

nc  
MAD.

PRIME MINISTER

Statement on Bingham

See the P.M.'s. amended with covering.  
The + the Foreign Secretary gave  
the the Attorney-General some amendments  
to his statement this afternoon.

AMJ  
9xii

Michael Palliser telephoned to say that Lord Carrington is very unhappy with the draft statement on Bingham which the Attorney General intends to make on Monday.

You have a copy of the latest draft of the statement in your box (folder 2) under cover of a minute from the Lord Privy Seal. The Lord Privy Seal's minute proposes various amendments to the draft, and I understand from the Attorney General's office that the Attorney General is willing to accept roughly half of them. But these are mainly of a drafting nature, and he is not willing to alter the substance of the statement. It is this, I think, which is worrying Lord Carrington.

Lord Carrington believes that the statement will cause trouble with the Opposition for two main reasons:-

- 1) Because of the grounds which it puts forward for not proceeding against the companies - notably, the length of time it would take to prepare the prosecution.
- 2) Because it pins the blame squarely on Labour in 1969.

He is concerned that as a consequence the Opposition could cause difficulties over the Independence Bill.

/He is also

He is also concerned that the statement may inflame Kaunda.

If there is to be a statement, Lord Carrington would like something much shorter and less controversial.

The Attorney General's opposition is that he will be making a statement in his capacity as Chief Law Officer explaining the basis of the DPP decision. Either, he is to explain it properly; or else he is to say nothing and leave the allegations against the company to be wound up in a general amnesty after Rhodesia achieves independence.

*This note - has been superseded by a talk with the Foreign Sec 10-days (Sunday) out.*

TIM LANCASTER

8 December 1979

*I don't think we can interfere with A-G's legal capacity. It was that which led me to let his statement go through without comment. What surprises me is that a legal opinion depends so much on public expenditure. I should have thought that difficulty in finding evidence would have been a good summary of the reasons for Council advice - but we haven't seen the full opinion. nor*