



# An Chartlann Náisiúnta National Archives

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AN ROINN GNÓTHAÍ EACHTRACHA  
Department of Foreign Affairs

BAILE ÁTHA CLIATH, 2.  
Dublin 2.

15 April 1987.

Mr. John Hurley,  
Department of the Taoiseach,  
Government Buildings,  
Upper Merrion Street,  
Dublin 2.

*Registry,  
PR-associate  
with files in B4 to  
me a return.  
#22/4.*

Dear John,

Bail for the Birmingham Six

I refer to Mr. Gerry Hunter's correspondence with the Taoiseach on the subject of bail for one of the Birmingham Six which you forwarded to us on 9 April.

The Tanaiste has been consulted on this matter and considers that it would not be appropriate for a member of the Government or a State official to offer to stand bail. The difficulties in the way of offering to stand bail are:

- (i) the use of State funds for the purpose would be unprecedented and would necessitate a supplementary estimate for this Department;
- (ii) it would not be appropriate to have a member of the Government or a diplomatic officer of the State submit himself to the jurisdiction of an English court in respect of the appearance of the Six in that court;
- (iii) we understand from previous conversations with the Defence lawyers that they recognise that there is little chance of bail being allowed by the courts. The offer to stand bail is sought as a gesture of support for the Six and, explicitly, as an indication of belief in their innocence. It may well be helpful to the Six to have offers from John Hume and especially Conservative MPs

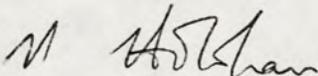
*Correspondence  
with  
Gerry Hunter*

such as Sir John Farr to stand bail, as Deputy Andrews has indicated they may. If the State were to do so, however, or appear to do so by a member of the Government or a diplomatic officer offering to stand bail in a personal capacity, it could well be seen as interference in the process of justice in Britain. If anything, it could be counterproductive to the prospects of the Birmingham Six and would cause friction in Anglo-Irish relations.

The Tanaiste's recommendation is that the Taoiseach might indicate strong sympathy for the case of the Six and express the hope that the appeal hearing will prove to be successful; he could offer continued assistance in every practical way including representations as necessary direct to the British Government but regret that it would not be appropriate for a member of the Government to offer to stand bail. A draft reply in this sense is attached for your consideration.

We are exploring what can be done to bring forward the Appeal Court hearing, which if it could prove possible would alleviate the problem. We cannot hold out much hope, however, that this will be done. At the Tanaiste's instruction, we are also enquiring as to how funds for the appeal hearing are being raised. The Embassy in London has been in regular contact with lawyers acting for the Birmingham Six. The Embassy has also visited the Six on a number of occasions and has seen them together at Long Lartin twice (most recently in the company of a parliamentary delegation). The Embassy has recently approached the Home Office with a view to obtaining certain prison privileges for the Six and further facilities to enable them to prepare their legal defence.

Yours sincerely,



Niall Holohan.

Draft

April 1987.

Mr. Gerry Hunter,  
HM Prison Long Lartin,  
South Littleton,  
Eavesham,  
Worcestershire  
WR11 5TC,  
England.

Dear Mr. Hunter,

Thank you for your letter of 20 March 1987 enquiring if I could stand surety for you or one of your five co-defendants in the Birmingham case.

I would like you to know that I personally have strong sympathy for your efforts to clear your name in the British courts and that I wish you well in the forthcoming hearing in the Appeal Court. I know that the Tanaiste and Minister for Foreign Affairs, Mr. Brian Lenihan T.D., is taking a deep personal interest in your case. He has already been in direct contact with the British Home Secretary, Mr. Douglas Hurd M.P., and will make representations as necessary and appropriate on your behalf direct to the British Government. He has also instructed the Embassy in London to continue to assist you in every practical way.

In regard to your request that I should stand surety for one of the Six, I hope you will understand that it would not be appropriate for a member of the Government or for an official of the State to stand surety.

Yours sincerely,

Charles J. Haughey,  
Taoiseach.