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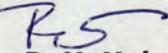
STEERING NOTE

A meeting has been arranged for 11.30A.M. on Thursday, 28th July with the near relatives of the 3 IRA members shot and killed by the SAS in Gibraltar on 6th March. The meeting is being held in response to a letter sent by the relatives to the Taoiseach on 18th May (copy below). The meeting is being organised through the good offices of their solicitor, Paddy McGrory, who is a regular contact of the Department and who has advised on the composition of the group, which he has described as a "civil group of people". The group will be composed of the following:

Mr. Paddy McGrory (Solicitor for the families)
Mr. Daniel Farrell and Mrs. Mairead Farrell (parents of Mairead Farrell)
Mr. John Savage and Mrs. Elizabeth Savage (parents of Sean Savage)
Mrs. Margaret McCann (widow of Danny McCann)
Mrs. McCann (mother of Danny McCann).

It has been made clear to this group, through Paddy McGrory, that our agreement to this meeting is based on an understanding that the meeting will be held on a confidential basis and remain private and is motivated solely by our genuine concern at the legal and human rights implications of the circumstances surrounding the shootings in Gibraltar. It is in order to underline this point that the meeting is being organised through their Solicitor and that he will lead the group at the meeting. (Having said that however, Paddy McGrory has advised us that the families have, in varying degrees, a level of "dependence" on Sinn Fein and it is likely that sooner or later Sinn Fein may well get to hear of the matter.)

I understand from McGrory that the main objective which the families have in the meeting is to obtain a commitment from the Government that an official Irish Government observer will be sent to attend the Inquest hearing in Gibraltar.


B. McMahon

Anglo-Irish Division, 27 July 1988.

An Taoiseach,
Charles J. Haughey TD,
Dáil Éireann,
Dublin 2.

May 18th 1988

An Taoiseach,

As the families of the three Irish citizens - Mairead Farrell, Dan McCann and Sean Savage - shot dead by the British Army's Special Air Service in the British colony of Gibraltar on March 6th 1988, we request a personal meeting with you to discuss the Irish Government's intentions in the aftermath of these murders.

We are seriously concerned about the campaign by the British print media - most notably The Sunday Times and The Sun - to publicly vilify, discredit and distort eyewitness accounts that do not concur with the British Government's official version of events in Gibraltar. (Please find enclosed copy of an article from The Sunday Tribune of May 15th 1988.)

We have been informed by Irish journalists that, on your recent tour of the United States, you expressed your concern and disquiet at the Gibraltar murders. With this in mind, we ask you, as An Taoiseach, to meet with us as a matter of urgency so that we can ensure that justice is done.

As the inquest into the deaths of our loved ones takes place in Gibraltar on June 27th, we trust that you will recognise the need for a meeting as soon as possible.

We thank you for your attention and are hopeful of a positive response from you and your government.

Yours sincerely,

Daniel Farrell
Mairead Farrell
Margaret McCann
Mrs McCann
Elizabeth Savage
John Savage

Gibraltar - Background Note

On 6 March, an SAS team in Gibraltar shot dead 3 members of the IRA, who the IRA admitted were "on active service", - Mairead Farrell, Danny McCann and Sean Savage. Initial media reports following the shooting suggested that the trio had parked a car bomb packed with explosives close to the site of a changing of the guard ceremony. However, on Monday 7 March, the British Foreign Secretary, Sir Geoffrey Howe made a statement in the Commons outlining the official version of events which, while admitting that no bomb had been found in the parked car in Gibraltar and that the three had been unarmed at the time of the shooting, gave as a reason for the shooting that the three IRA members "made movements which led security personnel to conclude that their own lives and the lives of others were under threat."

The Irish Government issued a statement on 8 March (copy below) which, while condemning all forms of violence and recognising the necessity for security forces to take all reasonable measures to combat terrorism, stated that "the Government were gravely perturbed that three unarmed Irish people should have been shot dead when it appeared that they could have been arrested". The matter has been raised both through the Maryfield Secretariat and through the Embassy in London and has been discussed at the Anglo-Irish Conference.

Because of the many unanswered questions surrounding the incident, it has attracted a great deal of media attention and notwithstanding British Government representations regarding possible prejudicial effects on the Inquest, the IBA and BBC screened documentary programmes which, drawing on eye witness accounts, seriously contradicted the official account of the shootings as given by Sir Geoffrey Howe in the House of Commons.

Following the screening of the first of these documentaries, the Government issued a further statement on 29 April (copy below) which, while reiterating the points made in the earlier statement of 8 March, referred to the Taoiseach's statement in the United States that "the rule of law must remain paramount in a civilised

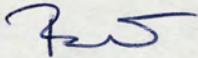
society , if the State is to retain its moral authority" and that "the Government expect that the fullest possible information will be provided by the forthcoming inquest and that any further enquiry or legal action necessary to uphold without fear or favour the rule of law will be instituted."

P. M. Thatcher is on record in the House of Commons on 20 June as indicating clearly that no "official inquiry" is envisaged and that "the Inquest is the proper occasion for the matter to be examined". The Taoiseach is on record in the Dail in replying to a supplementary question on 8 March as stating that he would consider the question of official attendance at the Inquest.

The Inquest had originally been scheduled to be held on 27 June but this date was cancelled by the Gibraltar Coroner giving as his reason (which few believed) a local festival scheduled for that date. The Coroner held a preliminary hearing on 5 July to decide on questions of procedure for the forthcoming Inquest. His ruling on that occasion would appear, at least on the surface, to provide little comfort for the British Government in that he refused to screen off the SAS witnesses from either the Jury or from the Lawyers in the Court, refused to limit the scope of the Inquest to exclude "relevant matters preceding the moment of the shooting", and refused to commit himself beforehand on matters of public immunity interest. In addition he made some more general comments in that ruling which the British Government may well find disturbing- viz- "It must not be forgotten thatat the time they came to their deaths they were neither armed nor did they have any detonating device nor was there any explosive found in the carit seems to me that the 3 factors I have alluded to will exert their influence over the conduct of the Inquest perhaps in a manner not yet appreciated by anyone." In his comments he pointed to the fact that he can not compel the soldiers to attend the Inquest and that under Rule 18 he must warn witnesses that they need not answer anything which might incriminate them. "I find it hard to think, in the context of this Inquest, of any significant question which will not be of that nature once they take the stand. The reality seems to be that unless the witnesses are screened I may not have a meaningful

Inquest and of course if they are screened it would be a flawed
Inquest in any case."

Under the Coroners' rules in Gibraltar a wide range of verdicts is open to the Jury including unlawful killing, open verdict etc. At the time of writing it is not clear whether the SAS soldiers will in fact attend the Inquest which has been scheduled to be held in Gibraltar on 6th September. There have been suggestions that the decision is one for the soldiers themselves and that the Government cannot compel them to attend. At the same time recent media reports have tended to discount this suggestion and have suggested that the matter will be decided one way or the other by the British Government in the near future.



B. McMahon

Anglo-Irish Division

27 July 1988