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Note  
Spoke Poir about contents for  
Mumtaz's information. This letter  
was received after Poir were taken  
by the Mumtaz today.

13 March 1986

Delan O'Sullivan  
12 March 1986

cc'd Poir ✓  
PSS ✓  
preps to & wait ✓  
Section ✓  
Secretariat - for info ✓

SECRET

CALL ON THE HOME SECRETARY TO DELIVER LETTER FROM THE MINISTER FOR  
FOREIGN AFFAIRS - 12 MARCH 1986

1. I called yesterday (Tuesday) afternoon on the Home Secretary, Douglas Hurd, to deliver the letter to him from the Minister for Foreign Affairs dated 5 March relating to the Annie Maguire and Birmingham bomb cases. I spent about 20 minutes with him. The only other person present was his Private Secretary who took notes during the discussion.
2. I explained at the outset that, rather than simply sending on the letter, I had asked to see him personally to deliver it so that I could have an opportunity to elaborate a bit on the context and background to the letter - without going into detail or expecting him to give any immediate reaction to what I said.
3. I explained that there are several cases at present which have been brought to the attention of his office - the Birmingham Six, the Annie Maguire case and the related Guildford case. In each of these, concerned people who became interested came to have serious doubts about the validity of the convictions. It was not a case of seeking leniency for people involved in bombing incidents but rather of real worry as to whether the wrong people had been imprisoned.
4. In many of the cases those involved had been born in Northern Ireland and had lived in England. We appreciated - and thought it right - that the British authorities had never tried to raise

objections of principle about the role of the Embassy in such cases.

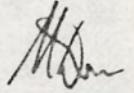
5. I touched on various aspects of the cases which were a cause of concern and mentioned, among other things: the Minister's meeting with Annie Maguire, the visits to some of the Birmingham bomb prisoners by Ms. O'Hanrahan, the meeting between Patrick Hill's solicitor and Ms. O'Hanrahan and myself; Hill's pressure to see me; the possibility that the Birmingham Six could be brought together for consultation if their case were to be referred to the Court of Appeal; the interest of Gerry Fitt in the Annie Maguire case; and the various books, TV programmes etc. made or in prospect. I also referred to the PQs to the Minister for answer on Wednesday 12 March and left with him, informally and as a courtesy, a copy of the proposed draft reply. I made it quite clear that this was simply an official-level draft not yet cleared by the Minister for use.

6. Hurd had with him some papers on the cases to which he referred occasionally in replying to what I said. He distinguished between the Maguire case and the Birmingham case which are "at different stages". He said that he would of course consider the Minister's letter and reply in due course. However, in relation to the Maguire case which has been considered by the Home Office, he thought that there may be little that he can do now without new evidence beyond that considered at the trial. Without this, it is not possible for him to refer a case to the Court of Appeal simply because he would like that Court to have another look at it. He agreed however, in response to my question that he would regard something now which casts a general doubt on the validity of a particular scientific test such as that used at the trial, as "new evidence" (ie the "new evidence" did not have to be something contemporaneous with the trial). The Birmingham bomb case on the other hand is at an earlier stage of consideration. He said that he will want to look at "some aspects" of the confessions and the allegations that they were extracted by beatings.

7. Hurd was generally very friendly and well-disposed but I took this as more personal to me (since I know him reasonably well from his NIC days) than as an indication of great sympathy in relation to the cases raised. If anything, he sounded mildly sceptical of some aspects of these. For example he remarked at one point that virtually all prisoners claim to be innocent; and at another stage that the standards of evidence and judgement applied by TV programmes and books are very different from those which must be applied in the Courts. He did at the same time promise to consider the Minister's letter carefully and let him have a considered reply.

He also expressed appreciation to me for letting him have the draft PQ reply (which he accepted was simply a draft).

8. On the way out, the Private Secretary, in response to a question from me, said that he thought that a decision in relation to the Birmingham case might take as long as six weeks. I said that we are not by any means pressing for an early decision (I had in mind the hope expressed to Ms. O'Hanrahan and myself by Ms. Gareth Pearce, solicitor for Patrick Hill, that a decision would not be reached for some time - since she is hoping for some new material to emerge from a forthcoming book by Robert Kee).



N. Dorr  
(Ambassador)  
13 March 1986