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Background Note

1. The trial of Mrs. Anne Maguire (40), her husband Patrick (42) her two sons Vincent (17) and Patrick (14), her brother William Smyth (37), Patrick Conlon (52) and Patrick O'Neill commenced in January 1976. They all pleaded not guilty to having in their possession an explosive substance - nitroglycerine - between 1 and 4 December 1974 under circumstances which gave rise to reasonable suspicion that they did not have it for a lawful purpose.

2. Sir Michael Havers QC (now the Attorney General) for the prosecution spoke of forensic tests when cotton wool swabs and ether were wiped over the hands of the seven accused and their nails picked with cherry picks. Laboratory tests proved positive meaning that the hands had been in contact with explosives during the previous 48 hours. The evidence would be that Mrs. Maguire's hands were clean. However a packet of plastic gloves were found in a drawer which were used by her alone. They gave a positive reaction to a test for nitroglycerine.

3. For the defence Mr. Quentin Edwards QC said that prosecution evidence that traces of nitroglycerine had been found on gloves used by Mrs. Maguire was unreliable. Mrs. Maguire had asked after her arrest for an independent test to be made on the gloves but the police had refused. Nitroglycerine he said was "in the very air we breathe". There were millions of substances like it.

Mrs. Maguire had used gloves since 1968 because she suffered from a form of dermatitis. The drawer where the gloves were found was tested and proved negative. Mrs. Maguire said she bought the gloves at a cut price shop and had used them for planting bulbs.

Asked if she ever had nitroglycerine in the house Mrs Maguire replied "No. We are not people like that". Had she ever helped anybody who had nitroglycerine? "Never. I would never help anyone in those circumstances".

4. Answering questions from the prosecution she agreed that Gerard Conlon (convicted of Woolwich and Guildford bombings, serving life) was her nephew but they were not on speaking terms. She had

allowed Gerard's father Patrick to stay at their house while he was consulting solicitors for his son.

5. Mr. Justice Donaldson summing up to the jury said that there was a clear conflict of evidence between scientific experts. He said "I think you will be making a great error if you simply say "We have great experts here. They disagree. Who are we as jurors to decide between them". "That would be an entirely wrong approach to your function. It is your duty to assess the evidence carefully. You have got to consider the way in which the expert witnesses gave their evidence in just the same way as you would witnesses who are not expert. Consider whether it carried conviction and what each of the experts meant by the words they used.

In the end it is of course possible that you will find that you cannot really decide as between the experts".

6. The seven accused were found guilty. When the Judge sentenced Mrs. Maguire and her husband she became hysterical and screamed "I am innocent. I am innocent. My sons. My sons. Please God. I am an innocent woman".

7. Mrs. Maguire and her husband Patrick were sentenced to 14 years on 4 March 1976 after being convicted of handling nitroglycerine. The five others were also convicted of the same offence - Vincent Maguire sentenced for five years now released, Patrick Maguire junior 4 years now released, William Smyth 12 years, Patrick Conlon 12 years, Patrick O'Neill 12 years.

Mr. Justice Donaldson who described the Maguire parents as terrorists said he imposed the maximum sentence for possession of explosives on them because they had involved their two teenage sons. He thought that they had been rightly convicted of possessing nitroglycerine for an unlawful object.

8. The seven were convicted on the basis of the TLC technique (Thin Layer Chromatography) a relatively new breakthrough in forensic science, developed at the Royal Arsenal Research and Development Establishment in Woolwich. Still in its infancy this was the first trial in which it was seriously challenged.

9. Despite police surveillance and searches of the house and surrounding areas no explosives were ever found. The defence questioned why it was necessary for seven people to handle explosives which promptly disappeared. How was it that they were sufficiently careful to avoid even a trace in the house and yet were naive enough to leave traces on their hands? Why was Annie Maguire shrewd enough to wear gloves herself, yet allow her sick brother in law (Patrick Conlon) and her thirteen year old son Patrick to use their bare hands?

10. The man who voiced the most significant objections to the prosecution case was the man whose tests were being used by the prosecution. John Yallop had worked at the Woolwich Arsenal for more than 30 years before leaving to set up his own consultancy. He developed the TLC tests and had been senior to the prosecutions experts at Woolwich.

11. The prosecution carried out only one TLC test on the "traces" and were unable to cross check for lack of material. They forgot to photograph their results and since the TLC test destroys its evidence, further checking was impossible. Crucially Yallop said that TLC tests can be contaminated by common household substances like washing powder, cigarette smoke making corroborating tests imperative. It appears that Yallop helped the defence to prepare their case.

12. Alistair Logan, the Guildford lawyer, who took up Patrick Conlon's case on appeal said "I am unhappy that in a case of this magnitude the man who was given the task of analysing the samples was an 18 year old boy who had spent, I think, three months at Woolwich Arsenal before he carried out these tests and was described by the Judge as an apprentice.

13. In conclusion it might be mentioned that Patrick Maguire senior was an ex-British soldier who had lived in England for more than 20 years. It is reported that his wife Anne was a staunch supporter of the Conservative Party and there were pictures of the Royal family and the Union Jack in her house. Her sons Vincent and

Patrick consider themselves Londoners and speak with London accents. Vincent was planning to join the Metropolitan Police - an ambition now abandoned.

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