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Prime Minister
I have asked NIO to do some contingency planning, namely Govt might make
(i) to public interest immunity
(ii) special procedures to protect witnesses in court

ATTORNEY-GENERAL

NELSON

One possibility is that when it becomes apparent that the prosecution case is relying on Nelson's debriefing to his handlers and treating it like a confession, the defence will object on grounds that this is not a proper statement taken under Police & Criminal Evidence Act. If the objection is upheld, the case could collapse at the 2nd trial, a very good outcome

Thank you for copying me your minute of 2 May to Tom King.

As DPP (NI) concerns are solved and case comes to an end before too much damage is done

I have two points I would like to raise in relation to the independent review of agent handling. First, while I fully endorse the need to pursue the independent review with all due urgency, the serious difficulty you highlight, in questioning prosecution or defence witnesses about any issues relating to Nelson, seems to make it inevitable that we will need to wait until we know whom the defence propose to call before we can proceed. It may very well be that the Head of Special Branch or the Director and Coordinator of Intelligence will be called, and this will inevitably delay progress on the Review.

Secondly, with regard to who might conduct the Review, I, like Tom King, had it in mind that, as [REDACTED] has been ruled out, Sir John Blelloch, with his Northern Ireland background, together with an adviser from the Security Service would make a good team.

I am copying this to the Prime Minister, Foreign Secretary, Home Secretary and Defence Secretary, and to Sir Robin Butler.

P.B.

PB

13 May 1991