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At 5.00 p.m. yesterday afternoon Ed Moloney of the Irish Times in Belfast telephoned the Anglo-Irish Section to let us know that Mr Hurd had made a statement in the course of the afternoon. Mr Moloney had a script, he said, of Mr Hurd's remarks. Mr Hurd said that there was increasing support for the RUC among the public at large. I was informed of this immediately. I asked that an account be obtained of all the important elements in the speech. Contact was established with Mr Moloney who gave an account of the major elements in the speech as per the attached Notes. In reply to a question as to whether there was anything else of importance in the speech he said "No". Contact was established by the Section with several members of the SDLP, Hume, McGrady, Mallon and Hendron. Their reaction to the particular phrase was strongly negative and both Hume and Mallon indicated that they would be making statements critical of Mr Hurd.

At 5.45 p.m. I telephoned the British Ambassador and said that there was concern about this particular phrase in the Secretary of State's remarks in that it contradicted our information and would have the effect of reinforcing alienation between the minority and the Government. The Ambassador said that I must be aware that the view in the NIO was that the relationship between the minority and the RUC was improving. I said that the information of the NIO about the majority section of the community was excellent but that we preferred to rely on the views of responsible leaders of the minority who themselves consistently and courageously opposed the use of violence for political purposes and who lived themselves in the nationalist community. I also pointed out that Mr Hurd's remarks directly contradicted the speech of Mr Prior in the House of Commons on 2 July where he accepted that a problem existed in this area.

We conveyed to the Irish News in Belfast and to Mr Moloney on an off-the-record basis that the Government had

expressed concern about this aspect of Mr Hurd's speech.

I did not myself see the nine o'clock evening news on RTE but Mr Prendergast in the GIS rang me afterwards to say that he was worried about the fact that the RTE report of what Mr Hurd had said seemed to be quite different from what we had based our action on earlier (I had alerted Mr Prendergast after speaking to the British Ambassador). I then tried to get from RTE itself and from the Irish News an indication as to whether Hurd had used the particular phrase which caused us concern. Mr Macken of the RTE Newsroom very helpfully played back his tape of Hurd's statement which was not complete but which did not include the phrase. Jim Fitzpatrick, proprietor and publisher of the Irish News, also took considerable trouble to ascertain apparently from the NIO whether the phrase was used. He indicated that his information was that it had not been used.

At that point I asked Mr Fitzpatrick not to use the information in relation to the expression of concern to the British authorities. ^{He agreed.} I also tried to reach Mr Moloney both at the Irish Times office in Belfast and at his home. I managed to find his wife and said to her that I was seriously concerned about his story - that it might be based on a misunderstanding which could lead to problems in Anglo-Irish relations. She advised me to speak to the night editor in the Irish Times in Dublin because she said that he didn't think she could contact her husband for two hours.

I spoke to Mr Keneally (whom I do not know) in the Irish Times and expressed the same concern. He said that he would try and get Mr Moloney and phone me back. (He never did so.) I stressed to Mr Keneally that I believed that Mr Moloney had acted in perfectly good faith in the entire matter.

Mr Moloney phoned at about 11.00 p.m. He sounded rather upset and said that I had made his wife nervous. I said to Mr Moloney that there was no question of his having acted in bad faith and, what is more, that I had made that point clear to Mr Kenealy. I was concerned about two things. One was the possibility, now a probability, that Mr Hurd had not said the phrase which had given rise to our concern and, secondly, that we had not had information on other aspects of the speech which we found quite positive and which, had we had them, would have meant that we would have had to look at the entire speech perhaps in a different light.

Mr Moloney telephoned me about midnight and played down the phone a tape which he said he had been given by the NIO of the speech as delivered and which included the phrase which had given us concern. I accepted that the phrase had been used and thanked him for taking the trouble to confirm it to us. I repeated to him, however, that we would still have to reconsider the matter because there were aspects of the speech which we had not been aware of at the time we had raised the matter with the British. He asked would this mean that the "protest" would be withdrawn. I said that the word "protest" was inappropriate: we had expressed our concern. He accepted this. I added, however, that we would have to reconsider the entire matter in the morning in the light of elements of the speech of which we had not been made aware. I reminded him that when he had contacted the Section earlier in the evening he had been asked whether there were any other significant elements in the speech and he had said "No". I said that while that might be a perfectly fair judgement on his part it was not one which we would necessarily share when we reconsidered the whole speech. At this point he said that he would have to report not alone the information about the expression of concern but the subsequent exchange which had taken place between him and

me about the content of the speech. I asked him to reconsider this for a number of reasons. First, that our concern was to do with Anglo-Irish relations and that it was possible that we had acted on the basis of incomplete information given to us in good faith. Second, that throughout the affair we had been concerned also for his own credibility. He accepted this but said he would have to submit the matter to Gageby for decision. Mr Moloney also accepted that all of our exchanges had been on an off-the-record basis. At this stage it was 1.30 a.m.

I should add that Mr Fitzpatrick of the Irish News had fully agreed with our view that no reference should be made in the coverage of the report to the information which we had given on an off-the-record basis to the Irish News.

We have now reviewed Mr Hurd's speech as reported in today's Irish Times in the Anglo-Irish Section. Our recommendation is that our expression of concern should not be withdrawn but that it would be wise in terms of public opinion to use a formula on the lines of the attached on an off-the-record basis.

M.J. Lillis

4 October 1984