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SECRETARY OF STATE

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PRIME MINISTER

"BLOODY SUNDAY"

I am grateful to Charles Falconer for sending me a copy of his minute of 21 January.

2. As you know, I have been firmly opposed to the idea of a new public inquiry into "Bloody Sunday". This remains my view. I would not wish to take issue with the legal arguments in Charles Falconer's minute; I accept that there is a case for a new inquiry, although, as he says, the balance is difficult to strike. But I do remain seriously concerned about the wider considerations to which he alludes.

3. Apart from the likely reaction of the Unionist and Loyalist community, and the potential short-term repercussions on the peace process, a new inquiry would inevitably be a lengthy and highly contentious proceeding carried forward in the full glare of publicity. It would remain a potential source of disruption on a continuing basis. Moreover, after 26 years, there must be little hope of a new inquiry reaching definitive, let alone widely acceptable, conclusions. That would be unlikely to satisfy anyone. The probability, in my view, is that the inquiry would simply provide fresh material for prolonging the dispute rather than achieving our objective of drawing a line under it.

4. I remain even more concerned about the effect of a new inquiry on the Army in Northern Ireland. I have no wish to protect from prosecution former soldiers against whom there may be compelling new evidence; but that can be established equally well by a police investigation, without any attendant adverse publicity. Indeed, it is possible that, even if there were sufficient evidence, criminal proceedings could be thwarted on the grounds that a public inquiry had prejudiced the prospects of a fair trial.

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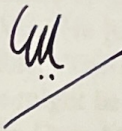


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5. My real concern, however, is that a new inquiry would, in effect, put the Army at large in the dock. It would be bound to have a deleterious effect on both the morale of soldiers currently serving in Northern Ireland and on the confidence in them of the Catholic community. They could face particular problems, and increased risks, in Londonderry itself. This could impinge on their continuing ability to support the RUC, at a time when the level of violence is rising.

6. While I can see the case for a new inquiry, including the wider political dimension, my own judgement remains that it does not offer the best prospect of laying this issue to rest. I still believe that that lies with the option of an apology coupled with a police investigation of the new evidence.

7. I am copying this minute to the Northern Ireland Secretary, the Home Secretary, the Solicitor General and Sir Richard Wilson.



(G R)

Ministry of Defence

21 January 1998

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