

01-DEC-1997 16:56 FROM GLR

TO

SANDERSON CAB 0

P.01

CONFIDENTIAL

1 December 1997

N Sanderson Esq
Cabinet Office

Dear Mr Sanderson

BLOODY SUNDAY:

CONVERSATION WITH PHILIP McDONAGH, IRISH EMBASSY

1. In the course of a conversation with Philip McDonagh on 28 November, we touched on Bloody Sunday. He drew my attention to the Taoiseach's speech of the night before to Fianna Fail (which we have copied to you), with its reference to the Irish having given HMG "time and space" to respond to this issue. McDonagh said that the "space" reference meant that the Irish had tried to resist pressure to be prescriptive over what our response should be. They were keen to avoid the issue being a damaging influence on the talks. They could not realistically allow daylight to open between their position and that of John Hume. They would like us to come up with a position which they could endorse.

2. I asked what this meant in practice. He said an apology by itself would not do. Nor did they want to see prosecutions after this delay. Nor was it their wish to see a full public enquiry with witnesses and so on. While their ideas were not fixed, they had in mind something like a review by a senior legal figure of the evidence available at the time, the new material, and the original report. The result might be a report bringing these elements together. Lord Cullen had been suggested in several quarters as a suitable figure.

COMMENT

3. There is little new in this. But I was struck by the (apparently) relatively limited aims of the Irish and by the argument that they want to find common ground with us. This makes sense for them from the overriding point of view of keeping the talks process on track. If we were able to do something on the lines of paragraph 2 above, a notable prize would be the possibility of having the Irish helping us to sell it rather than having to sell whatever we do in the face of their criticism. The suggestion of Lord Cullen, which McDonagh spoke of as though it was a well-established idea, was new to me. The appointment of a Scottish judge would at least go a little way to fudge the issue that a more junior figure in the English judiciary or legal establishment should not second guess an English Lord Chief Justice.

Yours
George Fergusson
for
Republic of Ireland Department

cc Mr Holmes
Mrs Polley
Mr Fakenham

This is clearer than
the read-outs of the Irish
position. The difficulty would
be to draw a line under a
paper review.

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cc: Mr Thomas
Mr Stephens
Mr Leach
Mr Beeton
Mr Brooker
Ms Bharucha
HMA Dublin
Mr Clarke, Dublin
Mr Hallett

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