

NATIONAL ARCHIVES

IRELAND



Reference Code:	2005/151/682
Title:	Correspondence between Taoiseach, Liam Cosgrave, TD, and Attorney General, Declan Costello, SC, concerning the latter's meeting with representatives of the SDLP [Social Democratic and Labour Party] and discussions concerning the provision of legal advice to the SDLP.
Creation Date(s):	June-July 1975
Level of description:	2 items
Extent and medium:	3 pages
Creator(s):	Department of the Taoiseach
Access Conditions:	Open
Copyright:	National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

A. Cair

For file on Expense etc. of
Delegation (SDLP etc.)
representatives under

1st July 1975

117/75

W. Kinn

4.7.75

Dear Declan

Thank you for the memorandum on two meetings you had with representatives of the SDLP which you sent me on the 25th June. I note that you were approached directly by Mr. Mallon of the SDLP. There are many currents within the SDLP at present. For this reason and because we must ensure a fully consistent attitude in our dealings with the party, I think that it is important that our agreed practice of having all contacts with them channelled through the Department of Foreign Affairs be maintained and that, where this is not possible, the Department should be aware of proposed meetings, preferably in advance. I know that in practice you keep the Department informed - and I am saying this simply to make certain that we do not slip up in any way at the present delicate juncture in Northern affairs.

I think that the manner of discharging legal fees would require to be considered particularly carefully. If the SDLP are in a position to pay such fees directly, that is their own business and we need not be too concerned. However, if the parties are - as I understand - to be paid directly by the Northern Ireland Office, quite a different situation could arise.

If we here were to discharge the fees directly on behalf of one of the political parties in Northern Ireland, we could run into difficulties later - and certainly leave ourselves open to serious criticism by parties which did not receive such assistance and might regard it as an unwarranted intrusion into the affairs of the Convention. I understand, moreover, that the SDLP leaders are most anxious, for political reasons, that it should not become known that they are receiving legal advice from this part of the country. Accordingly, they would not wish any payments to be made by the Northern Ireland Office on their behalf to any counsel based in the South.

I have written at such length on this matter because I am concerned that we should do nothing that might, in any way, upset the present delicate and fragile atmosphere of goodwill in the Northern Ireland Convention, and developing relations between us here and most of the parties there.

Yours sincerely

Mr. Declan Costello, S.C., T.D.,
Attorney General.



OIFIG AN ARD AIGHNE
(Attorney General's Office)
BAILE ÁTHA CLIATH
(Dublin 2)

25 June, 1975


Re: Northern Ireland situation

Dear Taoiseach

I am enclosing herewith for your information a brief memorandum of a couple of meetings which I had with representatives of the SDLP.

I am sending a copy of this memorandum to the Minister for Foreign Affairs for his information.

Sincerely yours



Liam Cosgrave Esq. T.D.

Taoiseach

DUBLIN 2

1. On Monday the 23rd June I received a phone call from Mr. Seamus Mallon requesting a meeting for the purpose of discussing means of supplying legal advice to the SDLP. A meeting was arranged for the following day.

2. On the 24th June I saw Mr. Ivan Cooper, Mr. Paddy Duffy Mr. Seamus Mallon and Mr. Eddie McGrady. They informed me that they were a committee established by the SDLP for the purpose of preparing a document or documents on power-sharing and the Council of Ireland. The document would be considered by the party prior to presentation to the Convention. They referred to previous conversations which I had had with John Hume and Austin Currie in which I had offered to make available legal advice to the SDLP if it was required. They stated that they needed now such legal advice and put forward for my consideration the names of Mr. Kadar Asmal and Mr. Rory O'Hanlon and asked for my views. I strongly recommended Mr. O'Hanlon and it was agreed that he should be approached.

3. On the 25th June a meeting was held with Mr. O'Hanlon, Mr. Cooper, Mr. Mallon and myself. Mr. O'Hanlon agreed to act as Advisor.

4. It was agreed that his appointment would be kept on a strictly confidential basis. The SDLP has available to it (as have other Convention Parties) a sum of £4,000 for the appointment of experts. It was agreed that the question of payment of Mr. O'Hanlon's fees would be deferred for the moment. I indicated that if necessary I could discharge his fees but that I thought it would be desirable from many points of view that part of the fund available to the SDLP would be used for this purpose. This aspect of the appointment is to be discussed later.

5. It was agreed that I would keep in close touch with Mr. O'Hanlon and that initially he would prepare a document for the SDLP based on their position in relation to power-sharing ^{and} the Council of Ireland in the context of the continuance of Northern Ireland as part of the United Kingdom. It was agreed that at a later date legal problems arising in possible suggestions for a negotiated independence would be considered.