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cc Mr O'Donovan (on retention)

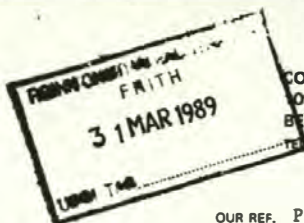
I have forwarded a copy
of this to a Legal Advisor
and to Mr Russell.

B7D 4/4/89

*cc Mr. Galt by Mr
Pauline in*

B7D 4/4/89

Department of Foreign Affairs,
Iveagh House,
DUBLIN.



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OUR REF. PJMG/BC
YOUR REF.

23 March 1989

Dear Sirs,

I refer to your letter of recent date.

Since my letter and your reply were written, you will be aware that there have been some developments in respect of this case. In particular, it now seems possible that there may be evidence available from Spanish sources that the British authorities at Gibraltar knew perfectly well that the trio were not armed and had no bomb. Were that to be established, then the killings were very clearly unlawful, and this is a matter about which there could be no dispute. It is my view that as times goes on there will be further revelations that the inquest jury was deceived in a comprehensive manner about this and other aspects of the shootings.

It is because of this that I urge upon you that this case has now become one in which the Irish Government ought to intervene in the interests of its citizens, and in the interests of the rule of law. In any event, the European legal view of when fire may be opened seems to me to be considerably more restrictive than the British view, and even without these revelations a favourable verdict would be much more likely than an unfavourable one.

I am, of course, available to discuss the matter in more general terms, should that be felt necessary before a final decision is reached.

Yours faithfully,

Also at: 133 ANDERSONSTOWN ROAD, ANDERSONSTOWN, BELFAST BT11 9BU Telephone: (0232) 602986/7

*Mr McGrory
10/4/89*

10/4

NO 24

*Mr McGrory
Ple copy to AG, PSX,
Mr Kelly, Mr Whitmore and
Mr T. Brown
4/10*