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Reference Code:	2016/22/2042
Creation Dates:	3 June 1986
Extent and medium:	3 pages
Creator(s):	Department of Foreign Affairs
Accession Conditions:	Open
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Secretary
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SECRET

3 June 1986

~~THE MAGUIRE CASE; THE GUILDFORD FOUR; AND THE BIRMINGHAM SIX -~~
DISCUSSIONS WITH ROBERT KEE, GERRY FITT AND ALISTAIR LOGAN (
SOLICITOR)

Dear Assistant Secretary,

Ted Smyth, Orla O'Hanrahan and I had an extended - a very extended - discussion over lunch at the Embassy today with Robert Kee, Gerry Fitt and Alistair Logan about these cases, with particular reference to the first two.

Kee has a book coming out in the next month or so on the Maguire case and he promised to send me the typescript shortly when it is ready; Fitt has collected 210 signatures in the House of Commons by now for his "early day motion" (note: this is the Commons only - not the Lords); and Logan is the solicitor for the Guildford Four and for a large number of other similar cases over the past decade or more. Logan, oddly enough, had not met Fitt until the Embassy lunch brought them together and there was, generally, very little evidence of serious coordination so far between the three in their efforts to have the cases re-opened.

Orla O'Hanrahan will, no doubt, do a report in due course on what became a very long and complex discussion. However it might be useful to give you some brief personal reactions.

In the early part of our discussion, it emerged that the main thing on which our three guests were agreed was that, although they could not say it publicly so far, the real issue in the Maguire/Conlon etc. case - and the related case of the Guildford Four, is NOT the scientific validity of the Thin Layer Chromography test as such but the veracity of the police. Put bluntly - all three believe that the Maguires, Conlons etc. and the Guildford Four were framed by the police. Though they are each separately convinced of this, no one of them has any real evidence to substantiate the charge - beyond a deep personal conviction - and they have been inhibited so

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far from "taking on the police". Now however, Gerry Fitt in particular was seriously coming to think of holding a press conference where he would say precisely this. The others were more wary of such a direct approach at this stage.

This led into a long discussion where the three of us from the Embassy tried to disentangle various points at issue, and, without trying ourselves to take on an active co-ordinating role, sought to encourage some careful consideration of tactics in the effort to have the cases re-opened. We also tried, quietly, to discourage Gerry Fitt from publicly alleging a police frame-up with no evidence whatever which he could produce to sustain the charge.

Logan, who has very long experience of these cases and who acted for the Guilford Four at their trial and since, as well as acting for other in similar situations, is personally absolutely convinced of the innocence of these four. He says he knows both groups and the Guildford Four are a wholly different type from those convicted of the Balcomb St. siege (whom he described as trained terrorists). He is however prepared to allow the focus to be put on Annie Maguire and her family - since their cases are easier to make for the public. He also referred to other avenues which he is pursuing in the case of the Guildford Four. These avenues are open to this group because, unlike the Maguires, they are still in jail. But he was not at liberty to tell us the details.

As the discussion (narrowed now to Fitt and Logan - since Kee had to leave) extended on into the late afternoon (and early evening) however, the focus shifted back to the forensic evidence that is the TLC tests which purported to show that the defendants had handled nitro-glycerine. Logan identified some four or five weaknesses in the tests; and he favoured concentration on these rather than on Fitt's earlier idea of straightforward public charges that the police were guilty. The "frame-up" theory and the approach based on the defects of the tests converge however in Logan's thinking because he thinks that the police, believing they had got their hands on the people involved in preparing the Guildford and Woolwich bombs and hoping for confessions, more or less asked the laboratory to give them evidence through the tests. Hence the use of an 18 year old "apprentice; hence the destruction of the samples etc.

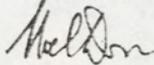
The discussion on the validity of the tests (on which Logan is very knowledgeable) proved rather instructive for Gerry Fitt, who had not been aware of the details of the tests and I think he has had second thoughts about his initial impulse to call a press conference and denounce the police. Instead he is thinking of two other approaches - (i) organising a late evening adjournment debate in the House of Commons on which he would get Merlyn Rees and Roy

Jenkins (the latter through Kee) to speak with all the weight they carry as former Home Secretaries); and (ii) trying to find some of the original jurors with a view to getting their view on the soundness of the convictions in the light of the new evidence. (The latter seems to me a rather dubious approach - legally and otherwise - and I tried to suggest this to Fitt). It appeared from our discussion with Logan very clear that the TLC test, initially designed as a very broad screening test only, may not have been used on its own, before or since, to convict people and this, in Fitt's view, is a very strong point to be made in his further efforts.

All three of our guests are very dubious about the role of Imbert, Deputy Commissioner of the Metropolitan Police in this whole affair; and Kee suggested to me privately that our Government might at some future stage, want to consider giving a negative reaction if his name were put forward as Hermon's successor as Chief Constable of the RUC. He apparently has ambitions in that regard.

The foregoing are only some quick impressions of a long discussion. We will report more fully in due course.

Yours sincerely,



Noel Dorr (Ambassador)

Eamonn O Tuathail,
Asst. Sec,
DFA