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Mr Hughes

Very poor information re ^{cit} citizenship
rights aspect

Unknown

25.5.81

Note of call by Mr. D. Tatham, Acting Charge
d'Affaires, British Embassy, 22 May, 1981.

1. On the morning of 22 May, 1981, Mr. D. Tatham, Counsellor and Acting Charge d'Affaires at the British Embassy enquired whether he might call to see me. He indicated on the telephone that the subject-matter was not directly related to the H-Blocks issue (on which I have had a good deal of contact with him) but concerned an issue on which they wished to have a view. I agreed to see him at 12 noon.

2. When he came in, he indicated that the relevant authorities in London were engaged in preparation of legislation to prevent prisoners standing for seats in Parliament, so as to avoid a recurrence of the situation that arose in the case of Bobby Sands. These concerned had adverted to the possibility that prisoners held in prisons in the Republic might be nominated for seats in Northern Ireland unless the legislation also precluded this possibility. A provision with this effect was in fact under consideration. Tatham assumed that this was something we would welcome, in view of the possible embarrassment and implications, e.g. in respect of pressure for the withdrawal of voting rights from Irish citizens in the U.K. in Westminster elections.

3. I confirmed that this would be the case. Otherwise, if the situation were exploited, difficulties could arise apart from that mentioned by Tatham. One could envisage pressure for the release of any prisoner who might be elected or a more general focussing of attention on Portlaoise, with the possible danger of encouraging agitation there.

4. Tatham indicated that those directly concerned in Whitehall had been thinking of using rather direct language in the legislation e.g. "prisoners in British or Irish prisons". The reaction of the British Embassy here and of the Foreign and Commonwealth Office had been that a less direct formula was desirable. He wondered if we would have the same feeling.

5. I said that we would. If legislation were to be amended, in the way intended, the logical thing would appear to be to express the provision to apply to ally prisoners or to all of them convicted of a defined category of more serious offences. Tatham mentioned that there could be difficulties here e.g. in respect of Britons imprisoned in certain circumstances e.g. for drinking in

Saudi Arabia or as alleged spies elsewhere. However, there were other ways of expressing the idea in an acceptable manner and he noted and was glad of my confirmation that we would not welcome being given specific mention.

6. In more general conversation, I referred to the strains put on easy relations by the H-Blocks issue but emphasised that in our view, recent events underlined the importance of tackling the underlying political problem. We should not be deflected from pushing forward with the joint studies. He said that in his understanding the British side were not in any way deflected by the recent events.

Note

I reported this exchange orally to Mr. Sean Whelan of the Department of Foreign Affairs and suggested that this was an instance where very clearly the British approach should have been to his Department. I recalled that I had mentioned fairly recently to his Secretary the general question of direct British approach^s to this Department and suggested that he might avail of a suitable opportunity to mention the matter to the British Ambassador with a view to arranging that calls below Ambassador level should, as a general rule and subject to tolerable flexibility, be on the Department of Foreign Affairs.

W. Kirwan
Assistant Secretary.

25 May, 1981.