



# An Chartlann Náisiúnta National Archives

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Points which could be made to the Home Secretary

Birmingham Six

1. The appeal hearing should be conducted in conditions as normal as possible. Criticism has been made of the security arrangements for, and media comment on, the MacNamee trial (admittedly before a jury which is more likely to be affected by such "drama"). On our side we are anxious that the presence of Irish representatives should not be hyped up. The Birmingham Six themselves are emphatically opposed to Sinn Fein or other extremists getting in on the act.
2. The Government will be represented at the hearing in response to a substantial body of opinion in Ireland calling for such a presence in court. The Government has not yet decided who should represent it but it is likely to be the Ambassador.
3. It would appear that the Appeal Court's judgement will be handed down within four weeks of the close of the hearing. Can this be confirmed?

NB: The Taoiseach, in his speech in Bodenstown on 11 October last did not draw a link between ratification of the Convention on the Suppression of Terrorism and the Birmingham Six case. He said:

"The Irish Government share the deep and anxious concern that widely exists about a number of cases in Britain more than ten years ago, in which there is evidence to suggest that there may have been a miscarriage of justice. Judicial mistakes can take place anywhere, but a test of a country's judicial institutions is that they

have the inherent capacity to remedy injustices that may have occurred and to seek to allay concern where it justifiably exists".

This passage followed directly on the passage on ratification of the Convention on the Suppression of Terrorism and some commentators (notably British) have interpreted this as a link.

#### Guildford Four

1. Welcome the police enquiry - how long it is expected to last?
2. It is still our view that this case should in any event be referred to the Court of Appeal, if only because the Balcombe Street gang admitted that they carried out the Guildford and Woolwich bombings. The Guildford trial judge's dismissal of the Balcombe Street gang's statement was not properly reasoned.
3. Is it necessary to continue to give three of the four category A status? Why was one (Carole Richardson) decategorised to category B?
4. While we understand that it was necessary to make room for the Birmingham Six to be accommodated together in Wormwood Scrubs, it is not clear why Paul Hill had to be one of those moved to make way for them, particularly as his wedding had already been arranged to take place in Wormwood Scrubs on 21 November. Can it be taken that he will not be moved again before that date?

Maguire Family

1. It is imperative that this case be referred to the Court of Appeal because of
  - the inextricable link with the Guildford Four (one of them, Hill, incriminated the Maguire by his evidence),
  - statements made by the Balcombe Street gang in which they said they carried out the Guildford bombings.
  
2. The British Parliament clearly felt that the paramount interest was to avoid a miscarriage of justice when it gave the Home Secretary unlimited power to refer convictions to the Court of Appeal for review. While it is undoubtedly wise to exercise this discretion on a settled basis, the interest of justice require that this not stand in the way of resolving the very real concerns expressed about the Maguire convictions.

Judith Ward

The Tanaiste would ask the Home Secretary what is his view of her case.