

C O N F I D E N T I A L

532/92

FRC

C G MACCABE
POLITICAL AFFAIRS DIVISION
2 SEPTEMBER 1992

UNDER/
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SEC - 7 SEP 1992
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NOTE FOR THE RECORD

4/9
1. Mr Quinn
2. Mr McGinnis
Central Secretariat
HW
J.R.

cc PS/Secretary of State (B&L) - B
PS/Mr Atkins (B&L) - B
PS/Mr Mates (B&L) - B
PS/Mr Hanley (B&L) - B
PS/PUS (B&L) - B
PS/Mr Fell - B
Mr Thomas - B
Mr Ledlie - B
Mr Watkins - B
Mr Alston o/r
Mr Bell (B&L) - B
Mr Wood (B&L) - B
Mr Petch - B
Mr D J R Hill - B
Mr D A Hill - B
Mr Cooke - B
Mr Rickard - B
Mr Dodds - B

ELECTION PETITION AGAINST DR JOE HENDRON MP

Dr Hendron volunteered the following information during a conversation with me this morning.

2. As reported in today's press, the full hearing of the election petition against him by an Election Court constituted of Lord Justice Kelly and Mr Justice Higgins will be on 12 October. His counsel, Adrian Coulton and Robert McCartney QC, have already had several preliminary meetings with the judges in Chambers and their expectation is that the full hearing will last as long as a week. Although Mr McCartney's early assessment had been that Dr Hendron's chance of rebutting the petition was good, closer scrutiny of all the relevant material had revealed undeclared expenditure of around £1,000 in excess of the statutory limit. Mr McCartney has described this development as "very worrying" but, as mentioned in our earlier reports on the subject, he will be arguing that most if not all of the excess expenditure was inadvertent.

3. Dr Hendron is reasonably confident that this argument will carry the day. But he was quick to admit that his confidence is founded on his belief that the judges are "good men who will do the

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right thing by me" rather than his counsel's objective assessment that a successful defence of the petition in all its parts is highly unlikely. Nevertheless, whatever the outcome both Dr Hendron and Mr McCartney are hopeful that the Court's sanction will be a fine rather than a declaration that the election was void and disqualification of Dr Hendron from standing again.

4. In conclusion, Dr Hendron reminded me that his legal costs will be a significant drain on the SDLP's chronically hard-pressed financial resources. He said these costs, like the propaganda gift made to Sinn Fein who are behind the petition, are a direct consequence of the Party's sloppy administration.

5. Dr Hendron will keep in touch with me as the case proceeds.

(SIGNED)

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