermore, some comfort should be drawn from the fact that, in contrast to the 1992 talks, agreement had at least been reached on a post-election resumption. He hoped (though without much conviction) that the UUP would interpret the election result as giving them a mandate for compromise and accommodation.
- Sir Patrick reiterated his familiar criticisms of David Trimble (a deeply insecure leader who had no real interest in reaching an accommodation). In contrast, he



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described John Taylor as "a man I could do business with". While recognising Taylor's maverick qualities and volatility, he saw him nonetheless as an amiable "villain" with sufficient self-assurance and leadership qualities to lead the Unionist people towards an accommodation.

### The next Government

- Sir Patrick made no attempt to disguise his expectation that the Conservatives will lose the election and that Mo Mowlam, "a good egg", will be the next Secretary of State. He spoke warmly of Ms Mowlam and predicted that there would be "good continuity" from the present Government to the next.
- Rehearsing likely initiatives to be taken by the Labour Government, he suggested that movement in the area of prisoner releases would be more difficult than they imagined. While executive powers in this respect are available to our Minister for Justice, the release of life sentence prisoners in Northern Ireland is a matter for the Life Sentence Review Board and is outside the strict purview of the Secretary of State. We strongly questioned this, suggesting that, with sufficient political will, the policy guidelines under which the LSRB operates can be easily altered.

### Wright/Fisher

- The Secretary of State dismissed as "nonsense" current media speculation that the release of Guardsmen Wright and Fisher is imminent and he was very critical of the lobbying exercise mounted in support of the latter. He repeated his Lancaster House remark about the two Guardsmen being more culpable than Clegg (because they chased down an alleyway after their victim).
- He was ambivalent, however, about the date of their likely review hearing. It would seem that the British regard the recent judgement by Mr Justice Girvan, which quashed a review at the six-year mark, as giving them flexibility to time the review for either before or after this point. The Secretary of State's vagueness on this subject would suggest that a review before the six-year stage may be intended.

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Concluding reflections

- Sir Patrick spent much of the evening reflecting on the various posts he has held in Government, beginning with his time as Solicitor General.
- In the latter respect, he admitted "more than a little" regret for his decision to prosecute Sarah Tisdall, a very junior civil servant, on official secrets charges. In contrast, he was proud of having prosecuted Clive Ponting (over revelations about the Belgrano sinking). He mentioned that Ponting's aspiration to martyrdom over this affair had been undermined by his initial efforts to point fingers at other supposed culprits for the revelations.
- Turning to the Westland affair, he blamed Leon Brittan squarely for the leaking of the famous letter. However, when he went on to praise Margaret Thatcher for having respected his constitutional office at all stages during this affair, this was evidently too much for Lady Mayhew, who commented that Brittan's action had been authorised by the Prime Minister and suggested that Sir Patrick's memory was playing tricks with him.
- As to his recent Ministerial career, Sir Patrick regretted that he had not prepared himself more fully for it in advance. He freely admitted that the interest he had long entertained in becoming Secretary of State for Northern Ireland had been essentially "Vice-Regal", i.e., he had wished to round off a mainly legal career with what he imagined would be a relatively undemanding assignment in a quiet backwater of Government. He had been conscious also of his family connections with Ireland (including forebears who had been members of the United Irishmen) and had seen the NI post as keeping faith in some sense with these roots.
- In the event, he had been pitched immediately into multi-party talks, followed by the peace process, and the post had taken on an extremely intense and demanding character. He had also found that his Southern Anglo-Irish background did not prepare him at all for the experience of Northern Unionism, though he had come to develop a deep affection for the people of Northern Ireland generally.
- He had hoped to be able to "heal wounds and close gaps" during his term in office. He was not sure, however, whether he had actually helped to move things forward. If he had had at the outset the wisdom which he had acquired over the past five years,



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he might have been able to avoid certain mistakes and to make a greater impact.

- Sir Patrick regretted not having devoted more time to cultivating media contacts. He had never felt comfortable with journalists, whom he considered fundamentally untrustworthy. In any event, contact would not have been appropriate during his time as a law officer. In contrast, Michael Ancram seemed to have a very easy rapport with the media. As against this, Sir Patrick observed that even David Mellor's fabled media contacts had been of no avail when Mellor fell from grace.
- Looking back over the past five years, Sir Patrick spoke very warmly of the Tanaiste, with whom he felt he had developed an excellent working relationship. He was particularly touched by the farewell drinks and remarks following the recent IGC. He recalled the Tanaiste taking him by the arm at their first meeting and telling him "We've got a job to do - let's get on with it". He had greatly valued their friendship and cooperation ever since. He remarked in a light-hearted way on their personality differences, suggesting that they each incorporated some traits which would more usually be associated with the other's national stereotype. They had managed a series of very solid achievements during their time in office together. Sir Patrick believed that, in consequence, relations between the two Governments had never been stronger than they were at present.
- Sir Patrick will be spending half of April helping out with the Conservative election campaign in Britain. He indicated that, after he leaves office on 2 May, he does not intend to return to Northern Ireland for a considerable period (in order to ease his successor's transition).
- We wished him and his wife every success in their retirement. Sir Patrick indicated that his only plan is to purchase a horse (Irish), for riding purposes. He recalled that, when he last rode, about thirty years ago, he himself managed to clear six hurdles, "though my horse unfortunately baulked before the sixth".

Yours sincerely



David Donoghue

Joint Secretary