



An Chartlann Náisiúnta National Archives

Reference Code:	2018/68/33
Creation Dates:	26 January 1988
Extent and medium:	2 pages
Creator(s):	Department of the Taoiseach
Accession Conditions:	Open
Copyright:	National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.



IRISH EMBASSY, LONDON.

17 Grosvenor Place

SWIX 7HR

CONFIDENTIAL - BY COURIER SERVICE

cc PS Taoiseach
AS; PSS
AS; Mr Waller
Mr McShane / P...
C... AS
Box

26 January 1988

Dear Assistant Secretary

Stalker/Sampson

As requested, I spoke separately with Edward Bickham, Political Adviser to Douglas Hurd, and with John Houston, Political Adviser to Sir Geoffrey Howe.

I made the same points to both of them, viz.

- The Taoiseach would wish the Foreign Secretary and the Home Secretary to be aware of the seriousness with which Sir Patrick Mayhew's statement is viewed by the Irish Government.
- The statement is seen to be a quite inadequate response to this very serious matter. The Government is dismayed that it has been decided not to prosecute. The decision not to prosecute for acknowledged perversion of justice is inexplicable.
- The failure to give us any prior warning (through Maryfield, Dublin or London) of the text or even the thrust of the statement, most particularly in view of all the obvious implications of the statement, is inexplicable given the framework of the Agreement and its mechanisms.
- Urgent clarification is required as to the basis of the decisions not to prosecute; the refusal to release the material; and the lack of consultation both regarding the incidents in Northern Ireland and the allegations of deliberate incursions into the Republic (raised by the former Taoiseach with the then British Ambassador on 5 April '84 when considerable urgency was attached to hearing the outcome of the inevitable enquiry).

.../

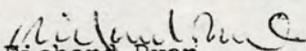
An immediate meeting of the Conference is being sought under sentence 3 of Article 3. On substance, the Irish side will be raising the implications of the decisions for restoring confidence in the administration of justice; relations between the security forces and the community; and cross-border security co-operation. I assumed, I said, that the total lack of prior consultation would also feature strongly.

Reactions

Houston and Bickham both reacted quite similarly:

- They noted everything said very carefully and each undertook to report directly to his Secretary of State.
- They acknowledged personally that they conceded the point about lack of consultation. Houston thought that it was "an administrative cock-up", that "the left hand didn't know what the right hand was doing". When I asked how he would react to that if the shoe were on the other foot, he admitted that he would react with some incredulity, but he still felt that the non-notification was a regrettable error. (I did not, in the context of either conversation, feel it right to impugn Mayhew who may have had a hand in not activating the normal Anglo-Irish mechanism.)
- They were both personally taken aback at the decisions not to prosecute. They were hitherto both personally under the impression - over the past several years - that prosecutions would take place up to about Superintendent or Chief Superintendent level.
- They both agreed that major questions have to be answered, most particularly regarding the basis for not prosecuting those who have perverted the course of justice, and non-consultation with us.
- They both agreed without hesitation that the decisions have implications for the three areas which the Irish Government has already highlighted.
- If either of them have anything to say following their reports to their Secretaries of State they would, they said, come back to me.

Yours sincerely


Richard Ryan
Counsellor