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Anglo-Irish Intergovernmental Conference

Joint Record of Special Meeting held on 30 December 1985 at the Northern Ireland Office, London.

Participants

	<u>Irish Side</u>	<u>British Side</u>
<u>Joint Chairman</u>	Mr. Peter Barry	Mr. Tom King
<u>Officials</u>	Mr. Sean Donlon Mr. Eamonn O'Tuathail Mr. Ted Smyth	Mr. Robert Andrew Mr. Tony Stephens Mr. Brian Palmer Mr. Andy Wood Mr. Jim Daniell Mr. Gerald Clark
<u>Secretariat</u>	Mr. Michael Lillis Mr. Daithi O'Ceallaigh Mr. Noel Ryan	Mr. Mark Elliott Mr. Stephen Hewitt

1. The meeting was convened at the request of Mr. Barry in accordance with the terms of Article 3 of the Anglo-Irish Agreement.
2. Mr. Barry said that the forthcoming by-election created a major test for the viability of the Agreement. He was especially concerned about the impact of the judgement in the Kirkpatrick case and the resultant hunger strike. These events were causing great concern to responsible nationalists and he was apprehensive of the effect they could have on the nationalist vote and the consequent damage that could be done to the Agreement. He stressed the need to build up the confidence of the nationalist community in the system of justice in Northern Ireland.
3. Mr. King described the current condition of the two hunger strikers. Neither of the men had been on any medication over

the past eighteen months and the British side were not aware of any background medical condition that was likely to have a complicating effect. The Irish side said that its information was that Tohill had a record of ulcer illness.

4. The procedures for processing the appeals of those convicted in the Kirkpatrick trial and in particular the likely time-lag were discussed. The Irish side emphasised the importance of fixing, as soon as possible, an early date for the hearing of the appeals. The British side said that this was a matter for the courts. While there could be no question of taking any action which could be seen to be attributable to the pressure of the hunger strike, they were hopeful that a provisional date for the hearings could be fixed within the next two to three weeks. If the transcript requirements did not extend beyond the closing statements and the evidence of Kirkpatrick, the hearings could take place after five or six months.

5. The use of Accomplice ("Supergrass") evidence in criminal trials was discussed. The Irish side stressed the need for urgent action in relation to this because of the serious damage which in their view was being caused to confidence in the administration of justice.

6. It was agreed that Messrs. Brennan and Ryan would be asked to expedite the work entrusted to them at the first meeting of the Conference of considering ways of establishing machinery to further the issues identified in Article 8.

7. A Press statement (copy attached) was discussed and agreed.

8. The date and venue for the next meeting of the Conference were discussed. 9 January 1986 had been identified as a possible date. Mr. Barry said it was essential in his view that the meeting take place at Stormont. Mr. King said there were security difficulties about this during the by-election campaign because

of the load it would place on the RUC: his proposal had been for London; but an alternative might be to delay the meeting until early February when more preparatory work would have been done and it might be possible to meet at Stormont. Both sides agreed to consider the options and to consult further through the Secretariat.

ANGLO-IRISH INTERGOVERNMENTAL CONFERENCE

SPECIAL MEETING: 30 DECEMBER 1985

JOINT STATEMENT

At the request of Mr Peter Barry, a special meeting of the Conference, in accordance with Article 3 of the Anglo-Irish Agreement, was held in London on 30 December.

Mr King informed Mr Barry of the facts regarding the current hunger strike in the Maze Prison and the rights of appeal available to all those concerned. He explained the policy that no prisoner should be compelled to accept food against his will.

Mr Barry put forward views and proposals designed to give substantial expression to the aim of ensuring public confidence in the administration of justice.

Both sides agreed that the present hunger strike was to be deplored as a wrong and wasteful attempt to bring about change in this area.

The next regular meeting of the Conference will be held as planned early in the New Year.