

CONFIDENTIAL

UNDER/ SEC 806/6
19 JUN 1997
CENT SEC

FROM: PS/WILKINSON
PS/MR INGRAM
19 JUNE 1997

DESK IMMEDIATE

ASST./ SEC 265/6
2 JUN 1997
C.C.R.U.

- cc PS/Mr Ingram (L&B)
- PS/Mr Murphy (L&B)
- PS/PUS (L&B)
- PS/Sir David Fell
- Mr Thomas
- Mr Steele
- Mr Bell
- Mr Leach
- Mr Stephens
- Mr Watkins
- Mr Wood (L&B)
- Mr Brooker
- Mr Beeton
- Mr Maccabe
- Mr Perry
- Ms Healy
- Mr Warner
- Mrs Evans, HOLAB
- HMA Dublin
- Mr Lamont, RID

*Mr Gifford 20.6
Please get to the t.
K.B.*

*Mr McCann
Not looking happy.
AK
20/6*

PS/Secretary of State (L&B)

BLOODY SUNDAY

X

The Minister has seen the Secretary of State for Defence's letter of 18 June to the Secretary of State. The Minister has commented:

"I strongly agree with George Robertson's views. I think we should also be aware of the likely impact of the proposed statement on the security forces who will be in the front line over the marching season, especially if it descends into serious public disorder. This is notwithstanding the point made by George Robertson about the tragic deaths of the two RUC officers."

Paul Wilkinson

Paul Wilkinson
PS/Mr Ingram
Ext: 6498
19 June 1997

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Sec 1: 425



SECRETARY OF STATE

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M. Godwin 20 JUN 1997

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DESK IMMEDIATE

MINISTRY OF DEFENCE
WHITEHALL LONDON SW1A 2HB

Telephone 0171-21 82111/2/3

RECEIVED BY
30/5/97
19 JUN 1997
PRIVATE OFFICE

- ① SSS to me
- ② CC PS/S&S (8)
- PS/Mr Ingham (L+S)
- PS/Mr Murphy (L+S)
- MO 19/3G
- PS/PUS (L+S)
- 18 June 1997
- PS/Sir D Gifford

ASST/ SEC 29/6
24 JUN 1997
C.C.R.U.

Dear Mo,

- in Mr Waffers* Mr Macaulay
- in Mr Basher* Mr Basher
- in Mr Perry* Mr Perry
- in Mr Warner* Mr Warner
- * in Mr Burton ** Mr Burton
- Mr Thomas
- Mr Stalk
- Mr Bell
- Mr Leach
- Mr Stephens

Productive, might be negative as it has been

BLOODY SUNDAY

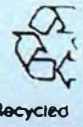
for urgent advice and draft reply re (A) + (B) 19/6

Thank you for your letter of 16th June proposing a review of the process of the Widgery Tribunal and a statement of regret about Bloody Sunday. I can understand the continuing grievance which the nationalist community of Northern Ireland feels about Bloody Sunday, and I appreciate the need to move quickly. However, I have three concerns: the likely consequences of a review, the wording of the proposed apology and the timing of any announcement.

I share your desire to avoid a "re-run" of the Widgery Tribunal and I am grateful to you for trying to contain the scope of a review with restrictive terms of reference; but I doubt whether in practice this would be possible. I recognise that the process of the Tribunal will be addressed by the judicial review proceedings if they go ahead, and there is a risk here that we cannot avoid. What concerns me is the second part of the terms of reference which will examine whether "there is any fresh evidence...that might have affected [the Tribunal's] findings, and to make recommendations."

The Rt Hon Dr Marjorie Mowlam MP
Secretary of State for Northern Ireland

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Much of the new evidence relates to the central issues examined by Widgery, such as whether 1 PARA exceeded its orders, who fired first and the truthfulness of the soldiers. I find it hard to see how a review could undertake the task that you envisage without getting to the heart of the Widgery conclusions. Once set in hand this process could not be controlled. If a review were to be established, even with the terms of reference that you propose, we must recognise that it may make recommendations that will provoke rather than assuage nationalist anger, and that we might find ourselves in difficulties of our own making. If a new review were not to criticise the then Government, Lord Widgery and the Army, it would almost certainly be presented as a whitewash and we would be no better off in relation to nationalist opinion.

However, your proposal that there should be an "overriding limitation...that no soldier...should be placed in jeopardy of legal action" suggests you share the concern that a new review is likely to be highly critical of the Army. Whether some form of legal immunity would be proper is a matter for the Attorney General. I do wonder, though, what political value we should gain from setting up a review to try to satisfy a grievance and then announcing that the review will effectively have no teeth, as the nationalist community would see it.

I believe, therefore, that a review would be fraught with difficulties and that the balance of risk against potential benefits argues strongly against it. I can, however, see much merit in an apology as an alternative, provided that, as you suggest, it expresses regret rather than ascribes blame. A heartfelt apology should, in my view, be the Government's last word on the subject. Bloody Sunday has generated so much emotion that I doubt whether what precisely happened will ever be established with clarity. We should say so. There is fault on both sides and much of what happened twenty-five years ago will be shaded to suit one side of the argument or the other. We cannot go on like this; the recriminations have to stop sometime and I hope that an apology in the right terms may help that process.

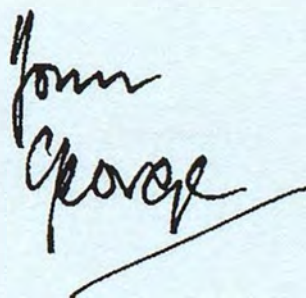
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I fear, though, that the second paragraph of your statement goes much too far. I find it one-sided and the phrase "[not] intending murder" could be taken as implying that murder nevertheless took place - a suggestion that we should surely avoid since it is bound to provoke demands that the soldiers be put on trial. Given the risks borne and sacrifices made by the Army in Northern Ireland during the past twenty-eight years, I am sure that we should not contemplate wording of this kind. I attach an alternative second paragraph which is slightly fuller and on which basis I would be content that the apology should be offered. (A)

My final concern relates to timing. I can understand your desire to clarify the Government's position before the new Irish Government takes office. Inevitably your statement of regret will be seen in Northern Ireland and elsewhere as a concession to nationalist opinion. Since you wrote to me we have had two RUC officers murdered in Lurgan. It is primarily a matter for you but I do wonder whether such a statement should be made so soon after the murders and just before the start of the serious marching season. (B)

I am copying this letter to Derry Irvine, John Morris and to Sir Robin Butler.

**GEORGE ROBERTSON****CONFIDENTIAL**

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Alternative second paragraph to statement of regret

I doubt whether at this distance in time what happened in Derry on that Sunday can ever be clearly established. I do know that chance brought people together with fatal consequences. I am sure that many of those who were demonstrating for their civil rights would have preferred to avoid the extreme disorder that occurred. Equally I do not believe that the soldiers set out with any intention to kill. What happened was a tragedy, the more so since many of those who died were so young. I am deeply sorry that it happened.