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CABINET

CONCLUSIONS of a Meeting of the Cabinet
held at 10 Downing Street on
THURSDAY 22 DECEMBER 1988
at 9.30 am

P R E S E N T

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Sir Geoffrey Howe QC MP
Secretary of State for Foreign and
Commonwealth Affairs

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer

The Rt Hon Lord Mackay of Clashfern
Lord Chancellor

The Rt Hon Douglas Hurd MP
Secretary of State for the Home Department

The Rt Hon Peter Walker MP
Secretary of State for Wales

The Rt Hon George Younger MP
Secretary of State for Defence

The Rt Hon Norman Fowler MP
Secretary of State for Employment

The Rt Hon Tom King MP
Secretary of State for Northern Ireland

The Rt Hon Nicholas Ridley MP
Secretary of State for the Environment

The Rt Hon Kenneth Baker MP
Secretary of State for Education
and Science

The Rt Hon Kenneth Clarke QC MP
Secretary of State for Health

The Rt Hon John MacGregor MP
Minister of Agriculture, Fisheries
and Food

The Rt Hon Paul Channon MP
Secretary of State for Transport

The Rt Hon John Moore MP
Secretary of State for Social Security

The Rt Hon John Wakeham MP
Lord President of the Council

The Rt Hon The Lord Belstead
Lord Privy Seal

The Rt Hon Cecil Parkinson MP
Secretary of State for Energy

The Rt Hon John Major MP
Chief Secretary, Treasury

The Rt Hon Antony Newton MP
Chancellor of the Duchy of Lancaster

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THE FOLLOWING WERE ALSO PRESENT

The Rt Hon David Waddington QC MP
Parliamentary Secretary, Treasury

The Rt Hon Peter Brooke MP
Paymaster General

Mr Ian Lang MP
Minister of State,
Scottish Office

SECRETARIAT

Sir Robin Butler
Mr R G Lavelle (Items 2 and 3)
Mr P J Weston (Items 2 and 3)
Mr A J Langdon (Item 1)
Mr S S Mundy (Item 1)

C O N T E N T S

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HOME
AFFAIRS

Serious
Aircraft
Crash at
Lockerbie

1. THE SECRETARY OF STATE FOR TRANSPORT said that a Boeing 747 aircraft of Pan American Airways, believed to be carrying 243 passengers and 15 crew members, had crashed on to Lockerbie in Scotland the previous night, killing all those on board. Substantial parts of the aircraft had fallen on to Lockerbie, causing the destruction of about 20 houses, a petrol station, and cars on the A74, and substantial further damage from fire. While the full extent of casualties was not yet known, present estimates were that around 15 persons on the ground had been killed by the crash. Five people had been taken to hospital, of whom two had been discharged, two had suffered very serious burns, and one had suffered relatively minor injuries. The flight, which had originated in Frankfurt and had been bound for New York, had taken off from Heathrow Airport, following a change of aircraft. Shortly after 7.00 pm, the aircraft had been seen very clearly on radar screens at an altitude of 31,000 feet but the radar image had then disintegrated, indicating that the aircraft had broken up at that height. There had been no difficulties associated with air traffic control, the aircraft had been following a normal route, and there was no indication of any other aircraft having been in the vicinity at the time. The wreckage had been strewn over an area some 10-15 miles long, and there were at least six impact sites in the Lockerbie region, of which two were very large. The armed forces were providing personnel, including a medical team, and helicopters, and the emergency services had responded with great skill and efficiency. Investigators from his Department's Air Accidents Investigation Branch had arrived at the scene of the crash the previous night and had been working since dawn that day but it would be some time before it would be possible to reach even a preliminary view of the cause of the crash. There was bound to be pressure for a public inquiry into the disaster but, under the relevant Aviation Regulations, if such an inquiry were established now, the present investigation would have to be discontinued. He accordingly believed that the best course would be to allow the present investigation to get as far as it could, and then to decide whether the Air Accidents Investigation Branch should itself carry out a full inquiry, or whether there should instead be a public inquiry. In either case, the report of the inquiry would be published. He believed that it would be unwise to announce the form of the full inquiry at least until the Air Accidents Investigation Branch had submitted an initial bulletin setting out the facts revealed in the first stage of the investigation, which he expected to receive within the following 10-15 days. He would be making a statement about the crash in the House of Commons later that morning.

The following main points were made in discussion -

- a. It was essential that the cause of the accident should be established as authoritatively and as quickly as possible, and this would be a highly technical undertaking. The Procurator Fiscal for Dumfries would need to hold a fatal accident inquiry in due course, and it was not clear at this stage whether any further public inquiry would serve a useful purpose, provided that the results of the technical investigation were published. In general, it was important to avoid a plethora of inquiries that caused distress for individuals while unearthing no new facts. The

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Opposition spokesman on transport, however, appeared to be under the mistaken impression that it was the routine practice for major accidents in all sectors, including aviation, to be the subject of public inquiries as well as immediate technical investigations. In fact, that procedure had been followed for very few aviation accidents.

b. There were reports of some confusion whether Pan American Airways or the police were responsible for confirming the names of passengers on the aircraft, and of difficulty in obtaining this information. It would be desirable, at the very least, for it to be made clear when and how the names of passengers would be confirmed. On the other hand, passenger lists were subject to variation until the moment when flights were closed, and it was understandable that airline managers were reluctant to be rushed into confirming names because of the risk of mistakes and the distress they would cause.

c. If it transpired that the cause of the accident was sabotage, the implications for airline security at Heathrow would depend on the way in which the transit of passengers and luggage from Frankfurt had been accomplished.

d. There would be a general expectation that a disaster fund would be established in respect of such a major incident, and that the Government would contribute to it. It would be a mistake to prevaricate over this. On the other hand, neither the aircraft nor its passengers were British, and it was not yet clear that many people on the ground would require assistance. The private houses affected would presumably be covered by insurance. Two local councillors had on the radio that morning criticised the media for exaggerating the extent of the damage to Lockerbie.

THE PRIME MINISTER, summing up the discussion, said that the Cabinet would wish to put on record their condolences for those bereaved and injured in the disaster at Lockerbie. She had already sent a message to this effect to President Reagan. They would also wish to express their appreciation of the swift and effective operation which the emergency services had mounted. It was essential that the cause of the disaster should be identified as soon as possible, and this indicated that the present investigation by the Air Accidents Investigation Branch of the Department of Transport should be pressed ahead. It was not clear that any further public inquiry would be required in addition to the local Procurator Fiscal's inquiry, and no commitments about such a further inquiry should therefore be made. The appropriate Government contribution to a disaster fund could not be settled until the full effect on the local community was somewhat clearer, and the sum would need to be settled in the light of recent relevant precedents. Nevertheless, there would be a widespread expectation that the Government should make such a contribution, and the Secretary of State for Transport should make it clear that if a disaster fund were opened, then the Government would make an appropriate contribution to it. In the short term, it needed to be clarified who was responsible for

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confirming and releasing the names of those who had been passengers on the aircraft. More generally, the Secretary of State should give as much detail as he could about the major operations that were being mounted in response to this tragedy: his statement would be listened to as much in the United States of America as in the United Kingdom, and it was important that it should be as positive as possible. The Secretary of State for Scotland had been quick to visit Lockerbie, and had told her by telephone that morning that the response of the emergency services had been superb. She herself would visit Lockerbie later that day.

The Cabinet -

1. Recorded their condolences for those bereaved and injured in the air crash at Lockerbie, and their gratitude for the work of the emergency services.
2. Invited the Secretary of State for Transport to make a statement on the disaster in the House of Commons later that day, and to be guided in it by the Prime Minister's summing up of the discussion.

Northern
Ireland

Previous
Reference:
CC(88) 28.1

THE SECRETARY OF STATE FOR NORTHERN IRELAND said that the decision of the Northern Ireland Appeal Court overturning a recent Coroner's ruling there that he did not have the power to order certain police officers to attend an inquest was a very serious development which had potentially far-reaching implications for other inquests in Northern Ireland still to be held. This was primarily a matter for the Attorney General but his own view was that the Government would have to take the matter to the House of Lords. As the Appeal Court's decision stood, members of the security forces in Northern Ireland would in future be required to appear at inquests into deaths caused in terrorist incidents, even though they could not be obliged to make statements which might have the effect of incriminating them.

THE SECRETARY OF STATE FOR DEFENCE, agreeing with the Secretary of State for Northern Ireland, said that the problems of protecting the identity of members of the security forces from disclosure during inquests in Northern Ireland would be much more difficult than it had been at the inquest in Gibraltar into the deaths of three Irish Republican Army terrorists. The potential damage arising from disclosure of the identity of security forces in Northern Ireland was also greater.

The Cabinet -

3. Took note.

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FOREIGN
AFFAIRS

Israel
Previous
reference:
C(88) 35.4

2. THE FOREIGN AND COMMONWEALTH SECRETARY said that the positive vote by the Israeli Labour Party on 21 December had guaranteed the formation of a further broad coalition between Likud and the Labour Party, following the recent Israeli elections. With his move to the Finance Ministry, the influence of Mr Shimon Peres over foreign policy had been diluted. His successor as Foreign Minister was Mr Moshe Arens, a hard-liner. The prospect was not therefore for a very positive response to the peace process but an aggressive expansion of settlements in the occupied territories would probably also be avoided.

Sri Lanka
Previous
reference:
C(88) 34.3

THE FOREIGN AND COMMONWEALTH SECRETARY said that the former Prime Minister, Mr Ranasinghe Premadasa, had won the Presidential election in Sri Lanka. It had been a relatively peaceful and fair poll, despite the claims by his opponent, Mrs Sirima Bandaranaike, that there had been foul practice. The prospect was for some continuity in policy. Mr Premadasa was pledged to seek the departure from Sri Lanka of Indian troops but it would be difficult to achieve this at an early date.

China

THE SECRETARY OF STATE FOR THE ENVIRONMENT said that, during his recent visit to China, the Chinese Government had indicated that they would be prepared to participate in the international conference on the protection of the ozone layer which the United Kingdom was convening. If confirmed, this would be a welcome development since the issue was clearly a difficult one for China as a developing country.

THE SECRETARY OF STATE FOR THE ENVIRONMENT said that while he had been in China it had also been announced that China and the Soviet Union would meet, probably in the following May, to discuss future relations between the two countries. It was expected that this would lead to a normalisation of relations but that the two countries would not become anywhere near as close as had been the case during the 1950s.

The Cabinet -

Took note.

COMMUNITY
AFFAIRS

Agriculture
Council
19-20
December

3. THE MINISTER OF AGRICULTURE FISHERIES and FOOD said that no decisions had been reached at the resumed meeting of the Agriculture Council on 19-20 December. Discussions would be taken up again in January. Major outstanding issues included the beef support regime and imports of New Zealand Butter and sheepmeat. The Irish Minister of Agriculture, Mr O'Kennedy, had threatened to invoke the Luxembourg Compromise in relation to the Commission's proposals on beef.

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Foreign
Affairs
Council,
9 December

THE FOREIGN AND COMMONWEALTH SECRETARY said that at its meeting on 19 December the Foreign Affairs Council had reviewed the outcome of the General Agreement on Tariffs and Trade Mid-Term Meeting in Montreal. The discussions had strengthened recognition of the need for flexibility from the Community in the resumed negotiations on agriculture in April. As regards the proposed ban on imports from the United States of meat treated with hormones, a derogation for pet food had been agreed which would limit the scope of the dispute. It had also been possible to avoid a decision to undertake automatic counter-retaliation following expected United States trade action when the ban came into effect on 1 January.

New
Commission:
Allocation of
portfolios

THE FOREIGN AND COMMONWEALTH SECRETARY said that the allocation of portfolios amongst the members of the new Commission had now been completed. It was very satisfactory that Mr Brittan had been given responsibility not only for Competition Policy but also Financial Institutions, since both were areas of particular importance in the run-up to 1992. The former single market portfolio had been split into three. Financial services, as noted, had been added to Mr Brittan's portfolio. Madame Scriener would have responsibility for tax issues. The remainder had been allocated to Herr Bangemann, whose approach as an economic liberal to technical single market issues was likely to be satisfactory. Mr Millan had been allocated regional policy, an area of considerable United Kingdom interest and major Community expenditure. Other welcome decisions included the allocation to Mr Andriessen, the former Agricultural Commissioner, of external trade policy. Less satisfactory was the allocation of responsibility for relations with Latin America and Mediterranean policy to Senor Matutes and for social affairs to Mrs Papandreou. The allocation of the agriculture portfolio to the Irish Commissioner, Mr MacSharry, was particularly unwelcome.

The Cabinet -

Took note.

Cabinet Office

22 December 1988

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