

29/2/84



01-405 7641 Extn

DEPT OF THE N.I.
17 MAY 1984
SERVICE

ROYAL COURTS OF JUSTICE
LONDON, WC2A 2LL

RECEIVED BY
9 11 MAY 1984
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10 May 1984

1. Sir Swain
2. SEC/1
18/5

The Rt Hon The Lord Lowry
Lord Chief Justice of Northern Ireland
Royal Courts of Justice
BELFAST BT1 3JF

Mr Bayliff S/C
3 Sops to see

- ① Mr Hill
- ② CC
- PS/Sq/SCB)
- PS/MR Scott (LWB)
- PS/POUS (LWB)
- PS/SIR E. Bell
- Mr Brennan
- Mr Buxton
- Mr Coulson
- Mr Angel

Dear Robbie,

SUPPRESSION OF TERRORISM ACT 1978

I am sorry to have been so long in replying to your letter of 2 April. As you may imagine, it gave us considerable food for thought and it has also required much discussion and consultation with the Northern Ireland Office and the Home Office.

I do not think that it would be sensible for me to comment on what you say in your letter about the likely result if the Northern Ireland authorities were faced with a request for extradition to the Republic in a case similar to McGlinchey's (or, as you say, even McGlinchey's own case). So much would depend on the precise offence for which the fugitive's return was being sought and the circumstances in which that offence had been committed that I doubt whether it is profitable for me to speculate now about the arguments that might then be deployed in support of the request - or, if I may say so, about the arguments that might then commend themselves to you or your fellow Judges. Certainly, so far as McGlinchey himself is concerned, the offences for which he might at present have to face trial if he were brought back to the Republic include some which, on the face of them, are very different from the offence for which his return to Northern Ireland was ordered. There might therefore be no occasion for the Northern Ireland courts to consider the particular

/issues

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simply by crossing the border from the Republic into Northern Ireland. I doubt whether it need do so in practice.

I am copying this letter to the Lord Chancellor and to the Secretary of State for Northern Ireland.

Yours ever,
Michael.

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