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From the Secretary of the Cabinet: Sir Robert Armstrong KCB, CVO

Ref: A04767

27th April 1981

Prime Minister

Mr.

(2)
 28/4

As I told you, Dermot Nally rang up from Dublin this morning to make two points, following a long discussion he had had with the Taoiseach:

- (i) They would be very interested in our view about how things were likely to develop.
- (ii) They wondered whether we might simply let Sands go, on the ground that, as a Member of Parliament, he was unique.

I discussed all this with you on the telephone before and after lunch, and then rang Nally back. I spoke as follows:

For various reasons, and in particular because of the electoral prospects, North and South of the Border, the situation now was more inflammable, and the flash-point was lower than in December 1980. There was in any case a risk of escalation of violence, if and when Sands died. We were determined that we must do nothing that might upset the precarious balance or de-stabilise the community, and that we must contain and control violence from either side even-handedly. If violence escalated it could spread across the border. It was in neither of our interests for that to happen. We much appreciated the continuing cross-border co-operation and looked forward to it continuing as effectively as ever.

We thought that perhaps the ECHR move had been misread by the PIRA as a ploy to get ourselves off the hook and as a sign of weakness. It was not that. That being said, the ECHR was there and could be used again, if, for example another prisoner complained. The avenue was open and we would facilitate it again if the occasion arose. But there could be no question of negotiations between the British Government and the PIRA under cover of the ECHR commissioners.

/The loyalist

Sir Kenneth Stowe, KCB, CVO

The loyalist opinion was acutely sensitive and suspicious following the decision to let the three members of the Irish Dail see Sands and the ECHR moves over the weekend. We had to be extremely careful if we were to avoid inflaming Protestant opinion to the point where we once again saw a recrudescence of Protestant violence. We were in no doubt that to release Sands now would have such an effect on Protestant opinion. We could not argue that he was unique because he was a Member of Parliament, because the Committee of Privileges was on record as saying that a Member of Parliament in prison should enjoy no privileges by virtue of being a Member of Parliament. It really was up to Sands now whether he lived or died; and time might be very short.

Dermot Nally took note of all this. He did not press further on the release of Sands; indeed, he implied that he accepted the strength of the arguments against it.

I am sending copies of this letter to Michael Alexander and to Michael Palliser.

ROBERT ARMSTRONG