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<b>Reference Code:</b>	2021/93/44
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**TAX COVER SHEET**

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1. Today's hearing was taken up mainly with an examination of the scientific evidence by Mike Mansfield, QC for five of the Six. The adversarial approach seems to have been virtually abandoned, with assistance being provided to the defence by the Crown counsel and DPP sources confirming to me that Mansfield was essentially outlining a joint position. Agreement between the two sides may also extend to the bench, which showed itself well-informed, inquisitive, and sympathetic.
2. Estimates of the duration of the hearing from lawyers and other sources still vary from another few days up to about two weeks. In the interests of expediting justice, the judges say then give a verdict and deliver a full judgment at a later date.
3. The men were in good form and were allowed to fraternise across the barrier with people in the court, the Ambassador and myself included. Deputies Andrews, Roche, Kitt and Barry, as well as Bishop Daly, Seamus Mallon MP, Chris Mullin MP, and Ludovic Kennedy were among the VIP's in a crowded courtroom. We are continuing to assist the families by issuing passports for ID purposes.
4. Mansfield said it had been possible only in the last year to unravel the evidence with modern scientific techniques. The deficiencies at the heart of the case were: [1] The main scientific test available in 1974, the Greiss test, was today regarded as unreliable; [2] it is now known that the constituents of soap can give positive results using this test [Home Office forensic research points to this as the source of Skuse's positive findings on Hill and Power]; and, [3] The HSDA tests had shown that the Six's confessions were not contemporaneous and the police officers involved had fabricated evidence and committed perjury.
5. Dr Skuse - court sources tell me that he is unlikely to appear - was the main target of Mansfield's submission. In essence, he argued that Skuse, perhaps caught up in the emotional aftermath of the bombings, sought to make a screening [Greiss] test, which needed other, confirmatory, tests, definitive. He foolishly communicated what should have been preliminary results to the West Midlands police officers [the implication being that they then extracted "confessions" in the belief that they had the right man]. Skuse gave different accounts of his

methods at the 1975 trial and 1987 appeal, to take account of revelations in a 1986 television programme. New evidence may also be available to show that the laboratory machine which produced the one GCHS confirmatory test gave similar results when run blank.

6. The DPP was asked to explain the previous non-disclosure of a statement from Dr Bamford, a forensic scientist and colleague of Skuse's, who carried out Greiss tests on passengers on the Liverpool ferry on the night of the bombings and discounted two positive results on the basis that the men in question had handled adhesive tape. Had this been known at the trial and appeals it could have dramatically altered the results. The DPP was also asked to explain why a statement by another scientist colleague of Skuse's, Wood, given before the 1987 appeal, that the Greiss tests were only presumptive, had not been disclosed at that time. Wood was a highly experienced forensic scientist who was testing passengers at Manchester Airport on the night of the bombings in 1974.