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Reference Code:	2021/52/671
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30 January 1998

Mr. Dermot Gallagher
Second Secretary
Anglo-Irish Division
Department of Foreign Affairs
Dublin 2

Dear Secretary,

Bloody Sunday

The Embassy is reporting separately on yesterday's Commons statement on Bloody Sunday and on the press reaction. I was in the Commons for the hour long debate and was struck by the serious and measured way in which the House treated the matter, confirming I believe the growing view here that Widgery was a failure, that serious questions remain to be answered, and that a failure to do so in the light of the new evidence would have damaging implications for the image of British justice, for nationalist confidence and for the peace process.

As one might expect the Prime Minister's statement met with some criticism from the Conservative side (but not from William Hague) on the basis that it called into question the integrity of Lord Widgery, impugned the good standing of the armed forces, opened old wounds, and would not at this distance in time be able to establish the truth. But this was mainly from right wing backbenchers and if anyone on the Opposition front bench had reservations they kept them to themselves. Overall I felt that the House was with the Prime Minister and he was easily able to fend off any criticism, respond to the points raised and defend his decision. It was a calm, measured and assured performance by a Prime Minister who is fighting on a number of fronts to maintain the image of his party and Government (tensions with Gordon Brown, growing problems over an accident prone Robin Cook, and allegations against the Paymaster General that will not go away). Most of us who met him during

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the Lancaster House talks earlier in the week remarked on his sallow complexion and weight loss and the distracted air of a man under pressure.

The decision to proceed with a full judicial enquiry under the Tribunal of Enquiry Act 1921 was not an easy one in British circumstances because it touches on two of the most neuralgic points in the British system - the judiciary and the armed forces. It calls into question the judgment and integrity of a Lord Chief Justice and the performance and discipline of the Army. Most telling of all is the decision of the Government to go outside Britain, to the Commonwealth, to make up the Tribunal. It remains to be seen who the two judges are, and a cynical eye would look at the calculated appeal of a wider dimension to international, and in particular, American opinion. But the decision is also a recognition of the concerns of the families and of nationalism generally about the impartiality of any enquiry, and it must signal some degree of self-doubt within the British system. Can we imagine Thatcher doing the same thing?

I had an opportunity last night at dinner to discuss the matter briefly with a former Prime Minister (Ted Heath) and two former Northern Secretaries (Douglas Hurd and Peter Brooke). As you might expect, none appeared particularly happy at the Prime Minister's decision.

Heath, who is always preoccupied with his place in history, was clearly concerned at a decision to reopen an enquiry into events that happened during his premiership and was critical of Blair's belief that the "truth" could now be discovered by such means. He felt that as the enquiry proceeded it would be used by Sinn Fein and the IRA to stir up trouble, promote instability in Northern Ireland, and undermine the negotiations. He accepted the continuing pain felt by the families and their sincerity in pressing for a new investigation but was of the view that the wider good would have been better served by turning down their demands. He said that he was quite prepared to make available his own papers to the enquiry but he did not volunteer any desire to give oral evidence. He ended the discussion by asking rhetorically what we would do if the new enquiry came to the same conclusions as Widgery.

Hurd was similarly unhappy at the turn of events although he accepted that Widgery was flawed and that in principle it was right to set up an enquiry to look at new evidence. He too voiced concerns about the possible impact of the enquiry on the conduct of the negotiations and the prospects of a settlement, but appeared to accept on balance that the Prime Minister had made the right

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decision.

Brooke was non-committal on the substance merely saying that the Irish Government must be pleased at the outcome.

I report the conversations because I imagine that they reflect the wider views of the old establishment here with deep links into the judiciary and the armed forces, and because they illustrate some of the difficulties that Blair and Malum encountered in taking the matter through the system.

It was Blair's day, and the press reaction this morning, even from the notoriously difficult Daily Telegraph, shows that he judged it correctly. Blair clearly felt that he was making the right decision on grounds of principle, but I don't think anyone on our side could see the decision as reflecting a fundamentally altered view of the Northern Ireland situation on his part or a greater sympathy with the overall nationalist analysis of the underlying reasons for the conflict. We shall have to continue to press hard our case especially on the all-Ireland dimension, a concept with which I feel the Prime Minister, unlike his Northern Ireland Secretary, has little instinctive sympathy.

Yours sincerely,

Ted Barrington
Ambassador

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