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Shane Paul
G-B file

Conversation with Cardinal O Fiaich

I met Cardinal O Fiaich in Armagh on the morning of 17 May 1988 (previous report 29 January 1988). The Cardinal had a number of matters to raise and asked me to continue discussion over lunch. The topics were Aughnacloy, prison releases and transfers, his problems with the press arising from Fr Murray's sermon at Mairead Farrell's funeral and Mawhinney's education reforms. The main point to note in the report below is the Cardinal's suggestion that the Government should agree to meet the McAnespie family (already reported orally).

The Cardinal recalled that he had last seen me on the day that the British Attorney General had made his surprise announcement on Stalker/Sampson in the House of Commons. Looking back, he felt that of all the terrible things that had happened since, Mayhew's decision not to prosecute had been the worst because of the implications it had for confidence in the security forces and the administration of justice in the North. He said the Taoiseach had been "quite right" to make an issue of it. (The "shoot-to-kill" incidents which led to the Stalker/Sampson enquiry occurred in Armagh and have been a major, local issue for the Cardinal).

Aughnacloy

He said there was a "lacuna" between the Government's initiation of an enquiry and the taking of statements from the family on the one hand and, on the other, what he understood was the refusal of the Minister for Justice to see the family. There was a perception that the Government had used the family as a stick with which to beat the British and, now that the enquiry was over, had decided to have nothing more to do with them. The Cardinal did not say that he shared this perception, he concentrated rather on the humanitarian point that the family had lost a son and brother and deserved sympathetic treatment on that

count. He described Eilish McCabe (the family's main spokesman) as a constitutional republican. Although she was prominent in Sinn Fein, she would not be "involved" in any way. She had been to see him at the height of the strip-searching controversy and had given him a hard time. He was well aware therefore that she could be a difficult person to deal with. She certainly spoke her mind. Returning however to the point that the family had lost a son and brother, the Cardinal suggested that the Government should arrange a meeting with the family "even if they have bally-ragged you a bit".

I recalled the Government's statement at the time of the announcement of the Crowley investigation to the effect that any statements given to Mr. Crowley would be maintained as confidential. I told the Cardinal however that I would report his comments (they have already been conveyed orally).

surly and unco-operative. The authorities should not simply wash their hands of the matter in the face of quite understandable attitudes, but should act positively to deal with the situation. I said we were considering just this problem at present in the context of the new programme of work on the administration of justice.

The Cardinal said that he had been away a great deal in recent weeks and was not well-informed on the present situation at Aughnacloy. While I was present, he rang the local parish priest, Fr. McManus, to bring himself up to date but found that Fr McManus was away on retreat. I said we had had previous contact with Fr McManus and would be in contact again. We would take any necessary follow-up action through the Secretariat.

Prisons

The Cardinal is continuing to receive correspondence on the question of the release of young SOSP and life-sentence prisoners and, to a much lesser extent, on transfers from British prisons to Northern Ireland.

He met Tom King in Armagh some weeks ago and took the opportunity to raise the question of releases with him. He said John McConnell of the NIO had rung him beforehand and advised him to "go hard" on King. He had certainly done so and had quite explicitly identified Stanley as the problem. He had raised the matter in the context of the early release of Private Thain and King had responded quite positively. King denied, however, that Stanley was the problem; Stanley was acting no differently than Nick Scott in his time. The Cardinal told King he did not accept that and said that he had been told by a member of the Board of Visitors of the Maze (in fact the Chairman, although this was not mentioned to King) that there would have been several additional releases but for Stanley. I said that Stanley had informed our Ministers that neither he nor Nick Scott before him had rejected a single recommendation made by the Life Sentence Review Board.

While that might be formally correct, we had little doubt that Stanley was a conservative influence on the LSRB, which after all was made up of civil servants. I gave the Cardinal a detailed briefing on the present position, noting the reduction by half of the number of SOSPs in prison since the Agreement and setting out the arguments in favour of release. I suggested that he take an opportunity to talk to Sir John Blelloch who as head of the NIO is chairman of the LSRB. The Cardinal knows Blelloch from contacts during the hunger-strikes and has a lot of time for him.

I suggested the following arguments:

- this is not a political issue as between the two communities; it is a major issue for both; in fact, there are more loyalists involved than republicans; but signs of a more liberal release policy would have an impact favourable to constitutional politics in the republican community;
- are security fears about releases really well based? not a single SOSP or life-sentence prisoner has been re-convicted following release; suggestions that released SOSP and life prisoners become re-involved if not re-convicted are not supported by hard evidence (I noted confidentially that a NIO study of a sample of 11 SOSPs/lifers had thrown up no evidence of re-involvement);
- there is recidivism among prisoners released after serving determinate sentences for offences such as possession of a weapon with intent to endanger life, but it is low and markedly lower than the level for ordinary offenders (I noted again in confidence that a NIO study of sample groups had shown the level varying between 8% and 20% for paramilitary offenders against 35% to 62% for ordinary offenders).

- The doubts mentioned by British Ministers were largely based on intelligence information about the re-involvement of determinate sentence prisoners which we had no real way of assessing but which we suspected was overdrawn; to take the case of Shane Paul O'Doherty, for example, it was very hard to see why his review should be continually put back given the strong religious and anti-violence views he had maintained for many years, which indeed had caused him to be placed in a virtually open prison in Britain before his transfer to Northern Ireland; he had now spent nearly 13 years in jail for explosives offences (which had not resulted in death) committed at the age of 17/18.

I said that Northern Ireland Ministers and officials were under pressure from the Home Office, the Ministry of Defence and the Army and Police in Northern Ireland to take if anything a more conservative course. Anything that could be done to put the opposite side of the argument would be helpful.

The Cardinal listened attentively to these points, expressing strong agreement and mentioning that he continued to receive correspondence on behalf of O'Doherty.

The mention of O'Doherty led him to say that he continued to receive requests from Irish prisoners in Britain for repatriation. The Cardinal immediately said "I know you have your problems (accommodation) in the South and I will not press you on that." The situation in Northern Ireland was quite different, however; there was plenty of capacity to receive transferred prisoners. He mentioned the case of a man called McCombe who is writing regularly to him from Long Lartin prison. I said we had also received representations from McCombe but that the number of prisoners actively campaigning for a transfer was very small. I doubted if we had more than half a dozen requests in recent times on our files and there had been no rush of correspondence when the only recent transferred prisoner, O'Doherty, had been transferred in 1985. One reason for this

was that a considerable number of these prisoners had families settled in Britain and did not wish to return. The Cardinal said this conformed with his own impression; the number of transfer requests on his files was of the same order.

In response to my question, the Cardinal said he was getting nothing on conditions within prisons in the North in his correspondence and other contacts. He mentioned, however, the concern of Fr Alec Reid about the situation in Magilligan. I said we had taken this up; we felt that the transfer of prisoners to Magilligan and their forced integration there for the last year of their sentence made no sense, except as a reason to keep the prison open for the benefit of those who worked there and provided services to the jail. We were aware of a constant undercurrent of tension at Magilligan and we monitored the situation there carefully. I could not say, however, that the situation was immediately dangerous.

Before leaving the matter of prisons, the Cardinal mentioned that John McConnell of the NIO now accompanied the Secretary of State in all his meetings with the hierarchy. He said the bishops found this valuable because McConnell could brief King immediately on past events and matters with which he was not familiar. He also acted as "a second ear".

Fr. Murray's Sermon

The Cardinal raised the matter of the allegations by Michael Mates and by the British Press that Fr. Murray had compared the death of Mairead Farrell to the death of Jesus in his sermon at the Farrell funeral. The Cardinal said he had gone into this in great detail and had satisfied himself that Fr. Murray had made no such comparison. He was also satisfied that the British press had acted quite dishonestly. He regretted that a letter which Jim Cantwell had sent out on his direction to the Irish newspapers had been published only in the Irish Independent. The others had declined to publish on the grounds that they had not reported the allegation. There has also been extensive correspondence between Cantwell and the British papers, notably with the editor of the Daily Express. The British papers had refused to retract on the grounds that it was not clear that Fr. Murray had not said what he had been alleged to say. As an example of the perfidy of the British press, the Cardinal said that the Daily Express had justified its reporting on the grounds that Fr. Murray had said what had been alleged to four different journalists prior to the sermon. The Cardinal said that he was satisfied that Fr. Murray had spoken to no journalists before the funeral mass to which he had actually been conducted by the local parish priest, Fr. McCorry, by car.

This affair is now water under the bridge and I report the Cardinal's account because he seemed concerned that we should have the full picture. A major reason for the Cardinal's preoccupation is that Fr. Murray's sermon was the main issue taken up with him in correspondence received after the Milltown and Andersonstown incidents. He said he had received a huge amount of mail, about 40 letters a day for weeks, 96% or 97% of it from Britain. He had seen nothing like it since the hunger-strikes. He saw one good point in all of this, which was that he had received little reaction from Northern Protestants and had noticed little criticism in the media by Unionists. This marked considerable movement on their part; they would have been

marked considerable movement on their part; they would have been "jumping up and down" about it not so long ago.

Education Reforms

The Cardinal raised two points with me about Mawhinney's education reforms. The first was that Irish was not included among the proposed foundation subjects whereas a foreign language was included. He was fearful that pupils would not take Irish if they already had to take a foreign language. A compromise might be to allow schools the option of treating Irish as a foundation subject instead of a foreign language (he saw the irony in the implicit grouping of Irish with foreign languages).

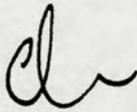
Second, the Cardinal noted that religion was not included as a foundation subject either. He did not suggest that it should be since that would give the Government a role in the teaching of religion. On the other hand, religion should have its proper place. He had discussed this dilemma and other aspects of Baker's reforms with Bishop Constant of the English hierarchy. Bishop Constant had suggested a formula which seemed to provide a way out, viz, to refer to religion and foundation subjects.

The Cardinal did not ask for any assistance in these matters. Nonetheless, he seemed anxious that the Government should be aware of his concerns. He did not mention the proposal that a new category of grant-maintained-integrated schools be created with full funding. When I asked him about it, he said that a committee was looking at it and that he had already approached Archbishop Eames to suggest they get together to work out a line on concerns which both churches might well share about aspects of Mawhinney's proposals. Eames told him he also had a committee working on the proposal and seemed agreeable to talk when the committee reported. The Cardinal thought Mawhinney's deadline of 10 June for receipt of proposals would be extended by a fortnight or so.

The Cardinal did not wish to be drawn too far on his own attitude to Mawhinney's integration proposal, but he described the proposal as "controversial . . . there would be opposition to it". He said there were two integrated schools in his diocese, one of which had developed for special reasons. The headmaster of that school (Ballyoran, near Portadown) was ecumenically-minded, but the teaching staff was overwhelmingly Protestant. Integration should not be confined merely to pupils (a point which the Bishop of Derry, who is otherwise sympathetic to Mawhinney's proposal, has also made.)

The Cardinal noted that integration had not worked in some cases because Protestant children had left the school when Catholic numbers had grown to a majority of the student body. In a final comment, the Cardinal said that integration would not do much for the present generation; its effect would be felt in the future. My overall impression is that the Cardinal has not exhausted his consideration of Mawhinney's proposal but is at this point opposed to it.

The Cardinal mentioned that he had met Ambassador O'Rourke for the first time, and had had a very useful conversation with him, on a visit to Birmingham last weekend.



Declan O'Donovan
19 May 1988

cc: Mr Gallagher
Counsellors
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