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Cowen appeals order on bombing 'secrets'

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By [Dónal McDonald](#) Legal Editor
Monday May 26 2008

TAOISEACH [Brian Cowen](#) is appealing a High Court order compelling him to hand over secret files on the [Dublin Monaghan](#) bombings.

The files, which were given to the McEntee investigation into the 1974 atrocities, yielded "significant" new material about the blasts which have been withheld from relatives of the dead.

The secret files are being sought by relatives of victims as part of

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their bid to have a sworn public inquiry into the bombings, which killed 33 people.

But the [Irish Independent](#) has learned that the State has appealed the order, paving the way for a legal row over judicial review of executive decisions.

The Government claims that disclosure of the files would pose a risk to life, endanger State security and breach assurances of confidentiality given to those who provided the documents.

Earlier this month [Ed Honohan](#), the Master of the High Court, ordered the [Department of the Taoiseach](#) to produce all documents it had handed over to the McEntee investigation, including those relating to the British government, [MI5](#), [MI6](#) and any [Northern Ireland](#) agency.

The High Court order also demanded the production of all garda files, including those previously deemed "missing," any newly disclosed material and a list of all those who supplied information to Mr McEntee within six weeks.

The Master said that he was "unconvinced" by the State's claims that lives would be put at risk if the new materials were to enter into the public domain.

The material was to be produced within six weeks to the High Court which would then assess whether the State was entitled to claim privilege over the documents.

The High Court production order was deemed a boost for three families who have been engaged in a long-running battle to obtain secret files and fresh information about the bombings.

They recently discovered, through a Freedom of Information request, that [John Weir](#), an ex-member of the [RUC](#) and convicted killer, attended the [Irish Embassy in London](#) in April 1999.

Mr Weir attended the Embassy over two days and gave two gardai "fresh information" about the blasts, material which former [Garda Commissioner Noel Conroy](#) instructed the Secretary General of the Department of Justice in April 1999 to keep secret in order to preserve ongoing investigations.

- *Dearbhail McDonald Legal Editor*

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