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FORM OF DRAFT AGREED AT MEETING THIS AFTERNOON BETWEEN REPRESENTATIVES OF THE DEPARTMENT OF THE TAOISEACH, FOREIGN AFFAIRS, JUSTICE, DEFENCE AND THE ATTORNEY GENERAL'S OFFICE.

1. I got your letter and have discussed it with colleagues.

2. We will do all in our power to ensure the men's safety. There will be no difficulty about the two armoured cars which we will gladly provide, with full escorts. Security around the court will be as tight as we can make it. The space inside is very limited, and will be well secured. Persons entering the court will be thoroughly screened. Your people have been talking with ours on the details and I understand that they are satisfied with what is being done.

4. On the question of remission, our best advice is that it is extremely unlikely that there will be a prison sentence. If, however, the issue comes to that, we are not now aware of anything which might transpire at the trial or of any other reason which would preclude remission - and as you know we are deeply conscious of the identity of interests of the two Governments in this case which would argue strongly for remission.

3. I do not think that the question of detention will arise but if it does you can be assured that it will be in a Military Barracks.

5. A decision on bail is one solely for the court. However, the law in this country on bail differs from that in England. Bail can be refused only if the court is of the view that an

accused will not appear. Seeing that they will have already appeared, it would seem clear, not alone that the prosecuting authority could not object to bail but that the court would not have any ground for refusing bail.

6. If things went wrong, the men would, I imagine, serve notice of appeal and here again I can foresee no difficulties on bail.
7. There would be no difficulty about flying the men out if the need arises. Again, here we will do everything we can to help.
8. We are in touch with the Ambassador here on the question of having the court sit early so as, if possible, to finish in the one day.
9. My colleagues and I appreciate your frankness. It is obviously the best basis for conducting business. We particularly value the special relationship between our two countries, which has served us well in the past. We both now have a common interest in stopping political violence. The Irish Government are totally committed to ending this ~~level~~ ^{evil} - as I know your are. I think that we would both be losing something in this struggle if we did not, each in our way, do our utmost to uphold the rule of law. My colleagues and I were particularly appreciative of your comments - and of our obvious common interest in this.

10. In view of the importance of this message, I am asking our Ambassador in London to call on you this evening to deliver the text.

2nd March, 1977.