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Reference Code:	2018/68/14
Creation Dates:	14 June 1988
Extent and medium:	12 pages
Creator(s):	Department of the Taoiseach
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STATEMENT BY THE ATTORNEY
GENERAL - 14 JUNE 1988

PATRICK McVEIGH: EXTRADITION
PROCEEDINGS

1. Warrants were issued at Bow Street Magistrates Court on 13 May 1988 for the arrest of Patrick McVeigh on charges of conspiracy to cause an explosion and of possession of explosive substances.

2. I duly sent to the Irish Attorney General on 16 May, following the procedure recently agreed between us for the purposes of the Irish Extradition (Amendment) Act 1987, a note confirming that the Crown Prosecution Service had the clear intention to bring a prosecution, and that they had satisfied themselves that there was sufficient admissible evidence to found a prosecution. I also sent to him a Statement of Facts and a

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statement of the relevant law.

3. The Irish Attorney General, in accordance with the new Irish legislation, satisfied himself on the basis of this material that there was indeed an intention to prosecute, based on a sufficiency of admissible evidence. The warrants, with the authority of the Irish Attorney General, were accordingly endorsed by a Garda Commissioner, and Patrick

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McVeigh was arrested on foot of those warrants on 18 May, upon the occasion of his release from Portlaoise Prison, where he had been serving a sentence of imprisonment.

4. Applications for the return of fugitive offenders to the United Kingdom are made by the Irish State Solicitor, on behalf of the Irish State. Following McVeigh's arrest discussions accordingly took

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place between the Crown
Prosecution Service and the
Irish State Solicitor. At
the end of a conference with
Counsel for the Irish State in
Dublin on 7 June, the central
question remained as to
whether the Irish State
intended to call English
witnesses to establish that
the prisoner before the Court
was the person whose arrest
was sought in the warrants.
On 9 June the Crown
Prosecution Service wrote to

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the Chief State Solicitor stating that it was vital that they should hear from him forthwith as to whether English witnesses (and, if so, which) were required to attend the hearing on 13 June.

5. The following day a reply was received in writing from the State Solicitor that Counsel had advised that the evidence already available was sufficient in law to establish the identity of McVeigh for

the purpose of the District Court hearing and that it was proposed to act on his advice. Accordingly, the evidence of witnesses from Britain to prove his identity would not be required. It was made clear that the Irish Attorney General had personally considered and concurred in this advice.

6. Yesterday the Portlaoise District Court considered the Irish State's application for

the return of McVeigh to the United Kingdom. The unchallenged evidence led by the Irish State established that the prisoner before the Irish Court was Patrick McVeigh, who had been released from Portlaoise Prison on 18 May, and had formerly lived at 18 Forest Street, Belfast. The English warrants expressly related to Patrick McVeigh of Portlaoise Prison, formerly of 18 Forest Street, Belfast. The District Judge, however,

held against the Irish State on the issue of identification. He concluded that the State had not established that the person before the Court was the person to whom the English warrants related. He accordingly ordered the release of McVeigh, which duly occurred.

7. This result is deeply dismaying. The Crown Prosecution Service have at

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every stage of these proceedings asked the Irish authorities what evidence the Irish State would require in order to meet the requirements of Irish law. They have meticulously complied with the advice they received. That advice did not occasion surprise, because it was consistent with the requirements previously made by Irish Courts, who have never required evidence linking the person named in a

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warrant to the commission by that person of a specific offence.

8. Shortly after yesterday's hearing the Irish Attorney General telephoned me to express his own disappointment with the result. I expressed to him my own feeling of profound frustration and surprise. We have agreed to consult urgently in the light of yesterday's judgment as to the next steps the Irish State

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might take in the case of
McVeigh, and as to the
implications of this
surprising decision for the
effective machinery for
extradition that we both
desire.

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