

## NATIONAL ARCHIVES

### IRELAND



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} September 1980

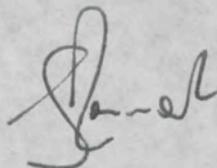
Secretary  
Department of the Environment

Attention: D. Murphy

I am directed by the Minister for Foreign Affairs to refer to previous correspondence (your reference Fin 12/11) concerning contacts with the British authorities on the question of compensation for damage to property within the State arising from the activities in Northern Ireland of the British security forces.

The Embassy in London which raised the matter again with the British authorities on 4 July (see note attached) has since reported that no progress has been made on the general compensation question. The Foreign Office has submitted the matter to the Treasury and the Treasury's response is awaited.

As regards the specific question of the Kiltyclogher claims these are before the Northern Ireland Courts. It appears to be the case, but the British authorities were unable to confirm this, that the legal advisors to the Kiltyclogher residents are not pushing the matter forward because legal opinion is to the effect that if the cases were heard the claims would be rejected because they are in respect of property outside the jurisdiction.



for Secretary

c.c. Mr. Frank Murray  
Department of the Taoiseach

17 Grosvenor Place

SW1X 7ER

The Irish Embassy presents its compliments to the Foreign and Commonwealth Office and has the honour to refer to previous correspondence concerning damage caused to property within the jurisdiction of the Irish Government as a result of the activities in Northern Ireland of the British security forces. The Irish authorities would be grateful if the British authorities could now indicate whether they are prepared to pay compensation for the damage in question.

As a result of an incident on 13 November 1974 a further decree has been awarded against an Irish local authority, Louth County Council, for an amount totalling £1,155.87 in respect of damage to a dwelling house caused by an explosion set off by the British Army. Attached is a statement concerning this decree. The Irish authorities would wish this further incident and the resulting compensation to be included in the claim already submitted.

The Irish Embassy avails itself of this opportunity to renew to the Foreign and Commonwealth Office the assurance of its highest consideration.

London 4 July 1974

HS

14 July, 1980.

Mr. Gerry O'Connor,  
Department of Foreign Affairs.

*copy to Leitrim Co. Manager  
Personal & Confidential  
(on a basis) Dh 14/7*

Dear Gerry,

I write in relation to the claims against the British Authorities for bomb damage on behalf of residents in the Kiltyclogher area of County Leitrim about which we have been in contact earlier this year. Hugh Swift's copy minute of 29 February, 1980, to the Secretary of the Department of the Environment is the last report on the subject which we have on file.

As you know it is now almost 6 years since the British blew up the bridge spanning the Leitrim Fermanagh border causing damage to a number of houses in Kiltyclogher including the home of the Sealy family which was rendered unithabitable. In November 1978 the Taoiseach suggested to the Minister for the Environment that sympathetic consideration be given to the question of whether Mrs Sealy's case and others might be dealt with on an ex gratia basis in a somewhat similar manner to claims for bomb damage processed under the 1974 compensation scheme. The Minister responded positively to this suggestion and indicated that his Department would take the matter up on a confidential basis with the Leitrim County Manager. In the event it materialised that not only had all of the seventeen people involved made claims against the British Authorities but that an engineer from Belfast had inspected each of the properties concerned before Christmas 1978. The engineer in question is reported as having told the claimants that there would be decisions on their claims in March/April 1979. On that account it was not possible to proceed any further with the proposed ex gratia scheme at least until we saw what transpired as a result of the action of the British Authorities.

In the meantime there has been no significant progress with the claims, at least that we are aware of. We have been told that complex legal issues are, in part, responsible for the slow progress of the cases. While this is undoubtedly a major contributory factor it nonetheless remains the position that the Kiltyclogher people are out of pocket for the damage caused to their property, though no fault of theirs for almost 6 years. We are anxious to bring this saga to a satisfactory conclusion as expeditiously as possible and on that account would be glad if your Department would arrange to have further enquiries made through the Embassy in London with a view to determining the current position of the various claims concerned and also whether there is any possibility of a speedy settlement of the legal and any other issues involved.

F. MURRAY