cc Mr Eggington C.O.
This is helpful in
clarifying Morton's status
AP 20/3

MINISTRY OF DEFENCE
MAIN BUILDING WHITEHALL LONDON SW1A 2HB
Telephone 01-218 2111/3

MO 19/3/12J

20th March 1990

Dear Andrew,

MURPHY v SUNDAY TIMES

We spoke about the decision by Brigadier Morton (Retd) to appear for the Sunday Times in this case. I attach a copy of defensive press material we plan to use if any enquiries are made of the MOD. This has been cleared with the Law Officer's Department.

Incidentally, the title of Brig Morton's book about his Northern Ireland experience is "Emergency Tour".

Yours sincerely,
Simon Webb

(S WEBB)
Private Secretary

Andrew Turnbull Esq
No 10 Downing Street

MURPHY BROS v THE SUNDAY TIMES - LINES TO TAKE

Q.1. Is it true that an ex-Army officer is appearing/has appeared in Dublin to give evidence in a civil libel case brought against the Sunday Times by the Murphy Brothers.

A.1. Yes.

Q.2. Is/did Morton appear as a representative of the Security Forces?

A.2. Brigadier Morton retired from the Army in 1986. He is/has attended the court to give evidence as a private individual.

Q.3. But he is talking about his experiences in NI. Surely he must have gone with MOD's blessing?/Did MOD try to stop him.

A.3. The Ministry of Defence were made aware, by Brigadier Morton, that he intended to give evidence in favour of the Sunday Times. Brigadier Morton, as a retired officer, is entirely free to speak about his experiences as a Coy Commander in Northern Ireland, provided that he does not disclose material in breach of his duties under the civil and criminal law. Subject to that constraint, of which Brigadier Morton is well aware, the Ministry of Defence would not seek to influence a decision made by a private individual.

Q.4. What will happen to Brigadier Morton if he does disclose sensitive information?

A.4. I am sure you would not expect me to answer a theoretical question of that sort. [If pressed: If necessary any statements made by Brigadier Morton would be considered.]

Q.5. Did the Government consider providing a witness to testify against the Murphy brothers?

A.5. The Defendents asked the Government to provide evidence to assist in their defence of the proceedings, but after careful consideration the Government was unable to find any way to help.

Q.6. Why could the Government not help when an ex-Army officer is now giving/has given evidence? What is the difference?

A.6. I cannot speak for Brigadier Morton or the Sunday Times.

[if pressed - see A.5.]