



Inine Divilas
To note.

AN 5/10

MINISTRY OF DEFENCE WHITEHALL LONDON SW1A 2HB

TELEPHONE 01-218 9000
DIRECT DIALLING 01-2182111/3

MO 5/21

7th October 1982

Dear Willie

mf

P429

Thank you for your letter of 22nd September about inquests on the bodies of Service personnel repatriated from the Falkland Islands. This is clearly a very delicate matter which will need careful and sensitive handling. I would be grateful for all your help in ensuring that essential formal procedures are completed quickly and without causing additional distress to the next of kin.

The present position is that a team of undertakers has arrived at the Falkland Islands on board RFA SIR BEDEVERE and exhumation and preparations for repatriation of the bodies will shortly begin. The necessary processes are being carried out on board the ship and on completion RFA SIR BEDEVERE will sail for the UK with the team and coffins on board. Our present plan is that she should return to her normal base at Marchwood Military Port at Southampton about the end of November. This has a number of advantages in that Marchwood has the necessary facilities, and is convenient for the mainly southern based Headquarters of the units concerned, and to Tidworth Military Cemetery where, it seems likely, many of the casualties will be re-interred. Officials are going ahead with planning, and hope to have early information about the Coroner's requirements, and meet them in so far as is possible, before the bodies arrive.

The Rt Hon William Whitelaw CH MC MP



MOD Personnel branches will inform the next of kin of the Coroner's interest, and of the possibility of financial assistance if families wish to be present at any inquest. This will not cover the costs of legal representation at the inquest which is a matter for the family in consultation with the Coroner. MOD will ask the Treasury Solicitor to arrange legal representation to look after Defence interests and this, and the good sense of the Coroner, should offer some safeguard against the risk of an attempt to turn the inquest into a public inquiry into events and policies of the Falklands Campaign. We do not regard this as a likely possibility but I agree that it has to be borne in mind.

I should mention that we have discussed with the FCO the possibility of holding an inquest at Port Stanley. However I understand that there is no experienced Coroner available and, in any case, it might only serve to complicate matters, particularly as the deaths have already been registered and death certificates issued. This brings me to a point which is being taken up with our legal advisers. Under the provisions of the Registration of Births, Deaths and Marriages (Special Provision) Act, 1957 (Chapter 58), Service Registers are kept on the deaths abroad etc of members of Her Majesty's naval, military or air forces; the provision also covers support personnel and dependants with the forces abroad. The relevant Orders-in-Council are 1959/406 Service Departments Register Order and 1963/1624 Service Departments Register (Amendment) Order.

In practical terms this means that in each case of known death on the Falkland Islands identification for the purposes of registration and issue of a death certificate, showing cause of death, has already been properly and legally carried out. Our legal advisers are now examining, and perhaps, in consultation with the Coroner, the acceptance of the 'de facto' position of identification and cause of death already established legally in the Falklands. The



UK Coroner may be entitled to question the validity of the registration but only if he has good grounds for doubting the position on the basis of hard evidence. I appreciate that on this basis the inquest might not be more than a formality but in the circumstances this may be desirable.

I have asked my officials to begin work on the details without further delay in concert with our legal advisers. I would hope that in any consultations with the Coroner, particularly on the Registration point, MOD officials could participate. I intend to keep in touch on progress and would hope to raise at once any point of difficulty which might be distressing to next of kin.

I am grateful for your help in this matter. A copy of this letter goes to the Prime Minister, Francis Pym, John Biffen and Michael Jopling.

John Nott
John

John Nott

-8 OCT 1982

10 11 12
1 2 3
4 5 6
7 8 9



QUEEN ANNE'S GATE LONDON SW1H 9AT

14. October 1982

N.B. I.R.

AR 13/10.

Dear Sir,

Thank you for your letter of 7 October about the repatriation of the bodies of Service personnel from the Falkland Islands. I note that present plans are that the bodies should arrive on board RFA Sir Bedevere at Marchwood Military Port, Southampton about the end of November.

I think the best plan will be for my officials to arrange for the coroner to attend a meeting either at the Home Office or at MOD to discuss his requirements with both MOD and Home Office officials, and I have accordingly asked for a meeting to be arranged as soon as possible.

Please do not hesitate to get in touch with me again if any points of difficulty arise.

I am copying this to the Prime Minister, Francis Pym, John Biffen and Michael Jopling.

Yours ever,

John Nott

The Rt. Hon. John Nott, MP.

Argentina, Relations, Pt 30



11 OCT 1982