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Confidential

Tanaiste's meeting with Gibraltar relatives

Summary Note

The Tanaiste met the Gibraltar relatives in his office at noon today. The meeting lasted about forty minutes. Present were the family solicitor Mr. P. J. McGrory, Mr. and Mrs. Farrell, Mrs. Savage, Mrs. McCann (mother), Mrs. McCann (widow) and the young son of Danny McCann. Mr. Gallagher and the undersigned attended.

The Tanaiste began by saying the Government had decided to have a legal observer in court. He had mentioned this to Mr. King at yesterday's conference and it had been agreed that full facilities would be given. Second, Mr. King had said that he was hopeful that the SAS men would be able to attend; his favourable attitude had been reported in today's press. Third, the Tanaiste said he was sure the relatives had great confidence in Mr. McGrory. This was shared by the Government. There would be liaison between the Government and Mr. McGrory on any matters on which assistance might be required.

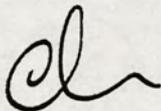
Mr. McGrory expressed satisfaction with the Government's decision to have an observer present. He mentioned that there might be an eventual action in the European Court under the right-to-life article and the Government might wish to consider taking an action in the European Court themselves. The necessity to exhaust domestic remedies would not be required of the Government as a state party to the Convention. In the case of his clients, however, he would probably be advising them to take personal actions first in the Northern courts where he thought a case like this would get a fair hearing. He thought, for example, that Lord Lowry would have no truck with screening of military

witnesses in a Northern Court. The inquest was important not just for the families but also for the shoot-to-kill policy which the British Government seemed to resort to when necessary.

The Savage and McCann representatives arrived a little late. The Tanaiste repeated for their benefit what he had said to the other representatives.

Mrs McCann asked "what about the European Court?" The Tanaiste said the inquest must come first. Mr McGrory agreed and added that there would then be the question of personal cases in the North, about which he again expressed some optimism, before considering an action in Europe. He did not refer again to the possibility of a State action. Mrs McCann indicated some scepticism that personal cases would succeed before the Northern judiciary.

Before saying goodbye to his guests, the Tanaiste noted that what he had said had been in confidence and that publicity would not serve the interests of the case. Mr McGrory said it was quiet and thorough preparation which would win cases like this.



Declan O'Donovan

28 July 1988

c.c. Mr. Gallagher
Counsellors
Section
Box