

PS/SECRETARY OF STATE (L&B) - (M)

cc: PS/Ministers (L&B) - M
 PS/Mr Andrew (L&B) - M
 PS/Sir Ewart Bell - M
 Mr Brennan
 Mr Bourn - M
 Mr Palmer - M
 Mr Merifield - M
 Mr Gilliland - M
 Mr Angel
 Mr Jackson - M
 Mr McNeill - M
 Mr Wood
 Mr Bickham
 Miss Marshall
 Mr Needham

DEBATE ON THE HENNESSY REPORT

In your note of 27 January you sought Mr Brennan's advice about the handling of the debate on the Hennessy Report. Mr Brennan has discussed the matter with Mr Angel and me. I understand the Secretary of State will be considering the debate during the course of this afternoon and that you wish urgently to know the views of officials.

Terms of the motion

2. It is relevant that the Hennessy Report does not show signs of becoming a very major issue yet locally in Northern Ireland, although we cannot say what response there will be to today's Assembly debate, or to further remarks or actions by the Governors and POA. The Parliamentary considerations will therefore predominate. We see advantage in the Secretary of State having something positive as a result of the debate and believe that a simple motion to take note of the Hennessy Report is not enough. There are various possibilities such as noting the report and the Government's response; welcoming the report and that response; noting the report and urging the Government to implement all the recommendations. These could be put together in a number of permutations. We would recommend for the Secretary of State's consideration:

This House notes the Hennessy Report on the escape from the Maze prison on 25 September and welcomes

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the prompt action the Government has taken to implement its recommendations.

Speakers

3. We take it as axiomatic that the Secretary of State must open the debate. A presumption must be that Mr Scott will wind up, but ~~the~~ ^{Secretary of State} ~~may consider~~ that he would need to leave this matter open for decision later in the evening, for example in case he wishes to respond personally to any particular calls for his or Mr Scott's resignation.

Timing

4. There are conflicting considerations. On the one hand, the Secretary of State will wish to have this debate behind him in order the better to put an end to the references to resignation. You will wish to advise the Secretary of State yourself on such factors as may bear on this from outside the NIO's responsibilities. On the other hand the resignation theme is harder to make much of if the debate is distanced from the publication and so from the event which would precipitate it. It would be essential for the debate to have been held before the NIO is next Top for Questions on Thursday 23 February. A Tuesday minimises the notice given, but there is no way in which we can avoid at least 5 days warning. Taken together these considerations point to the week of 13 February.

Speech

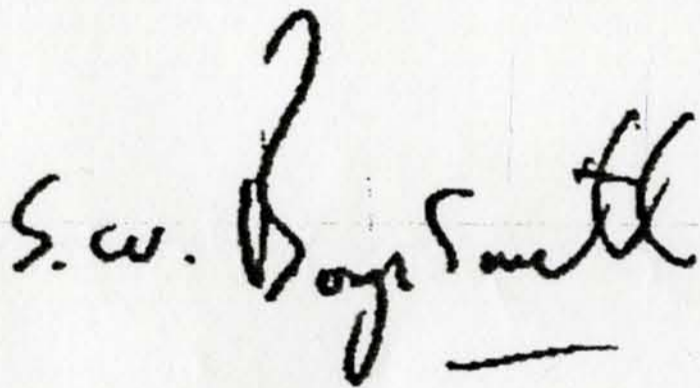
5. Officials preparing the material would be grateful for an indication of the Secretary of State's preferences about his speech. In very broad terms, there is a choice between two approaches. One would be a deliberately low-key and detailed speech concentrating on the Hennessy recommendations and the Government's response to them; such a speech could be stretched out to a considerable length if the Secretary of State wished. The alternative approach would be more in terms of a vote of confidence speech, drawing out the circumstances in which prisons' operate in Northern Ireland and justifying the Government's actions both before the escape and since. These two approaches are not necessarily mutually exclusive. In either case

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there probably need be no more than two or three brisk paragraphs early on dealing with the actual events of the escape.

6. Particular care will need to be taken with the response on resignation. Something can still be made of the distinction between policy and administration, but this is unlikely to be a sufficient argument. The Secretary of State may consider that he might better rest his main case on ^{what} the Hennessy report actually said about responsibility: eg its remarks about the Governor, the Head of the Security and Operations Division, and the Under Secretary; that in this way Hennessy has himself expressed a view about responsibility and people cannot take those bits of the report they like whilst rejecting these parts. A further theme, although one that at present officials would not be inclined to urge on the Secretary of State for this particular debate, would be to emphasise his duty to the Province to remain and get on with the job as a whole.

7. I should be glad to know if following his discussions this afternoon the Secretary of State has any views on these various possibilities.



S W BOYS SMITH

31 January 1984