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ROINN AN TAOISEACH

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TAOISEACH'S MEETING WITH AMBASSADOR GOODISON
ON 5th APRIL, 1981.

The meeting began at 6 p.m., following a short briefing session with the members of the Security Committee, and concluded at 6.30 p.m. approximately. It was attended by the undersigned.

The Ambassador, who was obviously embarrassed, said that he would like to deal with the subject in two parts. First, he would like to give the Taoiseach a statement of the position of the British Government, of which full public use could be made. This statement is attached. The Taoiseach having glanced at the statement enquired as to whether it could be counted as an apology. The Ambassador said that it could. The British Government was stated to be "very concerned and regrets".

The Taoiseach then went on to enquire as to when and where the incident had happened and who had authorised it. The Ambassador said that he would give this information but was inhibited in having it regarded as in anyway public, in view of the proposal that there should be a proper enquiry into the whole affair. There would be criminal and/or disciplinary proceedings involved. In reply to a query from the Taoiseach, the Ambassador added that what seemed to be the case was that there had been a conspiracy to deceive superior officers. The Taoiseach enquired as to whether those involved would be punished for acting contrary to standing instructions. The Ambassador said that this was something which could not be prejudged.

The Taoiseach then went on to say that the effects of what had happened were quite serious. First, there was the effect of these cross-border incursions on Anglo-Irish relations generally. He had just received notice that there had been another incursion only today. This had been accidental and an immediate apology had been offered. But the occurrence had taken place and certainly did not help relations. The whole area was one of the greatest sensitivity

Next, there was the effect on Garda/RUC relations. At a time when we were trying to make the police forces effective in their work against terrorism and subversion this was particularly unfortunate. Thirdly, there was the effect at this particular time when the Forum was coming near the end of its work. These occurrences only made that particular work more difficult. And lastly, there were the implications in the whole area of extradition, at a time when the Shannon case was coming before the Courts. In that case

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the whole law process in Northern Ireland was, it was been argued, defective. What had happened in the present case and in other associated cases would be used in those arguments and would pose very great problems.

In short, the whole affair had created and would continue to create the greatest political problem and embarrassment here.

The Ambassador enquired as to whether the Taoiseach was complaining about the actual conduct of the case. The Taoiseach said that it was not just that. The actual ^{last} decision had been bad enough. Why had the Judge referred the whole matter of the alleged "cover up" to the Director of Public Prosecutions? To his mind, this had been a singular omission on the part of the Judge. So far as he could say it just would not have happened here. Again, the verdict seemed peculiar. It did not seem to take into account the fact of the reloading and the manner of the shooting. The whole question had an obvious relationship with the McGlinchey case. If there were further problems in that particular case the whole elaborate argument since 1981 which had been built up to support extradition could well, come a cropper. He himself would be somewhat upset if that whole process came to nothing as a result of these particular cases.

The Ambassador said that he shared the Taoiseach's concern but there was very little he could say. The British Government was not responsible for the actions of Judges. The Taoiseach said, again, that a lot depends on the McGlinchey case. He went on to refer to assurances as to cross-border incursions etc. which had been given by politicians in the North. The Ambassador said that Mr. Prior had been acting all the time in good faith. The Taoiseach said that the whole basis of confidence and trust as between Governments came into question if trust could not be put in the veracity of what political colleagues in Government were saying. If they don't know that the advice or information being given to them is wrong, then the whole process of dialogue would break down. On a previous occasion when Ambassador Galsworthy had been in with him the Ambassador had been acting on certain information given to him by the British Army as to whether or not they had gone near a particular house. He had had to come back to the Taoiseach three times before he, honestly, knew that the information he was being given was wrong.

The Taoiseach then went on to say that he would be making a further statement that night. He enquired of the

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Ambassador as to when the enquiry would be taking place. When the Ambassador said that he did not know, the Taoiseach asked that he be told. The Forum would probably be reporting within a fortnight. It was important that there should be proper coordination on these issues.

The Ambassador then went on to say that he had got a lot more than what had been given to the Taoiseach in the original statement for publication. He then went on to read from a further statement, a copy of which is attached under the heading "confidential".

When the Ambassador had finished reading the document the Taoiseach returned again to the question of the timetable for the enquiry. He said that it was quite likely that the whole affair, and the verdict, would be seen here, in ways distinct from the evidence. The Robinson case would be linked into two other cases to imply that for a period there was in fact a shoot to kill policy. Then, the verdict itself, and the way the case had, apparently, gone, did not inspire confidence. Why had the Judge not referred the matter to the DPP? The whole thing seemed to reflect adversely on the Northern Judiciary. He was not saying this lightly. Responsible and reasonable members of the SDLP had recently been expressing dissatisfaction with the Courts. There were balanced people and this development was particularly disturbing and unfortunate. If there were no faith in the Court process then things were obviously in a bad way. The Taoiseach then went on to raise some questions as to how cases were allocated as between Judges in the Northern Courts, to which the Ambassador responded that he was not familiar with the system.

The meeting then concluded. Afterwards, I asked Mr. Lillis to ensure that a copy of the Fianna Fail statement which the Taoiseach had intended to give the Ambassador was made available to him (Deputy Haughey's Dail statement).

SL
6th April. 1984.

cc. Mr. A. Ward, Secretary, Department of Justice
Mr. Michael Lillis, Assistant Secretary, Department
of Foreign Affairs.