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TO PRIORITY FCO

TELEGRAM NUMBER 744 OF 4 MARCH

INFO NIO LONDON, NIO BELFAST

INFO SAVING DUBLIN, SAN FRANCISCO

MY TELNO 520: NORTHERN IRELAND: EXTRADITION OF WILLIAM JOSEPH QUINN

1. WE HAVE HAD A SERIES OF MEETINGS WITH THE US ASSISTANT ATTORNEY (ZANIDES) WHO WILL BE CONDUCTING OUR EXTRADITION CASE AGAINST THE PIRA TERRORIST, QUINN. PAUL WILKINSON OF ABERDEEN UNIVERSITY, WHO HAD ALREADY DONE SOME BACKGROUND WORK FOR ZANIDES ON THE CASE, TOOK PART IN ONE OF THE MEETINGS.

2. ZANIDES, SUPPORTED BY THE DEPARTMENT OF JUSTICE, HAS MAINTAINED HIS VIEW THAT OUR BEST CHANCE OF SECURING QUINN'S EXTRADITION LIES IN MAINTAINING THAT THE MURDER AND OTHER ACTS COMMITTED BY QUINN WERE STRAIGHTFORWARD CRIMES WHICH CANNOT BE CONSIDERED INCIDENTAL TO ANY REBELLION OR UPRISING IN NORTHERN IRELAND. FOR THIS REASON, WHILE THEY WILL TRY TO DENT THE TESTIMONY OF QUINN'S DEFENCE WITNESSES IN CROSS EXAMINATION, THE US AUTHORITIES HAVE DECIDED NOT TO USE WILKINSON AS A PROSECUTION WITNESS OR EVEN TO HAVE HIM ON HAND IN CASE OF NEED. ZANIDES HAS, HOWEVER, SAID THAT HE WOULD BE GLAD TO HAVE AN OFFICIAL FROM THE NIO ATTEND THE COURT HEARING, NOT LEAST TO HELP BRIEF HIM ON ANY DIFFICULT ISSUES WHICH MAY COME UP IN THE DEFENCE TESTIMONY.

3. WE HAVE SAID, BOTH TO ZANIDES AND TO THE DEPARTMENT OF JUSTICE, THAT WE WOULD HAVE LIKED THEM TO HAVE WILKINSON ON HAND IN CASE THE COURSE OF THE EXTRADITION HEARING INDICATED THAT HIS TESTIMONY COULD, AFTER ALL, BE USEFUL. THEY APPEAR TO HAVE TAKEN A FIRM DECISION, BUT WE DO AT LEAST HAVE AN ASSURANCE THAT THE DEFENCE CASE ON THE NATURE OF THE IRA AND OF THE POLITICAL SITUATION IN NORTHERN IRELAND WILL NOT GO UNANSWERED. ZANIDES WILL CONDUCT A DETAILED CROSS-EXAMINATION OF THE DEFENCE WITNESSES AND, IF THE NIO ARE ABLE TO SEND AN OFFICIAL (EG HARRINGTON), THIS SHOULD ENSURE THAT ZANIDES IS FULLY BRIEFED AND HAS SOMEONE OF AUTHORITY TO WHOM HE CAN REFER. THE MEMORANDUM WHICH ZANIDES HAS NOW SUBMITTED TO THE COURT (WALL'S LETTER TO HARRINGTON OF 2 MARCH) ALSO STRIKES US AS A COMPETENT DOCUMENT WHICH EFFECTIVELY EXPLAINS WHY THE US AUTHORITIES HAVE CHOSEN TO ADOPT THE TACTIC OF CONCENTRATING ON THE CRIMINAL ASPECTS OF QUINN'S BEHAVIOUR.

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4. THE HEARING OF QUINN'S CASE IS LIKELY TO LAST FROM MONDAY 22 TO FRIDAY 26 MARCH AND HARRINGTON WOULD NEED TO BE PRESENT THROUGHOUT. I RECOMMEND THAT HE SHOULD BE MADE AVAILABLE IF AT ALL POSSIBLE.

5. THERE IS A SLIGHT RISK THAT QUINN'S DEFENCE LAWYERS COULD TRY TO SUBPOENA HARRINGTON AND PUT HIM INTO THE WITNESS BOX. ZANIDES THINKS THAT ON THE WHOLE, THEY ARE UNLIKELY TO DO SO BECAUSE THEY WILL NOT WISH TO RISK TESTIMONY DAMAGING TO QUINN. HOWEVER, AS A SAFE-GUARD, WE WOULD SEEK TO HAVE HARRINGTON LISTED BY THE STATE DEPARTMENT AS AN ATTACHE AT THE EMBASSY, THEREBY GIVING HIM DIPLOMATIC IMMUNITY.

FCO PASS SAVING DUBLIN

HENDERSON

[REPEATED AS REQUESTED]

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