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The Dunblane files



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THE Scottish Secretary at the time of the Dunblane massacre wanted to avoid an "over-reaction" by having the "right judge" lead the subsequent public inquiry, according to previously secret files in the National Archives of Scotland.



New files from the National Archives have cast light on the aftermath of the tragedy

Michael Forsyth made the point in a memo to the then prime minister John Major on the morning after the tragedy, in which gunman Thomas Hamilton killed 16 pupils and their teacher at Dunblane Primary School before killing himself.

After Dunblane, some Conservative ministers were worried about a crackdown on firearms affecting the "field sports lobby", other files show.

The documents were made public this week under Scotland's 15-year-rule, which opens official files in half the time of Whitehall's 30 years. In a memo, Incident at Dunblane Primary School dated March 14, 1996, Forsyth refers to talks with Lord Advocate Lord Mackay of Drumadoon, head of Scotland's prosecution service.

Both agreed that, while the law demanded only a fatal accident inquiry under a sheriff, that was inadequate given "the very considerable public concern about the character and behaviour of the gunman in this case".

The correct response, Forsyth said, would be a judge-led inquiry with a "simple remit".

He went on: "The Lord Advocate and I consider that the judge concerned may find it necessary to address questions relating to the way in which firearms legislation is applied in practice; about security of school premises; and about the supervision of voluntary youth workers.

"I think we have to allow these matters to be exposed to public scrutiny, and I have confidence that, providing the right judge is selected, we need not fear any over-reaction on his part."

Later that day, Lord Cullen of Whitekirk, the highly respected judge who led the inquiry into the 1988 Piper Alpha disaster in which 167 North Sea oil rig workers died, was appointed.

Documents show Lord Cullen wanted to stay in touch with ministers during his independent inquiry.

In a "restricted" email about a March 15 meeting between Lord Cullen, Lord Mackay, and Scotland's top judge, Lord Hope, a Scottish Office official said Lord Cullen wanted the terms of reference kept simple, as this would "leave open the possibility of a 'side letter' giving him some guidance on the extent to which the Secretary of State wished him to pursue enquiries in certain areas or to report with recommendations ... In short, he is sympathetic to the idea of receiving a certain amount of 'direction'".

On March 21, Forysth hosted a supper at Bute House for Lords Cullen and Mackay about the inquiry.

An official recorded: "Lord Cullen said he would find it helpful to be kept in touch with developments in government thinking on relevant issues and hoped it would be possible to have regular meetings on policy issues" and "might at some stage wish to come to see" Forsyth.

For his part, Forsyth wanted "practical recommendations which the government could implement, with all-party agreement".

By July, Forsyth appeared anxious about the Home Office watering down firearm controls.

"The Cullen report will be a matter for the Scottish to handle; but I fear that the Home Office will try to take over those parts of it which relate to firearms," Forsyth's permanent secretary, Russell Hillhouse, reported.

"[Forsyth] does not want to accept a cautious Home Office line only to find that it collapses under public pressure."

Ahead of Lord Cullen reporting, Forsyth had a series of meeting with Cabinet colleagues to discuss possible responses.

The minute of a September meeting with Education Secretary Gillian Shephard recorded Forsyth's "disquiet" about someone being able to keep a large number of handguns and ammunition at home.

But Shephard felt "most gun owners were not unstable, introverted individuals ... she saw a need to reassure the field sports lobby that their legitimate use of firearms was not under threat".

Lord Cullen's report in October 1996 recommended tighter control of handgun ownership, changes to school security and the vetting of people working with children.

The Tory government introduced a ban on handguns with the exception of .22-calibre single-shot weapons in England, Scotland and Wales.

After New Labour won the 1997 General Election, it extended to the ban to the .22 guns.

PART TWO: letters of sympathy

A SERIES of heart-rending letters to and from the families of the Dunblane victims have been made public by the National Archives of Scotland.

They include letters from Michael Forsyth, the then Conservative Scottish Secretary, to the parents of the 16 P1 children killed by Thomas Hamilton, and to the widower of their dead teacher, Gwen Mayor.

"I know that nothing I can write can bring any real comfort in your grief," Forsyth told the parents.

"But I feel I must try to convey to you the sense of love, sympathy and support which all parents – indeed, all who have been touched by last week's tragedy – are feeling for you now.

"I know that you would have had great hopes for [the child's] future – hopes cruelly dashed in an instant of senseless violence. The sense of loss will never leave you.

"I hope that you may draw comfort and solace from the support of a community which has taken all of the bereaved families to its heart.

"If there is anything at all which [my wife and I] can do to help you in your time of sorrow, you know that you have only to ask."

Other letters were sent to the heads of the emergency services and local health boards.

"We are all in your debt," Forsyth told them. Forsyth also wrote to Prime Minister John Major after he and his wife Norma visited Dunblane with other politicians in the days after the shooting.

"I should tell you how much your presence - was appreciated by all those affected by the terrible events of last Wednesday," Forsyth wrote.

"Your sympathy and support are greatly valued by everyone in the community, which will need every assistance to sustain it as people seek to look forward once again."

He then added a handwritten postscript: "Please pass on our thanks to Norma who was marvellous. It cannot have been easy for her."

The files also include emotional letters from foreign heads of state to the prime minister.

Russian president Boris Yeltsin asked for his sincere condolences to be passed to families of the victims

"of this inhuman act".

He wrote: "To the depth of my soul I am shocked by the tragedy - The monstrosity of a cruel and senseless murder of innocent pupils and their teacher produced a reaction of pain and compassion in Russia. We mourn together with the British people."

Shimon Peres, then the prime minister of Israel and now its president, wrote: "I was deeply pained when I heard the news. There are no words to describe the lowest depth of this barbaric act. The horror is almost too great to perceive."

Nelson Mandela, then South Africa's president, expressed his "sympathy and dismay at the heartbreaking tragedy".

He added: "Our thoughts and prayers are with the families of the children and their teacher who met such an untimely death."

PART THREE: warning of 'honours bitterness'

OFFICIALS blocked a plan to honour people affected by the Dunblane tragedy, warning it could sow bitterness in the community. Files from the National Archives show Tory Scottish Secretary Michael Forsyth wanted to "press ahead urgently" with honours for those involved in the incident.

On March 18, 1996, five days after the killings, his office wanted to bypass "normal procedures" and bestow honours through the Queen's forthcoming Birthday Honours list.

However, the idea led to warnings from the Cabinet Office's ceremonial branch, who said past experience showed it was best to wait some time.

Ceremonial officer Anthony Merifield wrote: "In this context I suspect that 'anger' could be directed towards some of the survivors ('why you and not my child or husband or wife?') and in such a complex emotional situation time lends perspective to all parties – including those who have to consider whether it would be fitting to accept an award when others are so damaged around them."

Sir Russell Hillhouse, the top official at the Scottish Office, then wrote a memo to Forsyth, saying it would "very unwise to rush to a decision".

In a handwritten note on the memo, Forsyth backed down: "I'm sure you're right on this."

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Prime Minister

INCIDENT AT DUNBLANE PRIMARY SCHOOL

When we discussed this matter last night, I undertook to let you have written advice preparatory to the discussion which the Lord Advocate and I are to have with you shortly before Cabinet this morning.

The Lord Advocate and I have considered carefully how best the incident should be examined and conclusions reached. Under the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1967, a fatal accident inquiry (the Scottish equivalent of an inquest) must be held. However, the Lord Advocate and I believe that an inquiry under this legislation will not meet public concerns about this tragic incident. The legislation requires the inquiry to be held out by the local Sheriff or Sheriff Principal and, while it is possible that the inquiry might look at wider aspects of the incident, the Sheriff is not required to make any recommendations. Against the background of the very considerable public concern about the character and behaviour of the gunman in this case, we consider that a fatal accident inquiry would not be seen adequately to address the major issues. We therefore believe that it is both desirable and necessary that I should set up an inquiry to be taken by a Senator of the College of Justice, ie a member of the senior judiciary in Scotland. I envisage that the inquiry would have a simple remit, along the lines of a requirement to inquire into the circumstances surrounding the deaths which occurred at Dunblane Primary School on 13 March, and to make recommendations.

The Lord Advocate and I consider that the Judge concerned may find it necessary to address questions relating to the way in which firearms legislation is applied in practice; about security of school premises; and about the supervision of voluntary youth workers. I think that we have to allow these matters to be exposed to scrutiny in public, and I have confidence that, providing the right Judge is selected, we need not fear any over-reaction on his part.

Following informal consultations on a contingent basis, with the Lord President of the Court of Session, the Judge which we have in mind to conduct this inquiry is Lord

MICHAEL FORSYTH
14 March 1996