



## An Chartlann Náisiúnta National Archives

<b>Reference Code:</b>	2021/93/44
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CONFIDENTIAL

20 May 1991

Mr Dermot Gallagher  
Assistant Secretary  
Anglo Irish Division  
Department of Foreign Affairs  
Dublin

SOME CONVERSATIONS AT THE MAGUIRE HEARINGS

Dear Assistant Secretary,

Following your conversation with the Ambassador, I informally sounded out Alastair Logan, solicitor for the Maguires, about whether the Embassy's submission on the forensic evidence might be of use to the defence. He was very appreciative of the approach but, as our submission was consistent with the information which the defence has in its possession, did not ask me to take the matter further.

Grounds of Appeal

Logan told me that there was no doubt but that the final decision of the Court of Appeal would be to quash the convictions at the end of this hearing. However, the manner in which they were quashed would be all-important. The critical point will be whether the Court will accept the defence's full six grounds of appeal or take to DPP's line of allowing only the limited ground of innocent contamination. For this reason, he was glad that it had been decided to hold a full hearing. The Clerk of the Court now expects the hearing to last into June [the Court will not sit next week] and the judgment to be reserved for a week or so after the hearing ends.

### Reluctance of the DPP to concede

The reluctance of the DPP to concede anything more than innocent contamination has given rise to much frustration on the defence side. Gareth Pierce sees Butterfield, the senior counsel for the DPP, as the evil genius in this respect, describing him as a "horrible man", notwithstanding his apparent urbanity. This view seems to be shared by Anne Butler, the responsible official in the Crown Prosecution Service [who is Irish]; Ms Butler recently expressed outrage to me privately that there would be no inquiry into the Birmingham Six case. The point here of course is, as officials had told me informally in advance, that the Home Secretary would only concede an inquiry if he came under sufficient pressure and neither the defence lawyers nor the Labour opposition in Parliament has pushed for one.

### Gerry Conlon and the Maguires

Gerry Fitt confirmed to me in the course of the hearing that the relationship between Gerry Conlon and the Maguires has never been patched up. Annie Maguire continues to feel intense bitterness towards Conlon, whom she regards as the cause of all the trouble to her family; Conlon, for his part, has been unable to bring himself to make any approach to her. Whether she will maintain her silence about Conlon's role, after the hearing is over, remains to be seen.

### Annie Maguire

✓ 11 I had lunch with Annie Maguire and her son, Patrick, on the opening day of the hearing. She asked my advice about taking civil action against the Crown on behalf of her children, who had suffered so grievously from her absence when growing up. I responded that this was something which she should discuss with her legal team.

Patrick Maguire gave me a harrowing account of his experiences after his incarceration at the age of thirteen. He is currently writing a book, with the assistance of Robert Kee. My own feeling is that, if it materialises, it may well be the best work to come out of the 1970's miscarriage of justice cases [the Guildford Four books have not been commercially successful and this has caused publishers' interest in the Birmingham Six to fade].

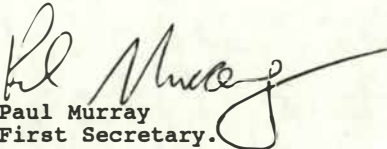
May Inquiry

Felicity Clarkson, Secretary to the May Inquiry, told me recently that the next stage of the Inquiry will focus on why it took so long for justice to be done in the case of the Maguires. She was vague both on timing and whether the hearings would be held in public.

Judith Ward

Alastair Logan confirmed that, contrary to some media reports, Judith Ward is not an Irish citizen. He dismissed claims that her father was Irish as part of her fantasy identification with Ireland and things Irish. He added that he was no longer acting for her as she had been "poached" by Gareth Pierce.

Yours sincerely,

  
Paul Murray  
First Secretary.