



An Chartlann Náisiúnta National Archives

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ROINN AN TAOISIGH

Uimhir.....

Subject to Verification

SECRET AND PERSONAL

Meeting between Taoiseach, Charles J Haughey and
Prime Minister Thatcher in
the Charlemagne Building, Brussels

The Taoiseach met the Prime Minister in one of the delegation rooms in the Charlemagne at approximately 1 p.m. on 12 February. The meeting lasted till 1.30 p.m. approximately. It was attended by the Prime Minister's Private Secretary, Mr Charles Powell and the undersigned.

After the usual preliminaries the discussion began. It is reported here in direct speech but this note is not a verbatim record.

Prime
Minister:

The last time we met I spent a good deal of time telling you of my concerns. I think this time we could start by my listening to what you have to say.

Taoiseach:

You know fairly well how things have been in relation to Northern Ireland. They had been going rather well until we ran into difficulties in relation to extradition. Sometimes what we were doing made us fairly unpopular at home in places. There was the vigour and efficiency of the security operation..... That did turn up quite a lot - a lot more than actually appeared anywhere in public.

And then against all this background we were upset by a bolt from the blue. I refer to the Stalker decision. It was given without notice. It upset public opinion among the rank and file of the people and political opinion in Ireland. No sooner did this happen than we were given the decision on the Birmingham Six.

I must tell you how this affected my position. I have to impress on you the deep, deep anxiety and emotion which these decisions have caused, certainly in the South and also in Northern Ireland.

The whole situation changed through a decision not to publish Stalker and not to prosecute. The status and prestige of the RUC were called into question. The whole situation in regard to the trust and confidence which we had been building up changed. This must affect things like the exchange of information, etc.

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The changes threw a question mark over the future of extradition. I know your strong views. But you must know the views of the Irish people: they feel that in a British court an Irish person doesn't get the sort of reasonable and fair trial that a British subject would get.

Prime
Minister:

I know how strong the emotions are and I know it is always difficult to deal with emotion. Sense just may not be enough.

When it comes to the Birmingham Six, their case was heard by the Appeal Court made up of most distinguished people.

The Stalker report was not to any politician: it was to the Public Prosecutor: it was a report about prosecutions to a prosecuting authority. It is not the sort of report which could ever be published. In our system the DPP is completely separate from politics. Some of the RUC have been charged with murder: two were acquitted: the decision to prosecute was not my decision but that of the DPP of Northern Ireland. All of this is the logic and sense of the case.

On the Birmingham Six I will leave you to read the judgement. I have read it. It is extremely impressive. Here, too, we are left to deal with emotion.

Members of the RUC were charged, tried and acquitted.

On security co-operation, this is as much in your interest as in ours. We are all very gravely concerned. This is not only the IRA but a good deal of Marxism. It is as important to you as to us. We both know the fundamental conclusions. What we have got to do is to live through this situation. I see the Anglo-Irish Agreement as the future. I can understand that on all these things there is more emotion in the Republic.

Taoiseach:

We are a small national community, tightly knit. We have not the same diversity of opinion as you have. I want to say what is coming out of this meeting.....

Prime
Minister:

Yes: you expressed your concerns. Yes: I listened to them.

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Taoiseach: I know your feelings on these subjects but I must press you. If you could make some generous gesture

Prime Minister: Law and politics in our system are always separate. We have to operate the law impartially.

[There was some brief unrecorded discussion at this point.]

Taoiseach: On the various issues I have expressed the Irish view. I can see that on these issues you are on the other side of the fence. I must emphasise to you the very keen sense of injustice rampant in Ireland at present. Unfortunately both developments came together. Both happened within a week. Is there any possible movement or any gesture you can make? A small move would go a long way.

Prime Minister: Tom will be making a statement on the Stalker process - next week, isn't it, Charles?

Powell: I understand he will be making a statement in the House on Wednesday.

Prime Minister: But that is not immediate enough for you (to Taoiseach). You want the whole thing properly dealt with. You delayed the last Anglo-Irish Conference?

Taoiseach: Yes - because everything was getting too crowded in together. Things were coming on top of us.

Prime Minister: We would hope soon to be able to make a statement - how long do these emotions last?

Taoiseach: 700 years in our country.

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Prime
Minister:

I'd have said 400.

I can't interfere with the courts. Tom King's statement will be dealing with discipline and structure. He wants to move things along.

Taoiseach:

I accept you have your views on the Lord Chief Justice. You have read the judgement and have been convinced. Without going into it, could I ask you to look at the question of clemency?

Prime
Minister:

Not only have I read it but I am convinced by it. I am totally convinced. Every argument is dealt with. They were heard by the first court and then by the court of appeal. I understand they will now be reopening this with an appeal to the House of Lords.

Taoiseach:

What I am concerned with is clemency: not pardon but clemency.

Prime
Minister:

But our legal system is completely separate from our political system.

The Anglo-Irish Agreement - there lies the hope for the future, there, and in security co-operation. The legal system is quite separate.

Taoiseach:

I am afraid that I will have to say that I am not satisfied with this response.

Prime
Minister:

But I am not here to give a response, just to listen if you want to say you are not satisfied (implying that she would not object).

Taoiseach:

I understand that you would wish to be as forthcoming as possible but I see that there is nothing I can do now to bring things further.

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There were then some references to a further meeting of the Anglo-Irish Intergovernmental Conference at which the Secretary of State would make a statement on matters coming within his responsibility.

Following the meeting I spoke to Powell about how they would be briefing. He said that they would be saying:

- that the meeting was calm and reasonable - later changed to "dignified";
- that the Prime Minister listened very carefully to the Taoiseach's concerns;
- that she expressed the view that in the Anglo-Irish Agreement lies the best hope for the future;
- that she stressed the separation of powers as between the legal and political systems in the UK;
- that the Secretary of State would be making a statement at the meeting of the Intergovernmental Conference next week on matters within his responsibility; and
- that she appreciated that the Taoiseach was not satisfied with the response at the meeting.

In general terms the meeting was low-key and courteous on every side. The Prime Minister took particular care to listen to the points being made and to stress that she was not present to convey decisions. The description of the meeting as calm and dignified is entirely appropriate.

Copy of the statement issued by the Taoiseach following the meeting is attached.

DERMOT NALLY

Dermot Nally

12 February 1988.