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PREM 19/282

Possible Hunger Strike at Maze Prison, by Martin Meehan
The "Dirty Protest".

PART 1

IRELAND

November 1979

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OD (80) 58	20.10.80
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CC (80) 36th Meeting, Minute 2 (extract)	23.10.80
CC (80) 39th Conclusions, Minute 1 (extract5)	6.11.80
CC (80) 40th Conclusions, Minute 4	13.11.80
JIC (80) (N) (IR) 5	27.11.80
CC (80) 43rd Conclusions, Minute 4	4.12.80

The documents listed above, which were enclosed on this file, have been removed and destroyed. Such documents are the responsibility of the Cabinet Office. When released they are available in the appropriate **CAB** (CABINET OFFICE) CLASSES

Signed PWayland Date 28 October 2010

PREM Records Team

E.R.

N10 paper date - December 1980

[Held as attachment to file: incorporated at review]

REGIMES IN NORTHERN IRELAND PRISONS

- PRISONERS' DAY TO DAY LIFE WITH SPECIAL EMPHASIS ON MAZE AND ARMAGH -

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CONTENTS

INTRODUCTION

1. Northern Ireland prisons have been the subject of much attention in recent years. This attention has intensified since 27 October 1980 when 7 male convicted prisoners began a hunger strike to demand "political status". However, despite this concentration of interest too little is known about what actually goes on inside the prisons of Northern Ireland in which almost 2,500 prisoners are currently held; what prisoners do from day to day, at the weekends and in the evenings; and what there is by way of opportunity to improve themselves educationally, to prepare for a job on release, to keep fit and to develop hobbies and interests. The object of this paper is to fill some of the gaps in knowledge.

2. Prisons are complex institutions. It is not practicable to cover in a general description the circumstances of every prisoner or of every establishment. This paper deals with the male and female sentenced prisoners referred to in Table 1 below, since it is the regimes for these groups on which attention has centred.

3. Special emphasis is given to Maze Cellular and Armagh prisons as not only have they been the main prisons singled out for comment, but the former houses by far the largest number of sentenced males, whilst the latter holds all female prisoners in Northern Ireland. References to Maze below are to the Cellular Prison unless otherwise stated.

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TABLE 1: NORTHERN IRELAND PRISON POPULATION ON 23 NOVEMBER 1980

Establishment	No.of sentenced prisoners	No.of unsentenced prisoners	No.of Protesting (all sentenced)	Total (including protesters)
Maze Cellular[X]	1,034		470 on dirty protest 11 on clean protest 19 refusing to work	1,034
Maze Compound[X]	424		-	424
Belfast	239	273	-	512
Magilligan	138	-	-	138
Armagh	69	4	28	73
Foyle[Y]	16	66	-	82
TOTAL	1,920	343	528	2,263
Hydebank Young Offenders Centre (YOC)[Z]	183	22		205
Millisle YOC	29			29
TOTAL	212	22		234

X - Maze Cellular is the 'new' prison containing the cell blocks built on an H-shaped ground plan giving rise to the description 'H blocks'. Prisoners are housed in conventional cells. Maze Compound contains the remaining "special category" prisoners - i.e. those who under the arrangement introduced by the government of the day in June 1972 have a regime which is different e.g. in not requiring them to wear prison clothing or to work. These prisoners (368 in number) are housed in hutted dormitory accommodation within separate compounds.

Y - Foyle is a small temporary hutted prison, opened as a result of a national prison officers' dispute.

Z - Young Offenders Centres, as their name implies, contain young people serving sentences for less serious offences and with a regime aimed at their age group.

4. The paper is divided into seven parts. The first (paragraphs 5 - 10) deals with the background to prison regimes in general and sets out the legal framework which governs the running of every prison. Part 2 (paragraphs 11 - 28) describes what happens in the course of working hours on a weekday and in so doing covers the arrangements for work, and training and daytime education. Part 3 (paragraphs 29 - 35) describes what happens out of working hours, on weekdays and at weekends. This part covers the recreational and other facilities available. Part 4 (paragraphs 36 - 39) covers contacts with the outside world and deals with letters, visits and parcels. Part 5 (paragraphs 40 - 43) covers the clothing arrangements for male prisoners. Part 6 (paragraphs 44 - 46) deals with Armagh. Part 7 (paragraphs 47 - 49) covers briefly the question of non-conforming prisoners. Finally the various threads are drawn together in the conclusion (paragraphs 50 - 52).

PART 1 - BACKGROUND TO PRISON REGIMES

The Aims and Legal Basis of Prison Regimes

5. The aim of prison regimes in Northern Ireland is as set out for the whole of the United Kingdom in the May Report*, which commended the principle of 'positive custody' - "That is, it (custody) has to be secure and it must carry out all the intentions of the courts and society, in that respect. On the other hand, penal establishments must also as far as possible be hopeful and purposive communities and not be allowed to degenerate into mere uncaring institutions dulled by their own unimaginative and unenterprising routines". (Report, paragraph 4.46).

6. Their legal basis is to be found in the Prison Act (NI) 1953, which in section 13 specifies that "the Secretary of State may make rules to be styled 'prison rules' for the administration, regulation and management of prisons" and lays down the broad categories of regime to be covered. The Prison Rules (NI) 1954 accordingly provide the detailed legal framework for the regime described below. The Rules, which have the force of law, cover prisoners' rights, duties and privileges as well as the rights and duties of prison officers, chaplains, medical officers, governors and the Secretary of State. The making of Prison Rules is the responsibility of the Secretary of State for

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*Report of a Committee of Inquiry into the United Kingdom Prison Services (Cmnd 7673, 1979). This major review of the UK prison system covered almost every aspect of prison life including regimes and has been accepted by the Government as the basis for future prison development.

Northern Ireland, who must lay them before Parliament.

'Rights' and 'Privileges'

7. One aspect of prison regimes which is not well understood is that which separates prisoners' 'rights' from their 'privileges'. The rights are normally described as 'statutory' since they derive from the statutory Prison Rules (see para. 6). 'Privileges' are approved by the Secretary of State and controlled by governors. They are normally given as a mattter of course to all prisoners so long as they abide by the Rules; they include such matters as extra letters, visits and parcels, handicrafts, evening association, purchases from the prison tuck shop and special leave to prepare for release. Privileges may be withdrawn as a punishment under the Rules, but only to such an extent as the Rules allow. Such punishments are given by the governor or, in more serious cases, by the Board of Visitors.*

8. Confusion of the difference between the two facets of the regime has been fostered by the prisoners who have been carrying out protests. Annex A shows the statutory rights, which cannot be taken away as a disciplinary measure, and also indicates those privileges which protesting prisoners may have. These prisoners have, for the most part, refused the privileges and even some of their statutory rights. The Board of Visitors has not been involved in dealing with the punishments arising from protest behaviour.

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*Under the Prison Act (NI) 1952, section 10, the Secretary of State must appoint a Board of Visitors to every prison to oversee its working and carry out adjudications (i.e punishment proceedings) as necessary. Boards are independent and their membership is drawn from all sections of the community. They can and do comment freely to the Governor and the Secretary of State on any aspect of the regime. The Secretary of State, on being asked by the Governor, normally asks the Board to adjudicate on the more serious offences against Prison Rules, for example attacks on other prisoners or staff.

Remission of Sentence

9. One particular feature of the prison regime to which attention needs to be drawn is provision for remission of part of the sentence. Under Section 13(7) of the Prison Act (NI) 1953, all prisoners in Northern Ireland, except those serving the shortest sentences (one month or less), are granted remission of sentence. The amount given, laid down by Prison Rule 25, is one half of the effective sentence - that is the court sentence less any time spent in custody before sentence. If a prisoner commits an offence against the Rules the governor or the Board of Visitors may take away remission to the extent permitted by Prison Rules (governor - up to 28 days maximum; Board of Visitors - up to 6 months maximum). A prisoner may ask the Governor or the Board of Visitors, as appropriate, for restoration of remission lost in this way, or may petition the Secretary of State.

Information for Prisoners

10. It is clearly vital that prisoners should understand their rights and responsibilities in relation to prison regimes. Prison Rule 15 requires that "Arrangements shall be made to ensure that every prisoner on reception is provided with an Abstract of the Rules governing the treatment of prisoners.... including those relating to.....privileges, to the proper methods of submitting petitions to the Secretary of State... and to the disciplinary requirements of the prison."
It is the governor's responsibility to ensure that this is done, and on entering the prison system after sentence all prisoners are given these details in the form of an information sheet and must sign to confirm that it has been received. Further information sheets, covering various aspects of the regime, are given on request by a prison officer specially deputed for this purpose in every prison wing or compound. Any prisoner may also ask this officer or a governor to explain any point which is not clear to him. In connection with punishment proceedings, Prison Rule 28 also requires that the prisoner must be told of his rights, and he will be given any help he needs to prepare his case, before taking part in the proceedings.

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PART 2 - THE PRISON WORKING WEEK

Preliminary

11. Although for convenience the prison regime has been divided into two, between the working day and 'free time', it is not possible, or desirable, to draw a rigid line in practice. Thus there is in fact considerable overlap between these two main elements of the prison timetable. The most popular day for visits, for example (see paragraph 37), is a Saturday, but visits may be received during normal week-day working hours if the prisoner wishes. Orderly duties (see paragraph 17) - which count as work and are essential to the running of the prison - must be carried out over weekends as well as during the week. Young prisoners (those under 21) are also given extra recreation - PT and games - during the working day as a matter of course.

Work in Prisons

12. It is an objective shared by prisons throughout the United Kingdom, and one which most people would accept, that prisoners should be fully employed either in orderly duties to help run the prison or in directly productive work. It is important for prisoners that work experience and training inside prison will help them get and keep jobs on discharge. Work is also valuable in providing an outlet for their physical and mental energies and so aids the maintenance of good order and morale in the prisons.

Prison Work in Northern Ireland

13. In Northern Ireland prison work plays a central role in the regime - Prison Rule 44 requires prisoners to engage in useful work - and great strides have been made in

recent years to provide a range of industries and training of high quality. Annexes C and D show how much has been achieved. Nor is "work" interpreted narrowly - it may include education, for those whom the governor and education officer consider suitable or who need remedial teaching. If for any reason a prisoner or group of prisoners cannot be employed on a particular day, they may be given extra PT, games or handicraft/study time instead.

14. To give the reader the flavour of a typical day in prison, Annex B sets out the regime for a prisoner at Maze. This pattern is broadly repeated in all the establishments housing sentenced prisoners (other than those in the "special category" - see note X to table 1 above); unsentenced prisoners are not required to work. It will be seen that the routine in many respects reflects life outside the prison walls.

15. Prisoners are paid earnings for their compulsory work. As in most European countries, the earnings are no more than a token payment. In Northern Ireland the amount, excluding overtime and special bonuses, does not exceed £2.05 a week, a figure in line with practice elsewhere in United Kingdom prisons. The amount earned depends on the nature of the job and the effort and standard of performance of the prisoner.

16. Four main types of work are provided in Northern Ireland prisons. Details are given in the following paragraphs and Annexes C and D. Although the Secretary of State has overall responsibility for prison regimes, allocation of prisoners to the various kinds of work is best left to local

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administration and is carried out by the governor of each prison. In allocating prisoners governors take account, so far as possible, not only of the needs of the prison administration but also of the recommendations by professional, technical and educational staff and, of course, the wishes and aptitudes of the prisoners. Prisoners are told by a member of staff or the governor which alternative employments are available. Whether or not it is possible to give the prisoner his choice will depend on such factors as his previous employment, degree of motivation, behaviour in prison, security rating, and the existence of a vacancy in the workshop or course requested.

Orderly Duties

17. Each prison needs its own quota of prisoners to undertake domestic tasks in the kitchens, dining areas, ablutions and corridors. These tasks include cooking, cleaning, moving stores, washing, polishing and all the many jobs which must be done to ensure that prison life retains the order and cleanliness so necessary when prisoners live and work in such close proximity. In this way a significant contribution is also made to reducing the cost of running the institution.

18. At any given time some 500 prisoners - out of a sentenced population currently around 1500 (excluding special category prisoners) - will be engaged in these duties. Those taking part are normally 'trusties' or low risk* prisoners; a few may be serving long sentences but most are serving under four years. Some orderly duties are particularly suited to petty habitual offenders, who may be employed in this way for

* 'Low-risk' simply means that from the nature of a prisoner's offence and his behaviour in prison there is a low risk of his trying to escape or of becoming violent. It is a measure of his danger to the prison and to society outside.

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much of their sentences (which are often relatively short). Other orderly duties may suit a particular person - for example former cooks or butchers can usefully be employed in running the kitchens. Many prisoners do some orderly duties for a time before moving on to other work.

Prison Industries

19. The extensive range of industrial employment provided at present and planned to come into operation in the near future, together with the type of goods produced, is set out in Annex B. New modern workshops are now available at Maze and Magilligan. The workshop facilities at Belfast and Armagh have also been improved and fitted with up-to-date equipment. Clearly the work experience gained here is of help in promoting the work habit and in improving job prospects on release. Before being allocated to an industrial workshop at Maze, all prisoners are given a thorough course of training in basic skills, machine use, and health and safety at work. This is similar to the training provided by Government training centres, modified to suit the work and machinery available in the workshop.

20. The number of prisoners currently working in prison industries has been distorted by the intensified protest action at Maze and by industrial action by the Prison Officers' Association. The number employed in mid October - the last normal working period - was some 350.

Vocational Training

21. Vocational training is designed to give prisoners training in a wide range of skills which they may not have had time or opportunity to learn outside. The courses are run to a high standard and in the last few years have been developed to the requirements of the skills testing service of the City and Guilds of London Institute. The first certificates were

awarded in 1977 and since then over 200 vocational trainees have gained them. Promising trainees are either encouraged to proceed further inside the prison or given help and advice on how to continue outside.

22. There are now 308 places on these courses. The range of courses available to prisoners is explained to them by prison staff and is also displayed in central locations; prisoners are invited to make applications to enrol. Some courses, such as painting and decorating, are particularly popular and are fully booked; others may have vacancies at any given time. Whether or not a prisoner can be enrolled on a course depends on a number of factors. First, his own wish to attend; secondly, he must have sufficient time to complete the course - this means he should not be near the end of his sentence (prisoners serving under 6 months are not normally considered as with allowance made for one-half remission of sentence they will in fact serve under 3 months). Acceptance also depends on the prisoner's suitability for the job based on assessment by prison staff and the education officer; "trainability" tests may be given to determine aptitude for training.

23. Courses are conducted in spacious workshops of modern design, under the supervision of full-time instructors who have the appropriate craft or professional qualifications. They provide a sound basis for a prisoner to return to society better qualified than on entering the prison; a number of former trainees have gone on to successful employment on release.

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24. A remarkable performance was achieved by one young prisoner undergoing training in the painting and decorating course at Magilligan Prison during 1979. He gained 3 distinctions in the City and Guilds of London Institute craft examinations and subsequently was awarded 1st Prize (bronze medal, vellum and a cash sum of £30) by the Worshipful Company of Painter- Stainers of London. His performance was achieved in competition with 1,518 other candidates throughout the United Kingdom.

Education - Daytime

25. Classes are provided during working hours to cover a wide range of prisoners' needs - from remedial education for those who require it to Open University courses. Periods of study range from 2-20 hours a week, depending on the subject. Classes in craft theory are given to complement the practical side of vocational training, and tuition is provided in a wide range of subjects enabling prisoners to study for RSA, City and Guilds literary and numeracy certificates, and GCE'O' and 'A' level certificates. In addition, self-study courses - with tutorial support as necessary - are provided for such subjects as English language, English literature and Mathematics and also for the 21 prisoners currently following Open University Courses. Prisoners who have the benefit of study time during the day also frequently make use of their leisure time to continue their studies. On release, prisoners who show academic promise and wish to pursue further study are put in touch with the educational guidance service for adults, with which close links have been established.

26. The total full-time education staff comprises 7 education officers and 16 teachers. (There are also 80 part-time teachers, employed almost exclusively for evening classes -

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see para 32). The Prison Education Service is represented on the Council for Continuing Education in the Province and plays an active part in the work of its specialist group panels.

27. The education officer interviews all prisoners entering the establishment, explaining to them what educational facilities are available. If a prisoner shows an interest in a particular course or courses, the officer assesses his needs and may at this or subsequent interviews give him a series of recognised educational tests of the type formulated by the National Federation for Educational Research. Subject to this assessment the prisoner will then be enrolled on the course, whether for evening or daytime attendance.

28. Notices are displayed prominently within the prisons giving details of courses and new developments. During the period of his sentence a prisoner may readily ask the education officer for details of courses and apply to join them. Classes are regularly set up during the day on this basis for remedial education; the more advanced courses of the type already mentioned are also from time to time (according to demand) arranged during the day. In all cases attendance at courses is undertaken with the Governor's agreement.

PART 3 - LEISURE AND RECREATION

29. This part of the paper sets out the arrangements made for the occupation of prisoners at a time when they are not required to work: evenings, weekends and public holidays. Examples are drawn from Maze, though the other establishments are very similar in what they offer.

Association

30. Between 5.30pm and 8.30pm each weekday (see Annex B) prisoners have three hours "association". This simply means that they may associate with each other and occupy themselves as they wish, within their cell wing or in the adjacent education room or exercise yard, subject to the maintenance of prison security. Association is also allowed all day on Saturdays, Sundays and public holidays; the mornings, however, include an exercise period* and on Saturdays many prisoners receive their visits. On Sunday morning a high proportion of prisoners attend church services - these are entirely voluntary.

31. At Maze the following areas and activities are available for use during this time:

Dining Halls	TV, table tennis, snooker (small tables), darts, cards, table games (monopoly, draughts, etc).
Education Rooms	classes most nights
Handicraft Rooms	hobbies
Exercise Yards	While daylight lasts prisoners may spend their association period, or part of it, in the open in the exercise yard.

*All prisoners must be given the daily hour's exercise required by Prison Rule 58. This is taken in the open air whenever possible.

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Education - Evening

32. A very wide range of evening classes is provided for prisoners and there is some overlap with courses provided during the day. The subjects offered vary from one institution to another since they depend on demand. But the following range was covered in 1979 and has continued this year:

English, Mathematics, Geography, History, Sociology, Irish Language, Art, Music, Technical Drawing, Typing, Handicrafts, Braille Translation, Foreign Languages, Current Affairs, Physical Education Theory, Remedial and Basic Education, Social and Life Skills classes (both independently and in support of pre-release courses).

33. The level attained in these courses is shown by the fact that, during 1979, prisoners were entered for 24 'A' level subjects, 202 'O' level subjects, 22 Royal Society of Arts subjects and 4 CSE subjects. The 13 Open University students (now increased to 21) qualified for the next stage of their studies; this included the first OU student in Northern Ireland to complete a course whilst in custody and graduate with a BA Degree.*

34. Text-books are supplied by the prison. In addition the Education and Library Boards provide well-stocked libraries at all establishments and prisoners may draw books from them to read in their cells. Periodicals and newspapers are also provided. Book stocks are shown in round figures below:

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*These figures refer to both day classes (described in Part 2) and evening classes: the two cannot be separated.

	Library Books	Text Books
Belfast	4,000	1,500
Maze	18,500*	3,000
Armagh	3,000	1,500
Magilligan	11,000	1,000
YOC (Millisle)	3,000	3,800
YOC (Hydebank)	4,700	1,000

*supplied by mobile library

Other Activities

35. Weekly film shows are a normal feature of association. At Maze, if prisoners express a wish to see programmes - for example football matches - screened after 8.30 pm, video recordings are now shown. Prisoners serving over two years may keep a personal radio set in their cells. Physical education and football are also available, chiefly at weekends but at times during the week as well.

PART 4 - CONTACTS WITH THE OUTSIDE WORLD

36. To assist prisoners in preparing for their eventual return to society, considerable efforts are made to ensure that they can keep up contacts with friends and relatives.

Visits

37. A prisoner may have a total of four 30 minute visits with relatives, friends or others nominated by the prisoner each month. The visits normally take place in open-plan visiting rooms, with the prisoner and his visitors seated together at a separate table. The visits are supervised by prison staff, but the supervision is intended to give the prisoner and his visitors the maximum privacy compatible with security.

Letters

38. Eight letters, paid for by the prison, may be sent out each month by a prisoner. A prisoner may also send out three letters a week at his own expense. A similar number of letters may be received. Cards (birthday, Christmas, wedding anniversary) are not normally counted as part of the letter entitlement.

Parcels

39. Prisoners are allowed a weekly parcel which may contain up to 4lbs of fruit and such items as toilet requisites and reading material. (Other items including tobacco and cigarettes may be purchased from the prison tuck shop out of earnings from prison work and private cash subject to a weekly limit of expenditure of £3.00. Special parcels are allowed at Christmas, Easter and Halloween.

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PART 5 - CLOTHING FOR MALE PRISONERS

Weekday Working Clothing

40. Male convicted prisoners are required to wear prison-issue clothing from 7.30am to 5.00pm; this requirement is based on Prison Rule 63 which states that "Every convicted prisoner shall be provided with clothing sufficient for warmth and health in accordance with a scale approved by the Secretary of State, and shall, except as otherwise approved by it, be required to wear such clothing." This clothing has hitherto comprised a two-piece denim suit and a blue and white striped shirt. This single-pattern uniform will, following the Government's decision announced on 23rd October, shortly be replaced by a range of patterns and colours of civilian-type clothing, comprising trousers, pullovers and shirts. Underwear, socks and shoes are also issued; these items will continue to be issued unchanged.

41. The normal issue of clothing is supplemented for use in certain jobs. For example, heavy duty waterproof clothing is given to prisoners engaged in outdoor work; and overalls and protective clothing are supplied for work, for example in kitchens, prison industries or vocational training courses, which involves a greater element of dirty or noisy activities.

Clothing for Association Periods and Visits

42. Only approximately a quarter of the week has to be spent wearing prison issue clothing. Prisoners other than those engaged in orderly duties may wear their own clothes during evening

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association, at weekends and when taking visits. (Orderlies are given time off in lieu for work done during leisure hours.) The clothing which they are allowed to have comprises:-

1 pair of shoes

1 pair of trousers)
) or a suit
1 jacket or cardigan)

1 pullover

2 shirts

These are kept in a locker in the prisoner's cell, or beside his bed in hutted accommodation. Their colour and design are, for security reasons, subject to the discretion of the governor in charge. None of these arrangements for prisoners' own clothing will be affected by the Government's decision on prison-issued clothing to be worn during the working day.

43. The arrangements described above are more generous to prisoners than those not only in the rest of the United Kingdom but also in many other European countries where, in dealing with the more serious offender, the wearing of a prison uniform is normal thoughout the week.

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PART 6 - ARMAGH

44. Much of the description above applies on a broad basis to Armagh prison, which, apart from 12 male orderlies who carry out heavy duties, is entirely devoted to housing female prisoners. Table 1 shows the small size of the sentenced female population. Although the range of facilities which it is possible to provide is constrained by the very limited numbers, the high standards found in the male prisons are repeated.

Regime

45. The regime for sentenced female prisoners, though based on the regime for males, has traditionally been more relaxed in view of the small numbers and the lesser threat to security. For example, association is freer, and each wing has a mini-kitchen in which prisoners can prepare snacks, including tea and coffee. Weekly parcels may contain more than the usual amount of foodstuffs and a wider range of personal belongings may be kept. Many cells are decorated through the use of curtains, posters and ornaments.

46. The main difference between the male and female regimes is that since 1972 female prisoners have been allowed to wear their own clothing at all times. This change was introduced following a similar move in Great Britain several years earlier. As no significant problems had emerged there, it was extended to Northern Ireland. The rationale for this move was the view that it was much more likely to have a positive effect on the rehabilitation of female offenders.

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PART 7 - PROTESTING PRISONERS

47. So far this paper has described the regime for the majority of sentenced prisoners, who abide by the normal requirements of prison life as laid down by Prison Rules. This part briefly describes the situation of those who do not.

The 'Dirty Protest' - Male Prisoners

48. The prisoners engaged in what is described as the 'dirty protest' refuse to work, to wear prison clothing and to co-operate with the prison authorities - whether the governor or any of the welfare, medical or other prison services. To these actions they have added the destruction of all cell contents and the smearing of excrement around the cells. For these gross breaches of Prison Rules the prisoners have been punished by the governor under the Prison Rules. These punishments first included the loss of privileges (see paras 7 - 8) but a significant number of these have been restored in the last year. A full summary of the effect which punishments have had on these prisoners' regime is contained in Annex A . It should be borne in mind that the 'statutory' element has never been denied though prisoners have refused to take up a considerable part of it. The extra privileges have by and large also not been taken up as part of the same campaign.

The 'Dirty Protest' - Female Prisoners

49. Since February 1980 female prisoners at Armagh have also been carrying out a 'dirty protest', after a prolonged period in which their protest had been 'clean' - that is, had merely involved the refusal to work and had been carried out with much less overt confrontation than at Maze.

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The punishments awarded (see note to Annex A) were correspondingly less - letters were not restricted and association was not lost to the same extent. Despite the now-intensified protest and the deliberate attempt to bring about a deterioration in the regime, there has been no increase in the punishments given (this was also true after the male 'dirty protest' began in March 1978). With the exception of association, which could no longer be free, owing to the prisoners' aggressive behaviour, there has been no change in the regime other than that self-imposed by the prisoners.

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CONCLUSION

50. The object of this paper has been to describe what has been achieved in providing modern penal regimes in Northern Ireland prisons, without neglecting society's first requirement that prisoners should be held in secure custody.

51. The picture is not a static one. Future developments already planned will further improve the quality of the regimes. New workshops are planned to open at Maze and Magilligan prisons next year. More significantly, new male and female prisons, now under construction at Maghaberry, Co. Antrim, will open in 1982. These are being built to the high standards associated with modern prisons and will contain extensive industrial, vocational training and educational facilities.

52. This maintenance and development of a progressive regime reflects the Government's commitment to run a humane and flexible prison system under the Prison Rules. Such a regime benefits prisoners, and also society - both directly in that prisoners are productively employed, and indirectly in giving prisoners an opportunity to develop skills and interests which will be of help when they return to society. Notwithstanding the difficulties faced, every effort has been, and will continue to be, made to ensure that Northern Ireland prison regimes are both humane and progressive.

NORTHERN IRELAND OFFICE

December 1980

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ANNEX A

RULES FOR CONFORMING PRISONERS	RULES FOR PROTESTING PRISONERS (MAZE: as regards Armagh, see note below)
LETTERS	
One statutory and seven additional letters out per month paid for by the prison: further letters at his own expense. The receipt of letters in reasonable proportion to those sent.	One letter in and out a month (the letter out paid for by the prison). One additional letter in and out in lieu of the monthly statutory visit if this is not taken. Three additional privilege letters in and out a month permitted since March 1980.
VISITS	
One statutory and three additional visits a month.	One statutory and since March 1980 one privilege visit a month.
PARCELS	
A weekly parcel of reading material, fruit and toilet articles. Special parcels at Christmas, Easter and Halloween.	None.
CLOTHING	
A variety of civilian-type clothing supplied by the prison authorities. In addition non-prison clothing of an approved type may be worn for visits, and evening and weekend association.	A variety of civilian-type clothing supplied by the prison authorities. The alternative for certain purposes is to wear the underwear or part of the clothing provided. Towels may be worn inside the wings.
EXERCISE	
The use of the gymnasium and/or playing pitch for about three hours a week at exercise periods, in addition to normal exercise; statutory exercise period of one hour a day.	Not less than one hour's exercise per day in the open air, weather permitting. Protesting prisoners refuse to take this, although they may now use sportswear provided for the purpose. An hour's additional recreation (PT) has been on offer since September 1980; again sportswear is available.
ASSOCIATION	
Three hours' association every evening (to watch television, play indoor games, etc); there is also association during the day on Saturdays and Sundays.	Evening association has been offered on a limited basis since September 1980; each prisoner may expect to have one period of such association a week. (There are of course other occasions when association takes place - during work, dining and exercise periods, for example - but the protesters refuse these opportunities).

RULES FOR CONFORMING PRISONERS (Cont.)	RULES FOR PROTESTING PRISONERS (Cont.) (MAZE: as regards Armagh, see note below)
NEWSPAPERS AND READING MATERIAL	
Access to newspapers supplied by the prison, also use of the prison library and books received in parcels.	A selection of books and newspapers are available in each Wing during weekdays and in the room where the prisoners attend Mass on Sundays. The protesting prisoners can collect a book or paper without putting on prison uniform.
USE OF EARNINGS	
Prisoners may use their earnings from prison work and an equivalent amount of their own funds to make purchases in the prison tuck shop and elsewhere, up to £3.00 per week.	May not make purchases.
RADIO	
Prisoners serving over 2 years may keep a personal radio set in their cells	None
LEAVE	
For certain classes of prisoners short periods of home leave are available at Christmas, in the summer, and towards the end of sentence. Short periods of compassionate leave may also be given in certain circumstances.	Home leave is not available but compassionate leave has been offered since August 1980, subject to the same conditions as apply to conforming prisoners.
REMISSION	
A prisoner serving a term of more than one month may be granted remission, on the ground of his good conduct, up to one-half of his sentence. Remission may be lost as a disciplinary award, but it is possible for this to be restored after subsequent good behaviour.	Protesting prisoners lose one day's remission for each day they are in breach of Prison Rules. Some protesting prisoners, who have subsequently abandoned the protest, have had lost remission restored.

RULES FOR PROTESTING WOMEN PRISONERS AT ARMAGH

At Armagh, protest behaviour initially involved only refusal to work (clothing was not an issue as the prisoners already wear their own clothes); and there was little overt confrontation. In consequence the level of punishments imposed - in the form of loss of privileges - has been somewhat less than at Maze. The main differences from the protesting prisoners at the Maze have related to letters, which were not restricted, and association, which has been lost only during the evenings at weekends. The protesters also receive monthly clothing parcels, and since June 1980 have been offered a special monthly parcel but have refused to take advantage of this. Until February 1980, the women took their statutory rights (which are the same as for men) and the privileges given; since then however they, like the male prisoners, have engaged in self deprivation.

E.R.

ANNEX B

MAZE PRISON: A TYPICAL WORKING DAY (MONDAY - FRIDAY) IN A "CONFORMING" H BLOCK

07.30 Unlock, prisoners requests are taken, ablutions, bed making and cell cleaning.

08.15 Breakfast in dining room

08.40 Movement to industrial and vocational training workshops commences (because of distances involved, and consequential security implications, most prisoners have to be bused to and from work).

12.15 Prisoners return to H blocks from workshops. They are locked briefly in their cells.

12.25 Lunch in dining room

13.00 Exercise in open if weather permits, otherwise prisoners are allowed association in the dining room.

14.00 Prisoners return to cells for numbers check.

14.05 Movement to workshops commences.

16.15 Prisoners return to H blocks from workshops. They are locked briefly in their cells.

16.30 Tea in dining room.

17.00 Prisoners return to their cells.

17.30 Association in dining room, or handicraft room, or education room or, if a prisoner prefers, in his own cell. In the summer months evening association may also be spent in the exercise yard.

20.30 Prisoners locked up.

NOTES

1. Prisoners who are due to appear before the Governor for any reason, or are receiving a visit, or are due to see the doctor, are held back from either morning or afternoon work, depending upon the time of the appointment.

2. Young prisoners are entitled to 2 hours physical recreation each week, either in the sports hall or on the playing fields. They are excused work during these periods.

3. In accordance with Prison Rules some prisoners may be engaged in education classes during working hours. These count as work.

4. An H-Block consists of four wings, each containing 25 cells. Each wing has its own dining and handicraft rooms and ablutions, and has access to its own exercise area. Each H-Block has 2 education classrooms and a medical room.

ANNEX C

E.R.

PRISON INDUSTRIES - RANGE OF ACTIVITIES

Location	Industry	Typical Products
Armagh	Laundry	Prisoners' clothing, bedclothes, limited amount of work for local welfare bodies.
		Prisoners' clothing and boiler suits, seat covers (outside contract).
Belfast	Joinery	Prison furniture, dog-kennels, wooden toys (contract work).
	Tailoring	Prisoners' clothing (incl overalls).
	Horticulture	Vegetables, pot plants, flowers.
	Laundry	Prisoners' clothing and bedding, local welfare work.
	Firewood	Sticks, blocks.
	Matmaking	Coir mats.
Maze	Joinery and Woodworking	Prison Service supplies: Furniture, storage racks etc.
		Outside contracts: Desks, stools, wooden toys, art boxes, sub-contract work on domestic furniture.
	Tailoring	Prisoners' clothing (incl overalls), instructors' coats, towels etc.
	Metalwork	Storage bins, bench seats, tubular furniture, handling trucks, storage racking.
	Leather	Shoes for inmates, leather goods.
	Laundry	Prisoners' clothing and bed linen, laundering for Training Schools.
	*Cement products	Concrete blocks, kerbing, paving slabs etc for prison contract.

Location	Industry	Typical Products
	*Furniture	Upholstered chairs, bunk-beds, doors.
	*Metal Fabrication	Beds, metal cupboards, tubular furniture, pressings.
YOC Hydebank Wood	Horticulture	Vegetables and flowers.
Magilligan	Horticulture	Vegetables.
	*Knitting	Interlock material for making-up into prisoners' underwear, pullovers and socks.
	*Tailoring	Prisoners' shirts.
	*Metalwork	Repair of metal furniture.
	Leather industry	Shoes for inmates, leather goods.

NOTE: * Industries planned to open December 1980 onwards.

E.R.

VOCATIONAL TRAINING

The complete range of vocational courses available is shown below:-

Prison		Courses	Training Places	Duration of Courses (Weeks)
Belfast	i.	Catering	12	48
	ii.	Industrial Cleaning	12	10
Maze	i.	Bricklaying	12	20
	ii.	Painting and Decorating	12	20
	iii.	General Construction Operatives	12	16
	iv.	Motor Vehicle Maintenance	12	26
	v.	Horticulture	12	48
	vi.	Electric Appliance Repair	12	26
	vii.	Motor Body Repair and Painting	12	26
	viii.	Welding	12	26
	ix.	Plastering	12	26
	x.	Furniture Craft Practice	12	48
Magilligan	i.	Bricklaying	12	20
	ii.	Plastering	12	20
	iii.	Genreral Construction Operatives	12	16
	iv.	Motor Vehicle Maintenance	12	26
	v.	Painting and Decorating	12	20
YOC Millisle	i.	Mechanical Engineering	12	26
	ii.	Painting and Decorating	12	20
	iii.	Horticulture	12	20
YOC Hydebank	i.	Catering	6	18
	ii.	Industrial Cleaning	6	10
	iii.	Junior Engineering Operatives	10	20
	iv.	Sheetmetal Work and Welding	10	20
	v.	Motor Vehicle Maintenance	12	26
	vi.	General Construction Operatives	12	16
	vii.	Bricklaying	12	20
			308	

GR300 CONFIDENTIAL

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FM HOLY SEE

1016002 DEC 80

TO PRIORITY FCO
TELNO 49 OF 10 DECEMBER 1980
INFO ROUTINE ROME.

THE PROTESTING MAZE PRISONERS

1. WHEN I SAW MONSIGNOR SILVESTRINI THIS MORNING WE SPOKE ABOUT THE PROTESTERS IN THE MAZE PRISON. HE SAID THAT IF ONE OF THE PRISONERS WERE TO DIE THE VATICAN WOULD BE PLACED IN A DIFFICULT POSITION. THEY THEREFORE CONTINUED TO HOPE THAT SOME CONCESSION BY THE BRITISH AUTHORITIES ON CONDITIONS IN THE PRISON MIGHT CONTRIBUTE A SOLUTION.

2. I SAID THAT THE HUNGER STRIKE WAS UNDERTAKEN AT THE PRISONERS OWN VOLITION. A DEATH WOULD BE TANTAMOUNT TO SUICIDE. OUR POLICY WAS NOT TO FORCE FEED. NOR COULD WE MAKE ANY CONCESSION ON POLITICAL STATUS WHICH WAS WHAT THE PRISONERS WANTED. I HOPED THAT IN THE LIGHT OF THE PRIME MINISTER'S TALK WITH THE POPE OUR POSITION WAS NOW UNDERSTOOD. I GAVE MGR. SILVESTRINI A COPY OF THE COLOUR BROCHURE ON THE MAZE PRISON TO ILLUSTRATE THE QUALITY OF THE FACILITIES AND THE MESS WHICH THE DIRTY PROTESTERS MADE OF THEM.

3. MGR. SILVESTRINI THEN SAID THAT THE POPE HAD TAKEN VERY CAREFUL NOTE OF WHAT THE PRIME MINISTER HAD SAID TO HIM ON 24 NOVEMBER. THEIR TALK HAD BEEN MAINLY DEVOTED TO THIS SUBJECT. THE ARGUMENTS WERE CLEAR AND HE UNDERSTOOD OUR POSITION. HE NEVERTHELESS CONTINUED TO HOPE THAT WE WOULD FIND A SOLUTION.

4. I THINK THAT THIS IS AS NEAR AS WE ARE LIKELY TO COME TO A DECLARATION OF SUPPORT FROM THE POPE ON THIS ISSUE. MGR. SILVESTRINI REFERRED TO THE STATEMENTS BY THE BISHOPS AND EXPRESSED THE HOPE THAT WE FOUND THESE HELPFUL. I SAID THAT WE DID BUT REITERATED THE IMPOSSIBILITY OF A COMPROMISE ON POLITICAL STATUS.

HEATH

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From: THE PRIVATE SECRETARY

2

Ireland

Press Office

HOME OFFICE
QUEEN ANNE'S GATE LONDON SW1H 9AT

10 December 1980

Prime Minister

MAP 10/XII

Dear Mike

You may wish to know about the case of Ward, a remand prisoner, currently held at Brixton charged with handling stolen goods. Ward has been refusing food and liquids since 27 October and has from 30 October been under observation in the prison hospital. Until recently he had been taking small quantities of food and water passed to him surreptiously.

Ward has now professed sympathy with the IRA, and on 4 December informed the prison authorities that he would abstain completely from food and drink as a protest against the treatment of H Block inmates in the Maze. We have no reason to suppose that Ward is connected with the IRA, or that the IRA have adopted his cause (if indeed it ever becomes a cause). He does now seem, however, to be determined to take his life and, if he goes on as he says he intends, his physical condition will deteriorate rapidly.

We will keep you informed of developments.

A copy of this letter goes to Mike Hopkins (NIO).

Yours ever

Andrew Jackson

A. P. JACKSON

M. A. Pattison, Esq.

NOTE FOR THE RECORD

Arrangements for a step-by-step end to the protests

1. /E-day minus 3: Secretary of State confers with Governors to settle details. NB Under existing prison rules, it is for the Governor to determine rights and privileges of prisoners./

2. E-day: Governor reports hunger strikers wish to eat; dirty protestors want to move to clean cells; blanket men want clothes: all will conform to prison rules. Immediately followed by:-

3. Announcement by HMG: reporting 2, all normal privileges of conforming prisoners conferred immediately, (see 4,5 and 6 below): medical supervision of all prisoners to monitor health and recovery of hunger strikers. Restoration of new conditions will begin forthwith: will take some time.

4. Visits, letters and parcels available immediately.

5. Relatives invited to send in a parcel of "own clothes" to protestors since they will be able to wear them most of the time.

6. Remission will be earned on normal 50 per cent basis forthwith. Restoration of lost remission will begin forthwith.

E-Day action

7. Minimum 50 - maximum 100 dirty protestors moved to clean cells, fully equipped.

8. Other dirty protestors put to clean cells they occupy, with basic amenities put in.

9. Privilege level exercise given to all protestors.

10. Association begins to be phased in /NB - cautious approach to contain tension and excitement./ to full association in 10 days.

11. TV etc available in association areas

Subsequent action

12. Accommodation: cleaning cycle at full throttle. All in clean and equipped cells by E+14.

13. Decoration of cells to be completed in 10-12 weeks by 4 x 10 man painting squads (see work), subject to need for construction works.

14. Clothing: no civilian prison issue clothing available yet. /Overalls over own-clothes or prison issued uniform only alternative for working day until civilian issue supplies become available at end year./

15. Work: Within few weeks bulk will have work to do but one-third will not have prison work to do. /This is very dangerous and will require careful management./

16. Work and education availability is

60 vocational training places
40 painting accommodation
70 working parties in grounds
80 new prison industries March 1981
250 occupations at most for 460 prisoners

17. Education staff will need to be built up to provide more educational activity for an increase in total no. of prisoners for whom only cell life is available:- existing prisoners will be given more free cell time to spread this.

18. Remission

Restoration is within Governor's discretion but he will have to have "guidance" or a temporary Rule. Options.

A. X% lost remission restored on E-day (implications of X at different values being studied, eg how many (and who) would be released immediately). Balance to be restored on good behaviour

a. by formula eg 10% per month, or

b. at discretion, OR

OR

B. No lost remission restored for 3 months, then a formula (8/10% per month) or at discretion.

A is preferred by prison administrators.

Long term

19. Secretary of State is reviewing arrangements for long-term management of Northern Ireland prisons. /NB opportunity to move in context of Ulsterisation/.

Northern Ireland Office
8 December 1980

Ireland

RESTRICTED

FILE.....
KEEP FOUR MONTHS.....
DESTROY AFTER CIRCULATION .....

PRIORITY 1 .....
PRIORITY 2 .....
PRIORITY 3 .....

DUBFO ØØ2/Ø7

OO F C O

GRS 15Ø

RESTRICTED

FM DUBLIN Ø7/164ØZ DEC 198Ø

TO IMMEDIATE F C O

TELEGRAM NUMBER 365 OF Ø7 DEC

H BLOCK DEMONSTRATION
YESTERDAY'S DEMONSTRATION PASSED OFF RELATIVELY PEACEFULLY. A CROWD ESTIMATED AT AROUND 15,ØØØ MARCHED FROM THE CENTRE OF DUBLIN TO A POINT CLOSE TO THE EMBASSY. AFTER SPEECHES A LETTER WAS HANDED IN TO THE EMBASSY(MYTEL 364) AND THE CROWD THEN DISPERSED. THE GARDA WERE AT ALL TIMES IN CONTROL OF THE SITUATION. THEY HAD OVER 2,ØØØ MEN ON DUTY AND WERE ONLY UNHAPPY WHEN INITIATED INTO THE NORTHERN HABIT OF STONE THROWING AT ''PEACEFUL'' MARCHES.

2. AS IN THE PREVIOUS DEMONSTRATION MOST OF THE MARCHERS WERE FROM THE NORTH AND RELATIVELY YOUNG. THE ORGANISERS CLAIMED THAT THESE WERE SOME 6Ø,ØØØ MARCHERS BUT THIS IS WILDLY EXAGGERATED. THE SUNDAY PRESS (NO FRIEND OF OURS) PRINTS A GARDA ESTIMATE OF 12,5ØØ AND THE BEST ESTIMATE SEEMS TO BE RATHER OVER 15,ØØØ. (THAT IS THE FIGURE GIVEN TO US BY THE GARDA SUPERINTENDENT IN THE EMBASSY COMPOUND.)
GIVEN THE FINE WEATHER THE ORGANISERS MUST BE DISAPPOINTED THEY DID NOT GET A BETTER TURN OUT AND THE RELATIVE SCALE OF PUBLIC INTEREST MAY BE GAUGED BY THE 6 P.M. R T E TV NEWS ON WHICH THE FIRST ITEM WAS THE MARCH OF 4Ø,ØØØ PROTESTING FARMERS IN LIMERICK.

FIGG

NNNN
SENT/RECD AT Ø7/1733Z HMT/RD

PS
PS/LPS
PS/PUS
MR BULLARD
MR FERGUSSON
HD/RID
HD/PUSD (2)
HD/IPD
HD/NEWS DEPT

... ...

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RESIDENT CLERK

N IRELAND OFFICE - PS TO SEC OF STATE
RM 66 A/2 GGS

N IRELAND OFFICE [4 copies]

SIR K STOWE
MR MORIATY
MR MARSHALL
MR BUXTON

CABINET OFFICE - SIR R ARMSTRONG
DIO

NO 10 DOWNING STREET

IMMEDIATE

ADVANCE COPY

GROUPS 175
UNCLASSIFIED
FROM DUBLIN 071030Z DECEMBER 1980
TO IMMEDIATE F C O
TELEGRAM NUMBER 364 OF 07 DECEMBER.

FOLLOWING IS THE TEXT OF A LETTER DELIVERED TO THE EMBASSY ON 06 DECEMBER AT THE END OF THE H-BLOCK PROTEST MARCH.

BEGINS:-

THE BRITISH AMBASSADOR,

WE, THE NATIONAL H-BLOCK/ARMAGH COMMITTEE, ON BEHALF OF THE TENS OF THOUSANDS OF PEOPLE ASSEMBLED OUTSIDE YOUR EMBASSY, HOLD THE BRITISH GOVERNMENT RESPONSIBLE FOR THE CRISIS WHICH EXISTS IN IRELAND TODAY. THE BRITISH GOVERNMENT, OVER THE CENTURIES, HAS MADE THE SAME MISTAKE OF FAILING TO RECOGNISE THE CARE AND DEEP EMPATHY OF THE IRISH PEOPLE FOR IRISH POLITICAL PRISONERS. THE IRISH PEOPLE HAVE NEVER STOOD IDLY BY WHILE THEIR PRISONERS SUFFER, AND THEY HAVE SHOWN TODAY THAT THEY ARE NOT PREPARED TO STAND IDLY BY WHILE THEIR PRISONERS DIE.

WE DEMAND THAT YOU CONCEDE THE FIVE DEMANDS OF THE PRISONERS, BEFORE ANYONE DIES. WE DEMAND THAT YOU CEASE TORTURING OUR PRISONERS AND POINT OUT THAT ANY CURSORY ANALYSIS OF THE REALITY OF THE PRESENT SITUATION, CLEARLY INDICATES THAT THE POTENTIAL CONSEQUENCES

BEFORE ANYONE DIES. WE DEMAND THAT YOU CEASE TORTURING OUR PRISONERS AND POINT OUT THAT ANY CURSORY ANALYSIS OF THE REALITY OF THE PRESENT SITUATION, CLEARLY INDICATES THAT THE POTENTIAL CONSEQUENCES OF THE DEATH OF ONE PRISONER WILL REVERBERATE THROUGHOUT THIS COUNTRY AND THE WORLD, AND IMMEDIATELY POSE THE QUESTION OF YOUR COUNTRY'S COMPLETE WITHDRAWAL FROM IRELAND. ENDS.

FIGG.

NNNN

SENT/RECD AT 07:1140Z CB/GEH

cc CAZD

MOOSA

Prime Minister

Top Copy with PM's briefing for Dublin

I attach the form of words the best we can do. I think you will want to have this up with Mr Haughey: he has not done very well.

MT

Mr Newington - RID

Maze Prison

Dr Garret Fitzgerald, the Leader of the Fianna Fail Party, called on Lord Carrington this morning. The purpose of the call was to discuss work which Dr Fitzgerald is doing for the Trilateral Commission on the Middle East: a call arranged for last month had had to be postponed. At the end of their discussion Dr Fitzgerald said that he had on the previous day had a long discussion with the Taoiseach, in which Mr Cluskey , the leader of the Irish Labour Party, had also taken part in an attempt to find a common response to the British Government's announcement on the Maze Prison. This was the first time that the Taoiseach had held discussions with the other parties on anything to do with Northern Ireland. In the event it had not been possible to find an agreed form of words: the principal sticking point had been the Taoiseach's refusal to express explicitly his support for the British Government's refusal to grant the hunger strikers political status. The Taoiseach had made clear during the course of the discussion that if there were a similar demand by prisoners in the Irish Republic, he would be prepared to see them die rather than grant it. But he was unwilling to involve himself directly in the issue in Northern Ireland.

T. Lever

(P Lever)

5 December 1980

cc: PS
PS/LPS
Mr Bullard
Mr Fergusson
R A Harrington Esq (NIO)
M O'D B Alexander Esq (No. 10)
HMA, Dublin

GROUPS 125
UNCLASSIFIED
FROM DUBLIN 041841Z DECEMBER
TO IMMEDIATE F C O
TELEGRAM NUMBER 359 OF 04 DEC 1980

H-BLOCKS

FOLLOWING IS TEXT OF STATEMENT ISSUED TONIGHT BY THE IRISH GOVERNMENT.
BEGINS:- THE GOVERNMENT WELCOMES THE INCLUSION IN THE STATEMENT ISSUED TODAY BY THE BRITISH GOVERNMENT OF THEIR WILLINGNESS TO DISCUSS THE HUMANITARIAN ASPECT OF THE PRISON ADMINISTRATION IN NORTHERN IRELAND WITH ANYONE WHO SHARES THEIR CONCERN ABOUT IT. AS IT IS THE GOVERNMENT'S VIEW THAT IT IS ALONG THESE LINES THAT A SOLUTION CAN BE REACHED THEY EXPRESS THE HOPE THAT THIS OFFER WILL BE TAKEN UP AND PURSUED AS A MATTER OF URGENCY.

THE GOVERNMENT BELIEVE THAT IT IS IN THE INTERESTS OF PEACE AND SECURITY OF ALL THE PEOPLE OF THIS ISLAND THAT A WAY OUT OF THE PRESENT SITUATION SHOULD BE FOUND AND THEY AGAIN INDICATE THAT THEY ARE READY TO GIVE THEIR SUPPORT TO ANY MOVES WHICH WOULD OFFER A REASONABLE HOPE OF ACHIEVING A SOLUTION. ENDS.

FIGG.

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SECURITY D	MR ADAMS	
PUSD	MR BULLARD	
PS	MR FERGUSSON	
PS/LPS	LORD N G LENNOX	
	MR BRAITHWAITE	

Copy with PMS briefing for Dublin.

6008 - 1

RESTRICTED

STATEMENT BEGINS:

''CONCERN HAS BEEN EXPRESSED ON HUMANITARIAN GROUNDS ABOUT CONDITIONS IN THE MAZE PRISON IN NORTHERN IRELAND. I SET OUT BELOW THE REAL FACTS ABOUT THE LIVING CONDITIONS WHICH ARE OPEN TO ALL PRISONERS IN NORTHERN IRELAND: AND EXPLAIN THE SPECIAL MEASURES WHICH HAVE ALREADY BEEN TAKEN ON HUMANITARIAN GROUNDS IN RESPECT OF THE LIVING CONDITIONS OF THE PROTESTING PRISONERS.

THE TEN PRISONERS IN NORTHERN IRELAND ARE ON HUNGER STRIKE IN SUPPORT OF A DEMAND THAT ALL PROTESTING PRISONERS BE GRANTED ''POLITICAL STATUS'', WHICH WOULD BE INTENDED TO DIFFERENTIATE THEM FROM ALL OTHER PRISONERS. THE GOVERNMENT WILL NOT CONCEDE THAT DEMAND.

THE SPECIFIC DEMANDS BY THE MALE PROTESTORS ARE FOR FIVE CHANGES IN THEIR PRISON REGIME. THEY ARE THE RIGHT:...''

(I) TO WEAR THEIR OWN CLOTHES:
(II) TO REFRAIN FROM PRISON WORK:
(III) TO ASSOCIATE FREELY WITH ONE ANOTHER:
(IV) TO ORGANISE RECREATIONAL FACILITIES AND TO HAVE ONE LETTER, VISIT AND PARCEL A WEEK:
(V) TO HAVE LOST REMISSION FULLY RESTORED.

SUCH CHANGES WOULD GO FAR TO GIVE, AND ARE INTENDED TO GIVE, THE PROTESTING PRISONERS CONTROL OVER THEIR LIVES IN PRISON, AND COULD NOT BE AGREED TO BY THE GOVERNMENT, SINCE TO DO SO WOULD BE TO LEGITIMISE AND ENCOURAGE TERRORIST ACTIVITY. WHAT THE GOVERNMENT IS COMMITTED TO IS TO ENSURE THAT, FOR ALL PRISONERS, THE REGIME IS AS ENLIGHTENED AND HUMANE AS POSSIBLE. THIS

STATEMENT CLARIFIES, IN RELATION TO THE PROTESTORS' DEMANDS, HOW FAR THIS HAS ALREADY BEEN ACHIEVED.

UNDER PRISON RULES, PRESCRIBED UNDER STATUTE BY THE SECRETARY OF STATE, PRISONERS ARE ENTITLED TO CERTAIN RIGHTS AND MAY, IF THEY CONFORM WITH THE RULES, ENJOY CERTAIN PRIVILEGES. RIGHTS MAY NOT BE WITHHELD - ALTHOUGH PRISONERS CAN - AND THE PROTESTORS DO - CHOOSE NOT TO TAKE THEM UP. PRIVILEGES, ON THE OTHER HAND, MAY BE WITHHELD IF A PRISONER IS IN BREACH OF THE RULES. IF PRISONERS ABIDE BY THE RULES, THEN THE PRIVILEGES ARE ACCORDED AS A MATTER OF COURSE. THE RIGHTS AND PRIVILEGES COMPARE WITH THE PROTESTORS' DEMANDS AS FOLLOWS:

(A) CLOTHING: THE PROTESTORS WANT THE RIGHT TO WEAR THEIR OWN CLOTHING AT ALL TIMES. PRISON RULES REQUIRE PRISONERS TO WEAR PRISON-ISSUE CIVILIAN CLOTHING (OR SPECIAL CLOTHES APPROPRIATE TO THEIR WORK) DURING NORMAL WORKING HOURS ON WEEK-DAYS (7.30 AM TO 5.00 PM). BUT, AS A PRIVILEGE, PRISONERS MAY, UNLESS THEY ARE ENGAGED ON ORDERLY DUTIES, WEAR THEIR OWN CLOTHING FOR THE REST OF THE EVENING DURING THE WEEK, AND, THROUGHOUT THE WEEKEND. THEY MAY ALSO WEAR THEIR OWN CLOTHING WHEN RECEIVING VISITS. FOR SECURITY REASONS, COLOUR AND DESIGN OF PRISONERS' OWN CLOTHING IS SUBJECT TO THE DISCRETION OF THE GOVERNOR.

IT WILL BE SEEN THAT A PRISONER CONFORMING WITH THE RULES MAY WEAR HIS OWN CLOTHING FOR ALMOST HALF THE TIME HE WOULD EXPECT TO BE OUTSIDE HIS CELL. FOR THE REMAINDER OF THE TIME, THE GOVERNMENT'S DECISION OF 23 OCTOBER MEANS THAT CONFORMING PRISONERS WILL BE WEARING CIVILIAN CLOTHING ISSUED BY THE PRISON AUTHORITIES.

(B) WORK: THE PROTESTING PRISONERS SEEK THE RIGHT TO REFRAIN FROM PRISON WORK. PRISON RULES REQUIRE CONVICTED PRISONERS TO 'ENGAGE IN USEFUL WORK', AND FOUR MAIN TYPES OF SUCH WORK ARE UNDERTAKEN. FIRST SOME PRISONERS UNDERTAKE DOMESTIC TASKS IN THE KITCHENS, DINING AREAS, ABLUTIONS AND WINGS. SECOND, AN EXTENSIVE RANGE OF INDUSTRIAL EMPLOYMENT IS PROVIDED

IN PRISON WORKSHOPS. THIRD, VOCATIONAL TRAINING IS AVAILABLE TO TEACH A WIDE RANGE OF SKILLS. COURSES HAVE BEEN DEVELOPED TO THE REQUIREMENTS OF THE SKILLS TESTING SERVICE OF THE CITY AND GUILDS OF LONDON INSTITUTE. FOURTH, EDUCATION CLASSES ARE PROVIDED DURING WORKING HOURS (FROM 2 TO 20 HOURS A WEEK) TO COVER A WIDE RANGE OF PRISONERS' NEEDS FROM REMEDIAL EDUCATION TO OPEN UNIVERSITY COURSES. CLASSES IN CRAFT THEORY ARE GIVEN TO COMPLEMENT THE VOCATIONAL TRAINING SIDE WHILST TUITION IS PROVIDED IN A WIDE RANGE OF SUBJECTS ENABLING PRISONERS TO STUDY FOR ROYAL SOCIETY OF ARTS, CITY AND GUILDS LITERACY AND NUMERACY CERTIFICATES, GCE 'O' AND 'A' LEVEL CERTIFICATES.
IN BRIEF, WHILE PRISON RULES REQUIRE A PRISONER TO 'ENGAGE IN USEFUL WORK', WORK IS INTERPRETED TO INCLUDE ORDERLY DUTIES, INDUSTRIAL EMPLOYMENT, VOCATIONAL TRAINING, AND EDUCATION.

(C) ASSOCIATION: THE PROTESTORS WANT THE RIGHT TO ASSOCIATE FREELY WITH ONE ANOTHER. THE PRISON RULES PROVIDE, AS A PRIVILEGE, THAT EACH WEEK-DAY EVENING FOR 3 HOURS AND THROUGHOUT THE DAY AT WEEKENDS, PRISONERS HAVE 'ASSOCIATION' DURING WHICH WITHIN EACH 25-CELL WING THEY MAY WATCH TV, PLAY INDOOR GAMES, ~~TAKE EDUCATION CLASSES~~, FOLLOW HOBBIES AND EXERCISE IN THE YARD ATTACHED TO EACH WING. and attend education classes. A WIDE RANGE OF EVENING CLASSES IS PROVIDED AND THERE IS SOME DOVE-TAILING WITH DAYTIME COURSES. APART FROM TEXT BOOKS THE NI EDUCATION AND LIBRARY BOARDS PROVIDE WELL-STOCKED LIBRARIES. BOOKS AND NEWSPAPERS MAY BE TAKEN TO BE READ IN CELLS.
IN SHORT, THERE IS ALREADY AS A PRIVILEGE FREE ASSOCIATION WITHIN EACH WING OUTSIDE NORMAL WEEK-DAY WORKING HOURS.

(D) RECREATION: THE PROTESTORS DEMAND THE RIGHT TO ORGANISE RECREATIONAL FACILITIES. PRISON RULES ALLOW THE USE OF A GYMNASIUM OR PLAYING PITCH FOR ABOUT 3

HOURS A WEEK IN EXERCISE PERIODS, IN ADDITION TO THE NORMAL EXERCISE PERIOD OF NOT LESS THAN ONE HOUR EACH DAY IN THE OPEN AIR. DURING ASSOCIATION PERIODS, PRISONERS MAY USE THE HOBBIES ROOM FOR SUPERVISED HANDICRAFT AND ARTISTIC ACTIVITIES.

(E) VISITS, LETTERS AND PARCELS: THE PROTESTORS DEMAND ONE VISIT, ONE PARCEL AND ONE LETTER EACH WEEK. UNDER PRISON RULES, EACH PRISONER ENJOYS AS OF RIGHT ONE LETTER AND ONE VISIT PER MONTH. THE RULES PROVIDE, AS A PRIVILEGE, SEVEN ADDITIONAL LETTERS PER MONTH AT THE EXPENSE OF THE PRISON, THREE ADDITIONAL VISITS, AND A WEEKLY PARCEL. SPECIAL PARCELS ARE ALSO ALLOWED AT CHRISTMAS, EASTER AND HALLOWEEN. ~~THUS THE~~ EXISTING PRIVILEGES ~~IS~~ are ALREADY MORE GENEROUS THAN THE PROTESTORS' DEMAND.

(F) REMISSION: THE PRISONERS ARE DEMANDING THE RESTORATION IN FULL OF THE REMISSION THAT THEY HAVE LOST WHILE ENGAGED IN THE PROTEST. PRISON RULES PROVIDE THAT A PRISONER SERVING A TERM OF MORE THAN ONE MONTH RECEIVES REMISSION, SUBJECT TO GOOD CONDUCT, UP TO ONE-HALF OF HIS SENTENCE. THIS IS A MORE GENEROUS RATE OF REMISSION THAN IS AVAILABLE ELSEWHERE IN THE UK. REMISSION MAY BE FORFEITED AS A PUNISHMENT FOR BREACH OF PRISON RULES: BUT IT MAY BE RESTORED AFTER SUBSEQUENT GOOD BEHAVIOUR.

THE PROTESTORS HAVE LOST ONE DAY'S REMISSION FOR EACH DAY THEY HAVE BEEN IN BREACH OF PRISON RULES. THE OPPORTUNITY TO REGAIN LOST REMISSION ALREADY EXISTS.

THE ABOVE DEALS BRIEFLY WITH CERTAIN ASPECTS OF THE REGIME: THIS REGIME IS EVIDENCE OF THE GOVERNMENT'S COMMITMENT TO MAINTAIN AND DEVELOP HUMANE AND ENLIGHTENED CONDITIONS FOR ALL PRISONERS IN ITS CARE IN NORTHERN IRELAND. A FULLER ACCOUNT IS BEING PUBLISHED SEPARATELY TOMORROW AND A COPY IS BEING DEPOSITED IN THE LIBRARY OF THE HOUSE.

THE PROTESTORS HAVE FORFEITED A SUBSTANTIAL PART OF THE REGIME DESCRIBED ABOVE. NEVERTHELESS, THE GOVERNMENT, ACKNOWLEDGING

THE INJUNCTION OF THE EUROPEAN COMMISSION OF HUMAN RIGHTS TO KEEP UNDER CONSTANT REVIEW THEIR REACTION TO THE PROTESTORS, HAS IN THE COURSE OF THIS YEAR TAKEN THE FOLLOWING STEPS:

(I) ON 26 MARCH THE PROTESTING PRISONERS WHO BY THEIR FAILURE TO CONFORM WITH PRISON RULES HAVE FORFEITED THE PRIVILEGES AFFORDED TO CONFORMING PRISONERS WERE NEVERTHELESS OFFERED EXERCISE IN SPORTS GEAR, 3 LETTERS IN AND OUT EACH MONTH IN ADDITION TO THEIR STATUTORY MONTHLY LETTER, AND 2 VISITS A MONTH INSTEAD OF 1.

(II) SINCE THE LATE SUMMER THE PROTESTING PRISONERS HAVE BEEN OFFERED.

(A) AN HOURS'S PHYSICAL EXERCISE A WEEK:

(B) ONE EVENING ASSOCIATION A WEEK IN PRISON UNIFORM:

(C) ACCESS TO BOOKS AND NEWSPAPERS (WHICH ARE AVAILABLE IN THE CELL BLOCKS BUT NOT TAKEN) IN IN THE ROOMS WHERE MASSES ARE HELD ON SUNDAYS:

(D) 'CLOSED' VISITS (I.E. IN WHICH THE PRISONER IS PHYSICALLY SEPARATED FROM HIS VISITOR) AS AN ALTERNATIVE TO A BODY SEARCH:

(E) COMPASSIONATE HOME LEAVE ON THE SAME BASIS AS CONFORMING PRISONERS.

(III) THE PROTESTING PRISONERS HAVE NEVER BEEN DENIED THEIR DAILY HOUR'S EXERCISE.

THUS THE GOVERNMENT HAS SHOWN ITSELF READY, DESPITE THE PROTEST, TO DEAL WITH THE HUMANITARIAN ASPECTS OF THE CONDITIONS THAT THE PROTESTING PRISONERS HAVE IMPOSED UPON THEMSELVES.

THE GOVERNMENT TAKES NO PLEASURE IN THE SIGHT OF YOUNG MEN AND WOMEN INFLICTING SUFFERING ON THEMSELVES AND THEIR FAMILIES. WE AGREE WITH THE EUROPEAN COMMISSION OF HUMAN RIGHTS THAT WHILE THERE CAN BE NO QUESTION OF THEIR HAVING POLITICAL STATUS, WE SHOULD BE READY, ~~IN THE FACE OF PROTEST~~, NEVERTHELESS TO DEAL WITH THE HUMANITARIAN ASPECTS OF THE CONDITION IN THE PRISONS ARISING FROM THE PROTEST. IT IS A MATTER OF VERY GREAT REGRET THAT CHANGES MADE BY THE GOVERNMENT IN RESPONSE TO THE COMMISSION HAVE BEEN REJECTED. WE HAVE ALWAYS BEEN AND STILL ARE WILLING TO

DISCUSS THE HUMANITARIAN ASPECTS OF THE PRISON ADMINISTRATION IN NORTHERN IRELAND WITH ANYONE ~~IN NORTHERN IRELAND~~ WHO SHARES OUR CONCERN ABOUT IT.

~~FURTHERMORE~~ THE GOVERNMENT REMAINS DETERMINED THAT, SUBJECT ALWAYS TO THE REQUIREMENTS OF SECURITY AND WITHIN THE RESOURCES AVAILABLE, THE PROGRESS ACHIEVED IN RECENT YEARS IN THE ADMINISTRATION OF NORTHERN IRELAND PRISONS SHOULD BE CONTINUED TO MEET THE LEGITIMATE NEEDS OF ALL CONCERNED. ENDS.

CARRINGTON

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DUBFO 004/05

00 FCO DESKBY 051745Z

RR NIO (B)

GRPS 260

OUTWARD TELEGRAM

FILE.....
KEEP FOUR MONTHS.....
DESTROY AFTER CIRCULATION .....

PRIORITY 1 .....
PRIORITY 2 .....
PRIORITY 3 .....

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

FM DUBLIN 05:1725Z DECEMBER 1980
TO IMMEDIATE DESKBY 05:1745Z FCO
TELEGRAM NUMBER 363 OF 05 DECEMBER 1980
AND TO ROUTINE NIO (B)

CONFIDENTIAL

NORTH/SOUTH ENERGY

1. I ACCOMPANIED MR GILES SHAW FOR HIS TALKS TODAY WITH MR COLLEY, THE IRISH MINISTER FOR ENERGY.

ELECTRICITY

2. MR COLLEY SAID THAT THE IRISH GOVERNMENT WERE JUST AS KEEN AS EVER TO RECEIVE A GUARANTEED SUPPLY OF ELECTRICITY FROM THE NORTH. THE UNCERTAINTY OF WHETHER THE LINE COULD BE RECONNECTED AND WHETHER, IF IT WERE, A SUPPLY COULD BE GUARANTEED IS POSING DIFFICULTIES FOR THEIR LONG-TERM ELECTRICITY PLANNING. MR SHAW EXPLAINED WHY RE-ROUTING WOULD BE MUCH MORE EXPENSIVE AND TAKE MUCH LONGER THAN WOULD PROBABLY BE ACCEPTABLE. HE RE-AFFIRMED HMG'S RESOLVE TO RESTORE THE LINK WHEN SECURITY PERMITTED. HE TOOK NOTE OF MR COLLEY'S CONCERN ABOUT THE PRESENT UNCERTAINTY AND BOTH MINISTERS REAFFIRMED THEIR EARLIER COMMITMENT TO SEE THE INTERCONNECTION RESTORED. IT WAS ALSO NOTED THAT THE INTERCONNECTOR WORKING PARTY SHOULD TAKE GREATER ACCOUNT OF SECURITY.

GAS.

3. MR COLLEY GAVE AN ASSESSMENT OF THE CAPACITY OF THE KINSALE FIELD AS 450-500 MILLION THERMS A YEAR FOR 20 YEARS. HE EXPLAINED THAT HAVING ACCOMMODATED THE NEEDS OF DUBLIN AND A FEW OTHER USERS, THERE WOULD BE SUBSTANTIAL AMOUNTS FOR EXPORT. THEY WERE THINKING IN TERMS OF LATE 1982 OR 1983 FOR CONSTRUCTING THE PIPE LINK TO DUBLIN AND SAID THAT THE ACTUAL PIPE-LAYING WOULD TAKE ONLY 8-9 MONTHS. HOWEVER, IT WAS CLEAR THAT THE IRISH HAVE NOT YET GOT SUFFICIENT DATA FROM WHICH WE ASSESS WHETHER AN EXPORT OF GAS TO NORTHERN IRELAND WOULD BE FEASIBLE AND ECONOMIC FROM THE NORTHERN IRISH POINT OF VIEW. IT WAS AGREED THAT NORTHERN IRELAND OFFICIALS WOULD SEND A PAPER TO IRISH OFFICIALS SETTING OUT VARIOUS POINTS WHICH NEEDED STUDY, PARICULARLY ABOUT VOLUMES AND LIKELY PRICES, AND THAT THIS WOULD BE FOLLOWED UP BY OFFICIAL TALKS. THE AIM WOULD BE TO ARRIVE AT SOME DEFINITE ANSWERS, ON WHICH PROPER ASSESSMENTS COULD BE MADE, WITHIN 3-4 MONTHS.

FIGG

F C O PDE PLEASE PASS ADVANCE COPY TO NO10

CONFIDENTIAL

From: THE PRIVATE SECRETARY

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Top Copy in Summit Folder with Ireland: Mtgs with Taoiseach: Pt 3

5 December, 1980

(2)

Michael Alexander Esq.,
No. 10 Downing St.,
LONDON SW1

Prime Minister

Dear Michael,

NORTHERN IRELAND: PRISON HUNGER STRIKE

You may like to have a summary of the immediate responses to the statement made yesterday by my Secretary of State in a written answer to a PQ, about the prison regime in relation to the hunger strike.

The two most important reactions are of course those of the Irish Government and of the SDLP through John Hume. The Irish Government's statement (appended) is only moderately constructive. It contains no call to the strikers to desist, nor any hint of denial of the validity of the claim to political status. The expression of hope that people concerned with the issue will take up our willingness to discuss it is less than we might have expected from Mr. Haughey, who still seems determined to keep his options open.

John Hume, by contrast, commented helpfully. Following his call on Mr. Atkins, he made a statement (also appended) appealing to the hunger strikers to call off their protest, and to their relatives and supporters to take up the opportunity given by the Government's statement to resolve the problem satisfactorily.

He then discussed with officials how the step-by-step approach might be implemented, beginning with a restoration of privileges regarding visits, letters and parcels and later association. Relatives could then be encouraged to send in parcels of clothing so that prisoners could wear their own clothes for substantial periods. Later, prisoners would be seen individually by education and training officers to discuss their particular educational and vocational needs. Following a period of good behaviour, remission could be restored, again on an individual basis, but subject to the Secretary of State's control. Mr. Hume felt that the scope for movement within the rules and privileges which had been outlined could end the protests.

Mr. Hume telephoned the Northern Ireland Office today and reported that both our statement and his own had been well received by the Catholic community in Northern Ireland. The influential parent of

CONFIDENTIAL

Contd.....

one of the hunger strikers had contacted him and would be seeing him on Sunday evening. He too was disappointed with the reaction from the Taoiseach and said he would do what he could over the weekend to persuade Dublin to be more helpful. He undertook to keep in touch and remained optimistic about developments.

We have had some indication of the attitude of the two prison chaplains who were commended to us by the Vatican, Fathers Toner and Murphy. They said this morning that they expected the statement to have little influence with the hunger strikers, considering that they had rejected Cardinal O'Fiaich's appeal to them out of hand. However, the Priests then said that they would each be visiting the hunger strikers over the weekend, (one today, one tomorrow and both on Sunday), would show them the statement, and seek a response as the message sunk in. We expect a report back from them on Sunday evening, so that if there is anything significant the Prime Minister can be told before her meeting with Mr. Haughey.

The statement was given major treatment by the British and Irish news media last night and this morning. The point was well taken by most of them, that while the Government remained firm on the issue of political status, it continued willing to consider humanitarian aspects. Several commentators, noting the emphasis on that point by John Hume and the Irish Government, have concluded that there is scope for a way out of the deadlock. But warnings from Unionist spokesmen (Paisley, Brookeborough, etc.) about the consequences of the Government going soft are starting to emerge. There are obviously more reactions to come. The media are seeking comments from such people as Cardinal O'Fiaich and Bishop Daly, who refused to pronounce overnight. Analysis of the statement by the foreign press continues, and there has not yet been much significant comment from interested parties in the United States or Western Europe.

I am sending a copy of this letter to Paul Lever in the FCO and to Sir Robert Armstrong.

Yours sincerely

Mike Hopkins

M.W. HOPKINS

GROUPS 125
UNCLASSIFIED
FROM DUBLIN 041841Z DECEMBER
TO IMMEDIATE F C O
TELEGRAM NUMBER 359 OF 04 DEC 1980

H-BLOCKS

FOLLOWING IS TEXT OF STATEMENT ISSUED TONIGHT BY THE IRISH GOVERNMENT.
BEGINS:- THE GOVERNMENT WELCOMES THE INCLUSION IN THE STATEMENT ISSUED TODAY BY THE BRITISH GOVERNMENT OF THEIR WILLINGNESS TO DISCUSS THE HUMANITARIAN ASPECT OF THE PRISON ADMINISTRATION IN NORTHERN IRELAND WITH ANYONE WHO SHARES THEIR CONCERN ABOUT IT. AS IT IS THE GOVERNMENT'S VIEW THAT IT IS ALONG THESE LINES THAT A SOLUTION CAN BE REACHED THEY EXPRESS THE HOPE THAT THIS OFFER WILL BE TAKEN UP AND PURSUED AS A MATTER OF URGENCY.

THE GOVERNMENT BELIEVE THAT IT IS IN THE INTERESTS OF PEACE AND SECURITY OF ALL THE PEOPLE OF THIS ISLAND THAT A WAY OUT OF THE PRESENT SITUATION SHOULD BE FOUND AND THEY AGAIN INDICATE THAT THEY ARE READY TO GIVE THEIR SUPPORT TO ANY MOVES WHICH WOULD OFFER A REASONABLE HOPE OF ACHIEVING A SOLUTION. ENDS.

FIGG.

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Statement by Mr John Hume. Leader of the SDLP following a meeting with the Secretary of State, Mr Atkins.

I met the Secretary of State, Mr Humphrey Atkins, today to express my deep concern at the situation that obtains in Northern Ireland today arising out of the protest in the Maze prison. This is an issue in which there are deep and divided feelings throughout the whole community and which, if not resolved, threatens to create a level of sectarian confrontation and violence which we have not seen for many years. I believe that all people of good will in Northern Ireland wish to see a satisfactory solution of this issue. I reiterated to the Secretary of State the SDLP's position that the only punishment to which prisoners should be subjected is the deprivation of liberty. All other punishments threaten humanitarian standards in prisons. This position is completely in accord with the recent judgment of the European Commission for Human Rights. Because of the deep and divided emotions involved in this issue it is difficult for anyone in Northern Ireland to have an objective or impartial view of it. I accept, however, that the European Commission for Human Rights is both an impartial and objective body which is seen to be so by most people, not alone in Northern Ireland, but internationally as well and I accept their judgment on this issue. I have asked the Secretary of State to pursue a resolution of the problem in the context of that judgment and I believe that in that context it is possible to achieve a step-by-step deescalation of the problem which will be satisfactory to everyone involved.

The Europaen Commission for Human Rights state that there is no basis in national or international law or in the European Convention of Human Rights for the claim to political status but also state that the Government in dealing with the issue was more concerned with punishment than with seeking a way out of the impasse. I, therefore, welcome the Secretary of State's indication to me today that the Government is not immovable in this regard and is ready, despite the protest, to deal with humanitarian conditions in the prison and to discuss these matters with anyone in Northern Ireland who is concerned about it in order to find a way out of the impasse.

I welcome this as an important first step in a process that could lead to a satisfactory solution of the problem and I appeal to those prisoners on hunger strike to recognise it as such and to call off their protest in order to allow an examination of the problems to take place in an atmosphere devoid of tension.

I appeal in particular to all those active in support of the prisoners to support my call and I ask the relatives who are the people most deeply concerned to recognise this opportunity for a satisfactory resolution to the problem and to use all their influence to help to bring it about. I repeat again my offer that my own good offices are available if requested to progress the matter further.

IMMEDIATE

NORTHERN IRELAND: ADVANCE COPIES 18

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RM 66 A/2 GGS

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MR MARSHALL
MR BUXTON

CABINET OFFICE - SIR R ARMSTRONG
DIO

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GRPS 1500
UNCLASSIFIED
FM DUBLIN 051345Z DECEMBER 1980
TO IMMEDIATE FCO
TELEGRAM NUMBER 362 OF 05 DECEMBER 1980
AND TO IMMEDIATE NIO BELFAST

To glance through -

MR ATKIN'S STATEMENT: IRISH MEDIA REACTIONS.

1. THE STATEMENT IS HEADLINE NEWS IN TODAY'S IRISH TIMES, IRISH INDEPENDENT AND IRISH PRESS. THE TIMES AND PRESS ALSO CONTAIN EDITORIAL COMMENT. THEIR REACTIONS ARE IN GENERAL FAVOURABLE ALTHOUGH THE TIMES AND INDEPENDENT ATTRIBUTE WHAT THEY SEE AS A BREAK THROUGH IN THE BRITISH ATTITUDE TO JOHN HUME'S MEETING WITH MR ATKINS YESTERDAY MORNING.

2. UNDER THE HEADLINE QUOTE BRITAIN HINTS AT NEW BASIS FOR H-BLOCK TALKS UNQUOTE THE IRISH TIMES REPORTS THAT QUOTE POSITIVE MOVES TOWARDS A RESOLUTION OF THE H-BLOCK CRISIS WERE INITIATED LAST NIGHT, AS BOTH THE NORTHERN SECRETARY, MR ATKINS, AND SPOKESMEN FOR THE NATIONAL H BLOCKS/ARMAGH COMMITTEE SEPARATELY INDICATED THEIR WILLINGNESS TO DISCUSS ASPECTS OF THE SITUATION FROM A NEW BASIS UNQUOTE. THE ARTICLE SINGLES OUT MR ATKINS' STATEMENT THAT THE BRITISH GOVERNMENT WAS WILLING TO DISCUSS THE HUMANITARIAN ASPECTS OF PRISON ADMINISTRATION IN NORTHERN IRELAND QUOTE WITH ANYONE WHO SHARES OUR CONCERN ABOUT IT UNQUOTE AND

HUMANITARIAN ASPECTS OF PRISON ADMINISTRATION IN NORTHERN IRELAND QUOTE WITH ANYONE WHO SHARES OUR CONCERN ABOUT IT UNQUOTE AND CONTINUES QUOTE HE SPECIFICALLY ACKNOWLEDGED THE GOVERNMENT'S AGREEMENT WITH LAST SUMMER'S FINDINGS BY THE EUROPEAN COMMISSION OF HUMAN RIGHTS WHICH SPELT OUT THE RIGHTS TO WHICH ALL PRISONERS SHOULD BE ENTITLED. THE SIGNS OF A BREAK IN THE DEADLOCK EMERGED AFTER MR JOHN HUME, THE LEADER OF THE SDLP, MET MR ATKINS IN LONDON AND RAISED WITH HIM THE TERMS OF THE EUROPEAN COMMISSIONS FINDINGS. UNQUOTE

3. THE IRISH TIMES POLITICAL CORRESPONDENT, DICK WALSH, REPORTS REACTIONS TO THE STATEMENT BY THE GOVERNMENT AND OPPOSITION PARTIES SEE MYTELS NOS 359 AND 360. HE REMARKED ON THE RARE UNANIMITY OF THE GOVERNMENT AND THE OPPOSITION AND GAVE PROMINENCE TO JOHN HUME'S APPEAL FOR THE HUNGER STRIKERS TO STOP THEIR PROTEST WHILE DISCUSSION TOOK PLACE IN AN ATMOSPHERE OF REDUCED TENSION.

4. UNDER THE HEADLINE QUOTE H BLOCK GLIMMER OF HOPE UNQUOTE CHRIS GLENNON, THE IRISH INDEPENDENT'S POLITICAL CORRESPONDENT REPORTS QUOTE THE FIRST BREADK HAS COME IN THE DEADLOCK ON THE H BLOCKS HUNGER STRIKE. THIS WAS THE UNANIMOUS VIEW AMONG THE MAJOR POLITICAL PARTIES IN THE REPUBLIC LAST NIGHT AFTER A FIRM INDICATION THAT THE BRITISH GOVERNMENT WAS PREPARED TO NEGOTIATE ON CONDITIONS IN LONG KESH..... THE BREAK ON DAY 39 OF THE STRIKE FOLLOWED INTENSIVE LOBBYING BETWEEN THE GOVERNMENTS IN DUBLIN AND LONDON AND ALSO INVOLVING NORTHERN SECRETARY, HUMPHREY ATKINS, AND SDLP LEADER , JOHN HUME ..... MR ATKINS MADE CLEAR THE BRITISH GOVERNMENTS INTENTION TO CONTINUE TO REFUSE POLITICAL STATUS TO THE PRISONERS. BUT HE POINTED OUT THAT NEVERTHELESS THEIR WAS A PREPAREDNESS TO DEAL WITH THE QUOTE HUMANITARIAN ASPECTS UNQUOTE OF THE CONDITIONS IN THE PRISON. UNQUOTE

5. UNDER THE HEADING QUOTE DOOR OPENS ON H BLOCK UNQUOTE, THE IRISH PRESS REPORTS CAUTIOSLY QUOTE INDICATIONS OF AN APPARENT BRITISH WILLINGNESS TO MAKE CONCESSIONS TO END THE H BLOCK AND ARMAGH HUNGER STRIKES HAVE BEEN WELCOMED BY IRISH POLITICAL LEADERS, BUT MET WITH A GUARDED RESPONSE FROM THE RELATIVES OF THE HUNGER STRIKERS AND THE NATIONAL H BLOCK COMMITEE. IN THE LATEST DEVELOPMENT ON THE 39TH DAY OF THE FAST BY SEVEN REPUBLICANS IN LONG KESH IT EMERGED THAT THE BRITISH GOVERNMENT, ALTHOUGH STILL OPPOSED TO THE GRANTING OF POLITICAL STATUS, ARE PREPARED AT THE INSISTENCE OF THE EUROPEAN COMMISSION OF HUMAN RIGHVTS, TO DEAL WITH THE LIVING CONDITIONS OF THE H BLOCKS AND ARMAGH PRISONERS . UNQUOTE THE ARTICLE POINTS OUT QUOTE THE SHIFT IN THE STATED BRITISH POSITION CAME ONLY THREE DAYS AFTER THE LUXEMBURG MEETING BETWEEN THE TAOISEACH, MR HAUGHEY, AND THE

PRISONERS . UNQUOTE THE ARTICLE FURTHER QUOTES THE [illegible]
THE STATED BRITISH POSITION CAME ONLY THREE DAYS AFTER THE LUXEMBURG MEETING BETWEEN THE TAOISEACH, MR HAUGHEY, AND THE BRITISH PRIME MINISTER, MRS THATCHER. UNQUOTE THE ARTICLE THEN QUOTES THE REACTIONS OF THE GOVERNMENT, THE OPPOSITION PARTIES, THE RELATIVES OF THE HUNGER STRIKERS, THE NATIONAL H BLOCK/ARMAGH COMMITTEE AND PROVISIONAL SINN FEIN.

EDITORIALS

AN EDITORIAL IN THE IRISH TIMES SPEAKS OF THE IRISH GOVERNMENT AS HAVING QUOTE WISELY AND SPEEDILY STEPPED IN TO OFFER ITS SERVICES IN HELPING TO RESOLVE THE IMPASSE. IT DID THIS IN RESPONSE TO A HINT IN AN ANSWER TO A PARLIAMENTARY QUESTION IN THE HOUSE OF COMMONS, WHICH SEEMED TO SHOW AN OUTBREAK OF COMMON SENSE AND WHICH WAS CONFIRMED BY AN EXCHANGE OF VIEWS BETWEEN MR JOHN HUME AND THE SECRETARY OF STATE, MR ATKINS UNQUOTE. THE EDITORIALIST ASSERTS QUOTE IT IS NOT A MATTER OF THE PROVISIONALS WINNING A VICTORY, BUT OF A VICTORY FOR COMMON SENSE AND DECENCY SEMICOLON AND IT IS A CONTEST WHICH SHOULD NEVER HAVE ARISEN. THE STANDARDS OF GOVERNMENTS MUST BE SERENE BEYOND REPROACH ... AS JOHN HUME REMINDS US THE SMALL PRINT OF THE VERDICT OF THE HUMAN RIGHTS COMMISSION OFFERS A WAY OUT FOR ALL. NOR SHOULD A SOLUTION TO THE PROBLEM BE ANY AFFRONT TO UNIONISTS, IN PARTICULARLY THOSE WHO HAVE SUFFERED BITTER LOSS IN THE LAST TEN YEARS WAR. IT IS IN THEIR INTERESTS TOO THAT VICTIMISATION SHOULD NEVER COME FROM THOSE IN AUTHORITY, AND THAT THE ADMINISTRATION FROM THE TOP DOWN SHOULD AT ALL TIMES BE SEEN TO HAVE CLEAN HANDS AND AN UNDERSTANDING HEART UNQUOTE

UNDER THE HEADING QUOTE A GLEAN OF LIGHT UNQUOTE THE EDITORIAL TO THE IRISH PRESS ADOPTS A MORE CAUTIOUS TONE. QUOTE WHAT IS OF OVERRIDING IMPORTANCE IS WHETHER OR NOT MR ATKINS LATEST RESPONSE IN THE SUSTAINED PRESSURE THAT HAS BEEN BROUGHT TO BEAR UPON HIM REPRESENTS WHAT COULD BE REGARDED AS A MOVE WHICH WOULD .... OFFER REASONABLE HOPE OF ACHIEVING A SOLUTION .... NOT EVERYBODY WILL SEE IN THE ATKINS STATEMENT ANYTHING THAT CAN BE TAKEN AS A POSITIVE ADVANCE. A WILLINGNESS TO DISCUSS THE HUMANITARIAN ASPECTS OF THE PRISON ADMINISTRATION IN NORTHERN IRELAND WITH ANYONE WHO SHARES THE BRITISH GOVERNMENTS CONCERN ABOUT IT FALLS DECIDELY SHORT OF ANY GUARANTEE OF COMMITMENT ON THIS GRAVE ISSUE, BUT PERHAPS IT WOULD BE WELL TO EXAMINE THE CIRCUMSTANCES IN WHICH THE SECRETARY'S STATEMENT WAS MADE TO WHOM AND THE INTERPRETATION THAT WAS PLACED UPON IT UNQUOTE THE EDITORIAL REPORTS THAT MR JOHN HUME DETECTED WHAT HE SAW AS QUOTE A BREAK IN THE RIGIDITY OF THE BRITISH GOVERNMENT' S ATTITUDE TOWARDS THE HUNGER STRIKERS UNQUOTE AND THAT HIS ASSESSMENT QUOTE DESERVES THE WEIGHTIEST CONSIDERATION HE IS A POLITICIAN OF EXPERIENCE ACCUSTOMED TO

OF THE BRITISH GOVERNMENT' S ATTITUDE TOWARDS THE HUNGER STRIKERS UNQUOTE AND THAT HIS ASSESSMENT QUOTE DESERVES THE WEIGHTIEST CONSIDRATION. HE IS A POLITICIAN OF EXPERIENCE ACCUSTOMED TO DEALING WITH AND INTERPRETTING POLITICAL UTTERANCES UNQUOTE. THE EDITORIAL CONCLUDES, MR HUMES QUOTE APPEAL TO RELATIVES AND SUPPORTERS OF THE HUNGER STRIKERS TO ACCEPT THE OPPORTUNITY OF A PEACEFUL SOLUTION OF THE CRISIS, A STEP BY STEP DE-ESCALATION WHICH COULD SAVE LIVES AND DIVERT WIDESPREAD VIOLENCE MUST BE HEEDED. IT STRIKES A RESPONSIVE CALL IN THE HEARTS OF ALL PEOPLE WHO WANT TO SAVE FURTHER SUFFERING AND BLOODSHED, IN IRELAND AND IN BRITAIN UNQUOTE.

FIGG

NNNN

SENT AT 05:1620Z CB

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PS/PUS
MR BULLARD
MR FERGUSSON
HD/RID
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Prime Minister
SO Pike
4.12.80

GROUPS 125
UNCLASSIFIED
FROM DUBLIN 041841Z DECEMBER
TO IMMEDIATE F C O
TELEGRAM NUMBER 359 OF 04 DEC 1980

ADVANCE COPY

H-BLOCKS

FOLLOWING IS TEXT OF STATEMENT ISSUED TONIGHT BY THE IRISH GOVERNMENT.

BEGINS:- THE GOVERNMENT WELCOMES THE INCLUSION IN THE STATEMENT ISSUED TODAY BY THE BRITISH GOVERNMENT OF THEIR WILLINGNESS TO DISCUSS THE HUMANITARIAN ASPECT OF THE PRISON ADMINISTRATION IN NORTHERN IRELAND WITH ANYONE WHO SHARES THEIR CONCERN ABOUT IT. AS IT IS THE GOVERNMENT'S VIEW THAT IT IS ALONG THESE LINES THAT A SOLUTION CAN BE REACHED THEY EXPRESS THE HOPE THAT THIS OFFER WILL BE TAKEN UP AND PURSUED AS A MATTER OF URGENCY.

THE GOVERNMENT BELIEVE THAT IT IS IN THE INTERESTS OF PEACE AND SECURITY OF ALL THE PEOPLE OF THIS ISLAND THAT A WAY OUT OF THE PRESENT SITUATION SHOULD BE FOUND AND THEY AGAIN INDICATE THAT THEY ARE READY TO GIVE THEIR SUPPORT TO ANY MOVES WHICH WOULD OFFER A REASONABLE HOPE OF ACHIEVING A SOLUTION. ENDS.

FIGG.

Date for answer: 4.12.80

4 December 1980

Written No 203

MR PAUL MARLAND (West Gloucestershire): To ask the Secretary of State for Northern Ireland, if he is satisfied that all the rights and privileges available to prisoners in Northern Ireland are thoroughly understood by the prisoners and by the public.

MR ATKINS

Concern has been expressed on humanitarian grounds about conditions in the Maze prison in Northern Ireland. I set out below the real facts about the living conditions which are open to all prisoners in Northern Ireland; and explain the special measures which have already been taken on humanitarian grounds in respect of the living conditions of the protesting prisoners.

The ten prisoners in Northern Ireland are on hunger strike in support of a demand that all protesting prisoners be granted "political status", which would be intended to differentiate them from all other prisoners. The Government will not concede that demand.

The specific demands by the male protesters are for five changes in their prison regime. They are the right:

(i) to wear their own clothes;
(ii) to refrain from prison work;
(iii) to associate freely with one another;
(iv) to organise recreational facilities and to have one letter, visit and parcel a week;
(v) to have lost remission fully restored.

Such changes would go far to give, and are intended to give, the protesting prisoners control over their lives in prison, and could not be agreed to by the Government, since to do so would be to legitimise and encourage terrorist activity. What the Government is committed to is to ensure that, for all prisoners, the regime is as enlightened and humane as possible. This statement clarifies, in relation to the protesters' demands how far this has already been achieved.

Under Prison Rules, prescribed under statute by the Secretary of State, prisoners are entitled to certain rights and may, if they conform with the Rules, enjoy certain privileges. Rights may not be withheld - although prisoners can - and the protesters do - choose not to take them up. Privileges, on the other hand, may be withheld if a prisoner is in breach of the Rules. If prisoners abide by the Rules, then the privileges are accorded as a matter of course. The rights and privileges compare with the protesters' demands as follows:-

(a) Clothing: the protesters want the right to wear their own clothing at all times. Prison Rules require prisoners to wear prison-issue clothing (or special clothes appropriate to their work) during normal working hours on week-days (7.30am to 5.00pm). But, as a privilege, prisoners may, unless they are engaged on orderly duties, wear their own clothing for the rest of the evening during the week, and, throughout the weekend. They may also wear their own clothing when receiving visits. For security reasons, colour and design of prisoners' own clothing is subject to the discretion of the Governor.

It will thus be seen that a prisoner conforming with the rules may wear his own clothing for almost half the

time he would expect to be outside his cell. For the remainder of the time the Government's decision of 23 October means that conforming prisoners will be wearing civilian clothing issued by the prison authorities.

(b) Work: The protesting prisoners seek the right to refrain from prison work. Prison Rules require convicted prisoners to "engage in useful work", and four main types of such work are undertaken. First some prisoners undertake domestic tasks in the kitchens, dining areas, ablutions and wings. Second, an extensive range of industrial employment is provided in prison workshops. Third, vocational training is available to teach a wide range of skills. Courses have been developed to the requirements of the skills testing service of the City and Guilds of London Institute. Fourth, education classes are provided during working hours (from 2 to 20 hours a week) to cover a wide range of prisoners' needs from remedial education to Open University courses. Classes in craft theory are given to complement the vocational training side whilst tuition is provided in a wide range of subjects enabling prisoners to study for Royal Society of Arts City and Guilds Literacy and Numeracy certificates, GCE 'O' and 'A' level certificates.

In brief, while Prison Rules require a prisoner to "engage in useful work", work is interpreted to include orderly duties, industrial employment, vocational training, and education.

(c) Association: the protesters want the right to associate freely with one another. The Prison Rules provide, as a privilege, that each week-day evening for 3 hours and

throughout the day at weekends, prisoners have "association" during which, within each 25-cell wing they may watch television, play indoor games, follow hobbies and exercise in the yard attached to each wing, and attend education classes. A wide range of evening classes is provided and there is some dove-tailing with daytime courses. Apart from text books the Northern Ireland Education and Library Boards provide well-stocked libraries. Books and newspapers may be taken to be read in cells.

In short, there is already, as a privilege, association within each wing outside normal week-day working hours.

(d) Recreation: the protesters demand the right to organise recreational facilities. The prison regime already provides for the use of gymnasia and playing pitches in addition to the statutory exercise period of not less than one hour each day in the open air when practicable. During association periods, prisoners may use the Hobbies Room for supervised handicraft and artistic activities.

(e) Visits, letters and parcels: the protesters demand one visit, one parcel and one letter each week.

Under Prison Rules, each prisoner enjoys as of right one letter and one visit per month. The Rules provide, as a privilege, seven additional letters per month at the expense of the prison, three additional visits, and a weekly parcel. Special parcels are also allowed at Christmas, Easter and Halloween.

Thus the existing privileges are already more generous than the protesters' demand.

(f) Remission: the prisoners are demanding the restoration in full of the remission that they have lost while engaged in the protest. Prison Rules provide that a prisoner serving a term of more than one month receives remission, subject to good conduct, up to one-half of his sentence. This is a more generous rate of remission than is available elsewhere in the UK. Remission may be forfeited as a punishment for breach of Prison Rules; but it may be restored after subsequent good behaviour.

The protesters have lost one day's remission for each day they have been in breach of Prison Rules. The opportunity to regain lost remission already exists.

The above deals briefly with certain aspects of the regime; this regime is evidence of the Government's commitment to maintain and develop humane and enlightened conditions for all prisoners in its care in Northern Ireland. A fuller account is being deposited in the Library of the House.

The protesters have forfeited a substantial part of the regime described above. Nevertheless, the Government, acknowledging the injunction of the European Commission of Human Rights to keep under constant review their reaction to the protesters, has in the course of this year taken the following steps:

(i) On 26 March the protesting prisoners who by their failure to conform with Prison Rules have forfeited the privileges afforded to conforming prisoners were nevertheless offered exercise in sports gear, 3 letters in and out each month in addition to their statutory monthly letter, and 2 visits a month instead of 1.

(ii) Since the late summer the protesting prisoners have been offered

(a) an hour's physical exercise a week;
(b) one evening association a week in prison uniform;
(c) access to books and newspapers (which are available in the cell blocks but not taken) in the rooms where masses are held on Sundays;
(d) "closed" visits (ie in which the prisoner is physically separated from his visitor) as an alternative to a body search;
(e) compassionate home leave on the same basis as conforming prisoners.

(iii) The protesting prisoners have never been denied their daily hour's exercise.

Thus the Government has shown itself ready, despite the protest, to deal with the humanitarian aspects of the conditions that the protesting prisoners have imposed upon themselves.

The Government takes no pleasure in the sight of young men and women inflicting suffering on themselves and their families. We agree with the European Commission of Human Rights that while there can be no question of their having political status, we should be ready nevertheless to deal with the humanitarian aspects of the conditions in the prisons arising from the protest. It is a matter of very great regret that changes made by the Government in response to the Commission have been rejected. We have always been and still are willing to discuss the humanitarian aspects of the prison administration in Northern Ireland with anyone who shares our concern about it.

The Government remains determined that, subject always to the requirements of security and within the resources available, the progress achieved in recent years in the administration of Northern Ireland prisons should be continued to meet the legitimate needs of all concerned.

Ireland

GR 230 CONFIDENTIAL

CONFIDENTIAL

FM HOLY SEE 011630Z DEC 80

TO PRIORITY FCO

TELEGRAM NUMBER 47 OF 1 DECEMBER 1980

AND TO ROUTINE ROME (ACTIONED)

YOUR TELEGRAM NUMBER 44.

PRIME MINISTER'S MESSAGE TO THE POPE.

1. I DELIVERED THE PRIME MINISTER'S MESSAGE TO THE COUNCIL FOR THE PUBLIC AFFAIRS OF THE CHURCH THIS MORNING. MGR.SILVESTRINI WAS NOT AVAILABLE SO I WAS RECEIVED INSTEAD BY MGR. BACKIS. HE UNDERTOOK TO ARRANGE FOR THE MESSAGE TO BE FORWARDED WITHOUT DELAY.

2. MGR.BACKIS SAID THAT HE WAS GLAD TO HEAR THAT CARDINAL O'FIAICH HAD MADE A HELPFUL STATEMENT. HE KNEW OF THAT MADE BY CARDINAL HUME BUT NOT OF THE SECOND. HE SAID THAT THE VATICAN HAD ASKED FOR STATEMENTS ON THESE LINES. IT WAS DIFFICULT TO SEE WHAT MORE THEY COULD DO. I SAID THAT WE ASKED THEM TO UNDERSTAND THE GOVERNMENT'S POSITION ON POLITICAL STATUS AND TO BE ASSURED OF OUR DETERMINATION TO REACH A JUST AND HUMANE SOLUTION.

3. I HAVE SINCE GIVEN MGR. BACKIS THE TEXT OF THE STATEMENT CONTAINED IN YOUR TELEGRAM NO.50 AND REMINDED HIM THAT I WAS READY AT ANY TIME TO ANSWER QUESTIONS ABOUT HMGS THINKING ON THESE AND RELATED MATTERS.

HEATH

NORTHERN IRELAND LIMITED
RID
NAD
INFORMATION D
WED
MAED
NEWS D
SECURITY D
PUSD
PS
PS/LPS

PS/MR HURD
PS/MR RIDLEY
PS/MR BLAKER
PS/PUS
SIR A ACLAND
CHIEF CLERK
MR ADAMS
MR BULLARD
MR FERGUSSON
LORD N G LENNOX
MR BRAITHWAITE

ADDITIONAL DISTN.
NORTHERN IRELAND.

THIS TELEGRAM
WAS NOT
ADVANCED

From: THE PRIVATE SECRETARY

CONFIDENTIAL

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

2 December, 1980

Prime Minister is content.

Prime Minister
Content with this proposed statement on prisoners in N. Ireland?
Duty Clerk
2.12.

Michael Alexander Esq.,
No. 10 Downing Street,
LONDON SW1

Dear Michael,

With your letter of 2 December you enclosed a note of the meeting in Luxembourg at which it was agreed that the Government should issue a fresh statement on the rights and privileges obtaining in Northern Ireland prisons. I attach a draft statement for the Prime Minister's consideration.

The draft takes account of points made by my Secretary of State on earlier versions of the text; he has not yet had an opportunity of clearing the final version, but will do so on his return to London from Northern Ireland tomorrow.

We will also wish to look at the statement tomorrow to see whether, at an appropriate point, useful reference can be made to the role of the Prison Officers on whose loyalty the whole structure obviously depends. We will of course let you have any further amendments during the course of tomorrow as the need arises.

The Prime Minister should know that John Hume is aware that the Secretary of State had in any case been intending to issue our next statement on Thursday. The general thrust of this draft will come as no surprise to him (especially its reference to the judgement of the European Commission on Human Rights), on page 6. He will be meeting the Secretary of State prior to the issue of the statement and we understand is likely to respond to it positively and publicly.

The document giving a detailed account of the prison regime in Northern Ireland which my Secretary of State envisaged publishing this week is well in hand and should be ready for publication on Thursday. We have in mind to place copies in the House of Commons Library.

Top copy filed on Summit Folder with Ireland: Mtgs with Taoiseach: Pt 3

CONFIDENTIAL

Contd....

I am copying this letter and enclosure to John Halliday (Home Office), Paul Lever (FCO), David Omand (MOD) and David Wright (Cabinet Office).

Yours sincerely

Mike Hopkins

M.W. HOPKINS

E.R.

CONFIDENTIAL

The Prison Regime in Northern Ireland

Ten prisoners in Northern Ireland are on hunger strike in support of a demand that all protesting prisoners be granted "political status". The demand implies that those who have murdered, wounded and bombed for what they claim as "political" motives should be treated as if they were less criminally culpable than ordinary offenders. The Government will not concede that demand.

The specific demand for "political status" finds expression in demands for five changes in the prison regime, such changes to be accorded only to the protestors. They are the right:

(i) to wear their own clothes;

(ii) to refrain from prison work;

(iii) to associate freely with one another;

(iv) to organise recreational facilities and to have one letter, visit and parcel a week;

(v) to have lost remission fully restored.

Such changes would go far to give the prisoners control over their lives in prison, and could not be agreed to by the Government, since to do so would be to legitimise and encourage terrorist activity. What the Government is committed to is to ensure that, for all prisoners, the regime is as enlightened and humane as possible. This statement clarifies, in relation to the protestors' demands, how far this has already been achieved.

Under Prison Rules prescribed under statute by the Secretary of State, prisoners are entitled to certain rights and may, if they conform with the Rules, enjoy certain privileges. Rights may not be withheld - although prisoners can - and the protestors do -

choose not to take them up. Privileges, on the other hand, may be withheld if a prisoner is in breach of the Rules. If prisoners abide by the Rules, then the privileges are accorded as a matter of course. The rights and privileges compare with the protestors' demands as follows:-

(a) Clothing: the protestors want the right to wear their own clothing at all times. Prison Rules require prisoners to wear prison-issue civilian clothing (or special clothes appropriate to their work) during normal working hours on week-days (7.30 am to 5.00 pm). But, as a privilege, prisoners may, unless they are engaged on orderly duties, wear their own clothing for the rest of the evening during the week, and, throughout the weekend. They may also wear their own clothing when receiving visits. For security reasons, colour and design of prisoners' own clothing is subject to the discretion of the Governor.

It will thus be seen that a prisoner conforming with the rules may wear his own clothing for almost half the time he would expect to be outside his cell. For the remainder of the time, the Government's decision of 23 October means that conforming prisoners will be wearing civilian clothing issued by the prison authorities.

(b) Work: The protesting prisoners seek the right to refrain from prison work. Prison Rules require convicted prisoners to "engage in useful work", and four main types of such work are undertaken. First some prisoners undertake domestic tasks in the kitchens, dining areas, ablutions and wings.

Second, an extensive range of industrial employment is provided in prison workshops. Third, vocational training is available to teach a wide range of skills. Courses have been developed to the requirements of the skills testing service of the City and Guilds of London Institute. Fourth, education classes are provided during working hours (from 2 to 20 hours a week) to cover a wide range of prisoners' needs from remedial education to Open University courses. Classes in craft theory are given to complement the vocational training side whilst tuition is provided in a wide range of subjects enabling prisoners to study for RSA. City and Guilds Literacy and Numeracy certificates, GCE 'O' and 'A' level certificates.

In brief, while Prison Rules require a prisoner to "engage in useful work", work is interpreted to include orderly duties, industrial employment, vocational training, and education.

(c) Association: the protestors want the right to associate freely with one another. The Prison Rules provide, as a privilege, that each week-day evening for 3 hours and throughout the day at weekends, prisoners have "association" during which, within each 25-cell wing they may watch TV, play indoor games, take education classes, follow hobbies and exercise in the yard attached to each wing. A wide range of evening classes is provided and there is some dove-tailing with daytime courses. Apart from text books the NI Education and Library Boards provide well-stocked libraries. Books and newspapers may be taken to be

E.R.

In short, there is already as a privilege free association within each wing outside normal week-day working hours.

(d) Recreation: the protestors demand the right to organise recreational facilities. Prison Rules allow the use of a gymnasium or playing pitch for about 3 hours a week in exercise periods, in addition to the normal exercise period of not less than one hour each day in the open air. During association periods, prisoners may use the Hobbies Room for supervised handicraft and artistic activities.

(e) Visits, letters and parcels: the protestors demand one visit, one parcel and one letter each week.

Under Prison Rules, each prisoner enjoys as of right one letter and one visit per month. The Rules provide, as a privilege, seven additional letters per month at the expense of the prison, three additional visits, and a weekly parcel. Special parcels are also allowed at Christmas, Easter and Halloween.

Thus the existing privilege is already more generous than the protestors' demand.

(f) Remission: the prisoners are demanding the restoration in full of the remission that they have lost while engaged in the protest. Prison Rules provide that a prisoner serving a term of more than one month receives remission, subject to good conduct, up to one-half of his sentence. This is a more generous rate of remission than is available elsewhere in the UK. Remission may be forfeited as a punishment for breach

E.R.

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of Prison Rules; but it may be restored after subsequent good behaviour.

The protestors have lost one day's remission for each day they have been in breach of Prison Rules. The opportunity to regain lost remission already exists.

The above deals briefly with certain aspects of the regime. A fuller account is being published separately [today].

The protestors have forfeited a substantial part of the regime above. Nevertheless, the Government, acknowledging the injunction of the European Commission on Human Rights to keep under constant review their reaction to the protestors, has in the course of this year taken the following steps:

(i) On 26 March the protesting prisoners who by their failure to conform with prison rules have forfeited the privileges afforded to conforming prisoners were nevertheless offered exercise in sports gear, 3 letters in and out each month in addition to their statutory monthly letter, and 2 visits a month instead of 1.

(ii) Since the late summer the protesting prisoners have been offered:

(a) an hour's physical exercise a week;

(b) one evening association a week in prison uniform;

(c) access to books and newspapers (which are available in the cell blocks but not taken) in the rooms where masses are held on Sundays;

(d) "closed" visits (ie in which the prisoner is physically separated from his visitor) as an alternative to a body search;

(e) compassionate home leave on the same basis as conforming prisoners.

(iii) The protesting prisoners have never been denied their daily hour's exercise.

This regime is evidence of the Government's commitment to maintain and develop humane and enlightened conditions for all prisoners in its care in Northern Ireland. It has shown itself ready, despite the protest, to deal with the humanitarian aspects of the conditions that the prisoners have imposed upon themselves.

This Government takes no pleasure in the sight of young men and women inflicting suffering on themselves and their families. We agree with the European Commission of Human Rights that while there can be no question of their having political status, we should be ready, in the face of the protest, nevertheless to deal with the humanitarian aspects of the condition in the prisons arising from the protest. It is a matter of very great regret that changes made by the Government in response to the Commission have been rejected. We have always been and still are willing to discuss the humanitarian aspects of the prison administration in Northern Ireland with anyone in Northern Ireland who shares our concern about it.

For the future the Government remains determined that, subject always to the requirements of security and within the resources available, the progress achieved in recent years in the administration of Northern Ireland prisons should be continued to meet the legitimate needs of all concerned.

SECRET

Ireland 15

Mr Duck

Mr Alexander.

To see also the papers below.

MT 2xii

CABINET OFFICE

70 Whitehall, London SW1A 2AS Telephone 01-233 8319

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

1st December, 1980

Ref. A03698

Hunger Strikers at the Maze

Thank you for your letter of 27th November. I agree that the situation you describe is one which we can usefully consider in our official group. It would be very helpful to have your proposed paper as a basis for our discussion.

In regard to the timing of the meeting, I suggest that it ought to take place after the Dublin meeting on 8th December which is also likely to give rise to matters which we ought to discuss. This timing would fit in with your view that we ought not to respond to the two prison chaplains for some days. If you would be content with these arrangements, my Private Secretary will arrange the meeting.

Copies of this letter go to Frank Cooper, Brian Cubbon, Michael Palliser, Anthony Rawlinson and Clive Whitmore.

ROBERT ARMSTRONG

Sir Kenneth Stowe, KCB, CVO

-1 DEC 1980

Initialed to Luxembourg.

MA. MAP 1/XII

From Mike Hopkins in NIO

These are the facilities on offer to dirty protesters at HMP Maze.

Since 26 March the protesting prisoners have had on offer:

1. Exercise in sports gear.
2. Three letters in and out each month in addition to their statutory monthly letter.
3. Two visits a month instead of one.
4. An additional hour's physical exercise a week.
5. One Evening Association a week in prison uniform.
6. Access to books and newspapers
7. Closed visits (in which the prisoner is physically separated from his visitory)
8. Compassionate home leave on the same basis as conforming prisoners.

All these facilities have been rejected by the dirty protesters with the exception of three acceptances of compassionate home leave.

The seven hunger strikers now have on offer facilities even more generous than these since they are now being treated as conforming prisoners and are not being disciplined.

MAP

1 December 1980

These are the facilities on offer to dirty protestors at H.M. Prison Maze.

Since 26 March the protesting prisoners have had on offer:

1. Exercise in sports gear;

2. Three letters in and out each month in addition to their statutory monthly letter;

3. Two visits a month instead of one;

4. An additional hour's physical exercise a week;

5. One evening association a week in prison uniform;

6. Access to books and newspapers;

7. Closed visits (in which the prisoner is physically separated from his visitor);

8. Compassionate home leave on the same basis as conforming prisoners.

All these facilities have been rejected by the dirty protestors with the exception of three acceptances of compassionate home leave.

The seven hunger strikers now have on offer facilities even more generous than these since they are now being treated as conforming prisoners and are not being disciplined.

If the prisoners conform they would get half their lost remission back (they have been losing a day's remission for every day of protest. The prison authorities are willing to be very flexible in the definition of work.

SECRET

From: THE PRIVATE SECRETARY

14

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Michael Alexander Esq
Private Secretary
10 Downing Street
London SW1

30 November 1980

Dear Michael,

I enclose a revised contribution to the Prime Minister's message to the Pope which takes account of the statement issued yesterday evening by the Roman Catholic Bishops of Northern Ireland.

As we agreed this morning, the Bishops' statement affects what we should say about the objections to the approach mentioned to the Prime Minister in Rome. But it remains important to get on record that there are objections to the package of concessions put to us by the two prison chaplains; without that, a straightforward welcome to the Bishops' statement, which is what we think appropriate, could be seen as acceptance of that package.

The draft enclosed takes into account the fact that we know from intelligence that the Provisional IRA were deeply opposed to the issue of the statement. The text of the full statement, a copy of which I enclose, closely reflects the guidance to the Bishops which the Pope has given, and which I know you have seen.

The statement must now be left to do its work with no public response from us. The Prime Minister may however like to know that when her message has been sent to the Pope (and no doubt been copied to Cardinal O Fiaich when the Vatican receive it) the Secretary of State intends to write a personal letter to Cardinal O Fiaich in similar terms.

Yours ever,

Roy Harrington

R A HARRINGTON

cc. Paul Lever (FCO)
David Wright (Cabinet Office)

SECRET

SECRET

E.R.

PASSAGE FOR INCLUSION IN THE PRIME MINISTER'S MESSAGE TO THE POPE

Your Secretary of State kindly told me of the ideas of some members of the Roman Catholic church in Northern Ireland for ending the present hunger strike at the Maze Prison in Northern Ireland. I explained the deep concern of the Government at the implications of the hunger strike, which can bring no benefit to those involved and threatens to bring violence and bloodshed to the people of Northern Ireland. I also explained why we are firmly resolved that it would be utterly wrong to take any steps which conceded that political motives can excuse murder or other serious crimes. We are now greatly encouraged, however, by the statement that has been made by Cardinal O Fiaich and his episcopal colleagues. They have made an impassioned plea to the hunger strikers to give up a claim that has no moral justification and to desist from a course that can so gravely imperil the life and safety of others. We must all devoutly hope that the Bishops' prayer will move all those who have any influence in the matter to strive to bring an end to the present dangers.

It is in that light that the Government approaches the initiative taken by two of the chaplains at the Maze prison, to which your Secretary of State referred. We have now heard their ideas in full detail. We appreciate their earnest concern that there shall be no loss of life. But the package of concessions they have in mind would give both the protesters in the prison and the people of Northern Ireland cause to believe that the terrorist prisoners were being granted political status. The hunger strikers and the Provisional Irish Republican Army would be quick to claim a victory. This would disastrously undermine the aspirations of the Bishops for an end to the violence. HM Minister to the Holy See will be able to explain more fully why we have to take the view that it would be wrong to make these concessions.

The Government does however take most seriously its own responsibility for the care of prisoners and its obligation (as the Bishops remind us) to keep prison regimes under continuing review. I assured you in my message of 13 November that we shall approach the problem with flexibility and fairness in a genuinely humanitarian spirit and will be quick to grasp any practical opportunity to ease the situation. We remain committed to that.

SECRET

E.R.

IRISH NEWS - 28 NOVEMBER 1980

Cardinal Tomas O'Fiaich and the other five Bishops of the Northern Province in a statement early today said that the hunger strike by seven Republican prisoners in the H-Blocks at Long Kesh "cannot be viewed in isolation" and "was inextricably bound up with happenings outside the prison".

The Bishops made this plea: "Our first duty, therefore, is to appeal once more in God's name to all those engaged in violence to stop their evil deeds immediately. If all violence were to cease, much might still be done to help those in prison and to bind up the wounds of our suffering community".

In a dramatic appeal for an end to the hunger strike, they stated: We now plead with those on hunger strike to desist from the danger in which they are placing their own health and lives. We beg their families and all those with influence on them to advise the same course.

"We implore the women prisoners who are reported to be preparing for a hunger strike to stop at once", the Bishop added.

X/ The statement was signed by the Primate, Cardinal O'Fiaich, Dr. William Philbin (Down and Connor), Dr. Francis McKiernan (Derry) Dr. Francis Brooks (Dromore), and Dr. Joseph Duffy (Clogber): Edward Daly

It began: "As we prepare during Advent to celebrate the birth of the Prince of Peace, a dangerous question is arising in our community because of the hunger strike.

"We would not be truly Christian if we did not view this situation with great sadness. We must be seriously concerned at the rising tensions within the community and at the discordant ~~joke~~s now calling for the allegiance of Our Catholic people. voices

'ON MY KNEES.....'

"The present hunger strike cannot be viewed in isolation. It is inextricably bound up with happenings outside the prison. It has been fuelled by the memory of past events and injustices, but it is also closely linked with a cruel and inhuman campaign of violence which we have denounced on many occasions.

"Last year in Drogheda our Holy Father said: "On my knees, Ibeg you to turn away from the path of violence and return to the ways of peace."

"These words were welcomed at once by the Irish people as a whole. But, sadly they have not been responded to by those to whom they were addressed. Our first duty, therefore, is to appeal once more, in God's name, to all those engaged in violence to stop their evid deeds immediately.

"If all violence were to cease much might still be done to help these in prison and to bind up the wounds of our suffering community.

Contd

HIDEOUS

"The violence in our midst has generated a hideous spiral of murder, bombing robbery the break-up of families and disrespect for life itself. It has filled graves and prisons. It has even continued unabated in recent weeks.

"We solemnly declare that those who kill, wound threaten or intimidate, those who put people in fear of their lives or endanger their livelihoods are guilty of evid deeds contrary to the Law of God. They stand in clear opposition to the teaching of Jesus Christ as preached in all Christian Churces. As Catholics, we must, once more prolcaim a decisive 'No' to all kinds of violence.

"We offer, again, our deep sympathy to all those who have suffered through the violence of the past decade. Their courage and perserverance in the face of terrirble deeds has been a source of great inspiration.

NO OTHER ROAD

"Our Christian compassion must go out to all those now in anguish because of the present situation in the prison. Despite the danger of misunderstanding or misrepresentation, each of us has tried to exercise a ministry of reconciliation in these areas as his conscience dictated.

"The cessation of violence may not bring an immediate end to our problems. But we are absolutely certain that there is no other road towards their solution except the way of Christ, who said: 'Seek first the Kingdom of God and his righteousness and all these things will be added to you'.

"No way has been left untried in the episcopal efforts to prevent the worsening prison situation from developing into a hunger strike. To the hunger strikers and their families we, therefore, say, with the Holy Father:

"Violence destroys the work of justice. Further violence in Ireland will only drag to ruin the land you claim to love and the values you claim to cherish".

STOP AT ONCE

"As Bishops, we are bound, by a sacred duty, to give leadership in respect of human life. To reverence life is to honour God. To do violence to life is to insult God.

"We now plead with those on hunger strike to desist from the danger in which they are placing their own health and lives. We beg their families and allthose with influence on them to advise the same course. We implore thewomen prisoners who are reported to be preparing for a hunger strike to stop at once.

"To those with political responsibility we repeat also the words of the Pope: 'Those who resort to violence always claim that only violence brings about change. You must show that there is a political, peaceful way to justice".

Contd....

.R.

REMAIN CALM

"In accordance with this, we appeal to those who have authority in regard to prisoners to aid in averting a tragedy by constantly seeking new ways to exercise the flexibility which the European Commission of Human Rights recommended.

"The hunger strike would probably never have arisen if a more urgent and sensitive attempt had been made, long ago, to prevent the prison situation from deteriorating.

"We ask people to remain calm and to take firm control of dangerous emotions. Christ taught us that the best weapons in our possession are prayer, fasting and almsgiving, when they are done without display: 'Your Father who sees all that is done in secret will reward you' (Matthew 6).

REACH OUT....

"We ask that, as many people as possible in our dioceses, should observe next Friday December 5, as a day of abstinence or of other penitential exercise, to atone for sins of violence, to excite a spirit of forgiveness and to promote reconciliation.

"We ask Catholics to remain closely united in the bonds of peace and love, and to reach out in brotherly affection to all men and women. We ask that on Monday December 8, which was last year celebrated as a day of thanksgiving for the Papal visit, there should be special prayers in all the parishes and homes of our dioceses for a peaceful and just solution to our present problems and for a belated positive response to the Holy Father's appeal."

/x

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TO IMMEDIATE HOLY SEE
TELEGRAM NUMBER 44 OF 29 NOVEMBER
INFO IMMEDIATE ROME

FROM RESIDENT CLERK
PLEASE ARRANGE TO PASS FOLLOWING MESSAGE TO HIS HOLINESS POPE JOHN PAUL II FROM THE PRIME MINISTER (ORIGINAL LETTER FOLLOWS BY BAG):
BEGINS
YOUR HOLINESS,

I GREATLY APPRECIATED THE PRIVILEGE OF BEING RECEIVED BY YOU DURING MY VISIT TO THE HOLY SEE. I DERIVED ENCOURAGEMENT INSTRUCTION AND INSPIRATION FROM OUR DISCUSSION. YOUR WISDOM AND EXPERIENCE ARE OF INESTIMABLE VALUE TO US ALL. I WILL CONTINUE TO REFLECT FOR A LONG TIME ON WHAT YOU SAID.

YOUR SECRETARY OF STATE KINDLY TOLD ME OF THE IDEAS OF SOME MEMBERS OF THE ROMAN CATHOLIC CHURCH IN NORTHERN IRELAND FOR ENDING THE PRESENT HUNGER STRIKE AT THE MAZE PRISON IN NORTHERN IRELAND. I EXPLAINED THE DEEP CONCERN OF THE GOVERNMENT AT THE IMPLICATIONS OF THE HUNGER STRIKE, WHICH CAN BRING NO BENEFIT TO THOSE INVOLVED AND THREATENS TO BRING VIOLENCE AND BLOODSHED TO THE PEOPLE OF NORTHERN IRELAND. I ALSO EXPLAINED WHY WE ARE FIRMLY RESOLVED THAT IT WOULD BE UTTERLY WRONG TO TAKE ANY STEPS WHICH CONCEDED THAT POLITICAL MOTIVES CAN EXCUSE MURDER OR OTHER SERIOUS CRIMES. WE ARE NOW GREATLY ENCOURAGED, HOWEVER, BY THE STATEMENT THAT HAS BEEN MADE BY CARDINAL O'FIAICH AND HIS EPISCOPAL COLLEAGUES. THEY HAVE MADE AN IMPASSIONED PLEA TO THE HUNGER STRIKERS TO GIVE UP A CLAIM THAT CAN SO GRAVELY IMPERIL THE LIFE AND SAFETY OF OTHERS. WE MUST ALL DEVOUTLY HOPE THAT THE BISHOPS' PRAYER WILL MOVE ALL THOSE WHO HAVE ANY INFLUENCE IN THE MATTER TO STRIVE TO BRING AN END TO THE PRESENT DANGERS.

IT IS IN THAT LIGHT THAT THE GOVERNMENT APPROACHES THE INITIATIVE TAKEN BY TWO OF THE CHAPLAINS AT THE MAZE PRISON, TO WHICH YOUR SECRETARY OF STATE REFERRED. WE HAVE NOW HEARD THEIR IDEAS IN FULL DETAIL. WE APPRECIATE THEIR EARNEST CONCERN THAT THERE SHALL BE NO LOSS OF LIFE. BUT THE PACKAGE OF CONCESSIONS THEY HAVE IN MIND WOULD GIVE BOTH THE PROTESTERS

/IN

IN THE PRISON AND THE PEOPLE OF NORTHERN IRELAND CAUSE TO BELIEVE THAT THE TERRORIST PRISONERS WERE BEING GRANTED POLITICAL STATUS. THE HUNGER STRIKERS AND THE PROVISIONAL IRISH REPUBLICAN ARMY WOULD BE QUICK TO CLAIM A VICTORY. THIS WOULD DISASTROUSLY UNDERMINE THE ASPIRATIONS OF THE BISHOPS FOR AN END TO THE VIOLENCE. HM MINISTER TO THE HOLY SEE WILL BE ABLE TO EXPLAIN MORE FULLY WHY WE HAVE TO TAKE THE VIEW THAT IT WOULD BE WRONG TO MAKE THESE CONCESSIONS.

THE GOVERNMENT DOES HOWEVER TAKE MOST SERIOUSLY ITS OWN RESPONSIBILITY FOR THE CARE OF PRISONERS AND ITS OBLIGATION (AS THE BISHOPS REMIND US) TO KEEP PRISON REGIMES UNDER CONTINUING REVIEW. I ASSURED YOU IN MY MESSAGE OF 13 NOVEMBER THAT WE SHALL APPROACH THE PROBLEM WITH FLEXIBILITY AND FAIRNESS IN A GENUINELY HUMANITARIAN SPIRIT, AND WILL BE QUICK TO GRASP ANY PRATICAL OPPORTUNITY TO EASE THE SITUATION. WE REMAIN COMMITTED TO THAT.

ONCE AGAIN THANK YOU FOR THE OPPORTUNITY OF MEETING AND TALKING WITH YOU.

YOURS SINCERELY,
MARGARET THATCHER.

ENDS

CARRINGTON

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file

JA

cc FCO
cc NIO

10 DOWNING STREET

THE PRIME MINISTER

29 November 1980

Your Holiness,

I greatly appreciated the privilege of being received by you during my visit to the Holy See. I derived encouragement, instruction and inspiration from our discussion. Your wisdom and experience are of inestimable value to us all. I will continue to reflect for a long time on what you said.

Your Secretary of State kindly told me of the ideas of some members of the Roman Catholic church in Northern Ireland for ending the present hunger strike at the Maze Prison in Northern Ireland. I explained the deep concern of the Government at the implications of the hunger strike, which can bring no benefit to those involved and threatens to bring violence and bloodshed to the people of Northern Ireland. I also explained why we are firmly resolved that it would be utterly wrong to take any steps which conceded that political motives can excuse murder or other serious crimes. We are now greatly encouraged, however, by the statement that has been made by Cardinal O'Fiaich and his episcopal colleagues. They have made an impassioned plea to the hunger strikers to give up a claim that has no moral justification and to desist from a course that can so gravely imperil the life and safety of others. We must all devoutly hope that the Bishops' prayer will move all those who have any influence in the matter to strive to bring an end to the present dangers.

It is in that light that the Government approaches the initiative taken by two of the chaplains at the Maze prison, to which your Secretary of State referred. We have now heard

/ their

8P.

their ideas in full detail. We appreciate their earnest concern that there shall be no loss of life. But the package of concessions they have in mind would give both the protesters in the prison and the people of Northern Ireland cause to believe that the terrorist prisoners were being granted political status. The hunger strikers and the Provisional Irish Republican Army would be quick to claim a victory. This would disastrously undermine the aspirations of the Bishops for an end to the violence. HM Minister to the Holy See will be able to explain more fully why we have to take the view that it would be wrong to make these concessions.

The Government does however take most seriously its own responsibility for the care of prisoners and its obligation (as the Bishops remind us) to keep prison regimes under continuing review. I assured you in my message of 13 November that we shall approach the problem with flexibility and fairness in a genuinely humanitarian spirit, and will be quick to grasp any practical opportunity to ease the situation. We remain committed to that.

Once again, thank you for the opportunity of meeting and talking with you.

Yours sincerely,

Margaret Thatcher

His Holiness Pope John Paul II

(3)

10 DOWNING STREET

Prime Minister

I have somewhat amended an NIO draft. FCO agree.

'Your Holmness'.

Chris: If the new NIO contribution comes in, you will want to look at the first paragraph of the attached.

M.

10 DOWNING STREET

THE PRIME MINISTER

Can we simplify the wording of the underlined

Your Holiness,

I greatly appreciated the privilege of being received by you during my visit to the Holy See. I derived ~~both~~ encouragement ~~and~~ instruction and inspiration from our discussion. Your wisdom and experience are of inestimable value to us all. I will continue to reflect for a long time on ~~the points you made~~ the thoughts ~~said~~ which you said.

We discussed ~~briefly~~ the situation in Northern Ireland. Earlier ~~I had been grateful to~~ the Cardinal Secretary of State had ~~for informing~~ told me of the suggestions which had been under consideration by members of the Roman Catholic church in Northern Ireland for seeking a resolution to the hunger strike in which seven men are presently engaged at the Maze Prison in Northern Ireland. I explained during our conversation my very deep concern, and that of the Government as a whole, at the implications of the hunger strike. It can bring no benefit to the hunger strikers' themselves and threatens to bring violence and bloodshed to all the people of Northern Ireland. I also explained that I and my colleagues in the Government are firmly resolved that it would be utterly wrong for the Government to take any steps which could be regarded as conceding that political motives can excuse murder or other serious crimes.

I know more about the initiative taken by two of the chaplains at HM Prison Maze, to which the Cardinal Secretary of State referred. The situation facing the Government is one of great complexity and delicacy, not least because of pressures from a number of quarters within and beyond Northern Ireland.

/In view of

In view of the sensitivity of the issues involved, I have asked H.M. Minister to the Holy See, to seek an early opportunity to explain matters more fully to the Cardinal Secretary of State; and for that purpose I am arranging for a senior official concerned with the Government's responsibilities in the Northern Ireland Office to go to Rome in order to assist Sir Mark Heath.

His Holiness Pope John Paul II

Ireland
Page

SECRET

MFJ

13 A

SIR ROBERT ARMSTRONG

The Prime Minister has seen and taken note of your minute to her of 24 November about the hunger strikers in the Maze Prison.

MODBA

28 November 1980

KRB

SECRET

CONFIDENTIAL

10 DOWNING STREET

From the Private Secretary

28 November 1980

The Prime Minister discussed with Mr. Atkins on 26 November the World in Action programme broadcast on Monday 24 November which included film of one of the hunger strikers at the Maze Prison answering a question put to him by the World in Action team.

The Prime Minister is aware that the decision to permit this question was taken in the context of the Secretary of State's policy of showing public opinion at home and abroad that the Government have nothing to hide at the Maze Prison. The Prime Minister nevertheless feels that it would be right to ensure that in future no prisoner in Northern Ireland should be permitted to be interviewed by the press or broadcasting organisations unless the Secretary of State had personally satisfied himself that there were exceptional circumstances to justify it. In reaching his decision, he should if time permits consult the Prime Minister.

M. O'D. B. ALEXANDER

R.A. Harrington Esq
Northern Ireland Office.

CONFIDENTIAL

Ireland
Dirty Protest
Parl Qs 5/12

Date for answer: 27.11.80

December 1980

Written No 183

MR MICHAEL BROWN (Brigg and Scunthorpe): To ask the Secretary of State for Northern Ireland, whether it is now the Government's policy to allow the media to interview hunger strikers and other convicted prisoners in Northern Ireland.

MR ATKINS

Has been?

It is Government practice to allow media interviews with sentenced prisoners in certain circumstances. So far as prisoners in Northern Ireland are concerned, I refer my hon Friend to what was said to the House by my rt hon Friend the Prime Minister on Tuesday 25 November.

[Official Report, 25 November 1980, c 488]

PRIME MINISTER

This is a draft Written Answer which Mr Atkins has approved. He wanted you to see it before giving the Answer.

Are you content?

MS
3/12

I think it's better - but I can't think of a better way except to substitute 'has been' for 'is'.

BACKGROUND NOTE

1. It is Home Office practice that sentenced prisoners may have interviews with the media recorded provided that:

a) It is with the permission of the Prison Governor.

b) The prisoner consents.

c) The prisoner is not identified by his name, the details of his case or his family circumstances.

2. The Home Office would not allow a notorious criminal (including in that term an Irish republican prisoner) to be interviewed. Thus McCartney's question and answer in the World in Action programme would clearly not have satisfied Home Office criteria. There were no NIO precedents.

3. A Granada TV "World in Action" team visited the Maze Prison on 14 November. The facility had been granted as one in a series designed to ensure that the Government' claims for the humanitarian character of the Prison's regime in Northern Ireland were seen to be substantiated, as part of the counter to the propaganda campaign being fought in support of the hunger strikers. On 13 November the NIO were asked if the facility could include an interview with McCartney, on whom it was known that the programme would be concentrating. It was known that the likely thrust of the interview would be to establish the contrast between what McCartney had done and his claim for political status and because it was judged likely that the prisoner would have no convincing answer to a question bringing out this contrast there seemed to be advantage in allowing the question to be put. After consultation with the Governor, however, the request was

refused, on the grounds that it would be a breach with the normal practice which has been to permit interviews with prisoners selected only at random. On the morning of Friday 14 November the Governor was briefed by the team on the programme they wished to make, and the line that it would follow. The team also modified the original request to include film of two prisoners, and made it clear that the "interview" would consist of a single question and answer only, the question to be on the lines outlined above. In the light of this briefing and of the advantage which could accrue from the exchange with McCartney, an official of the NIO agreed to the modified request.

4. In answer to Press queries the line has been taken that the authorisation for the interview was given by the NIO. The Governor has not been personally identified, nor (on personal security grounds) should he be identified.

5. Both the Prime Minister and the Secretary of State have since dealt with the matter at Question Time. Their answers are attached, and it seems appropriate to refer to the former by way of reply now.

we heard of the earthquake. We were told that they are not required at the moment. If the Italian Government require them, they will come back with a request. No such request having yet been received for these materials, we stand ready to provide them. The Community is also considering aid under its powers to see whether there is anything that it can offer. If necessary, it will make transfers out of the existing budget.

PRIME MINISTER (ENGAGEMENTS)

Q3. **Mr. Ralph Howell** asked the Prime Minister if she will list her official engagement for Tuesday 25 November.

The Prime Minister: I refer my hon. Friend to the reply which I gave earlier.

Mr. Howell: My right hon. Friend has great support throughout the country for the firm and realistic policies that she has pursued and which were portrayed by the Chancellor of the Exchequer yesterday. Is she aware that great damage has been done to the proposals as a whole by the inclusion of an increase in national insurance contributions? Is she aware that the same revenue could have been raised by indirect taxation, bearing in mind my right hon. Friend's firm commitment to restore incentives to work and to solve the "Why work?" problem.

The Prime Minister: A very considerable increase in indirect taxation would have been required to raise that amount of money. As my hon. Friend knows, the national insurance scheme is not a mere transfer of income. It is an insurance scheme and one's right to benefits from it depends on the contributions made throughout life. It is important to maintain that link. We are in the difficulty, faced by all Governments, that we have to provide not only for rising benefits, but for rising numbers, particularly among retirement pensioners. There is only one way to provide for those who do not work and that is by contributions from those who do.

Mr. Molyneaux: In the course of a busy day, will the Prime Minister inquire into the circumstances in which authorisation was given and facilities provided for a television interview with a convicted prisoner in one of Her Majesty's prisons?

The Prime Minister: I have no intention of holding an inquiry although I should like to make clear that I share the hon. Gentleman's distaste for seeing convicted murderers on television. It was thought that the Government have absolutely nothing to hide about the Maze prison or about their attitude to those on hunger strike. There can be no such thing as a political prisoner. It was thought that this could be one possible way of counteracting the IRA propaganda campaign.

Several Hon. Members *rose*——

Mr. Speaker: Order. We were one minute late starting Prime Minister's questions. I shall, therefore, allow one further minute.

Dr. McDonald: Is the Prime Minister aware that the cut in the standard rate of income tax by 3p in the pound will cost £6 billion in lost revenue by the end of the next financial year? Is she not ashamed of the fact that the old, the sick, the poor and the unemployed pay for those cuts in income tax, which go mainly to benefit the rich, through cuts in welfare spending?

The Prime Minister: Welfare spending, like all other spending, has to be financed by those who are in work. We do no good by demanding more benefits and denying the means to pay for them. The full value of the pension in terms of what it will buy will be preserved. Last year, we added to the provision for pensions because the amount that had been provided was not sufficient. This year, we provided more than was warranted by the price increase. The undertaking is to compensate fully for price increases over the lifetime of a Parliament.

Mr. William Hamilton: Cheat.

The Prime Minister: That means either making up the shortfall or taking into account the over-provision next time.

BILL PRESENTED

SOCIAL SECURITY (CONTRIBUTIONS)

Mr. Secretary Jenkin, supported by Mr. Chancellor of the Exchequer, Mr. Secretary Younger, Mr. Secretary Edwards, Mr. John Biffen, Mr. Reg Prentice and

and order over the dismissal of the prosecutions brought in the Republic under the cross-Border jurisdiction Acts? Has the right hon. Gentleman undertaken to study the matter? Will he, for example, discuss it with the Government of the Republic with a view to setting up a joint law commission to examine how that jurisdiction can be strengthened in order to bring satisfactory convictions where proper?

Mr. Atkins: It is not for me to comment on the decision of courts, whether they be British or Irish. I take encouragement from the fact that the authorities in the Republic have used the provisions of the cross-Border legislation to bring those charges. Of course we are disappointed that the charges were dismissed, but I hope that the fact that the authorities have used the legislation is an indication that they will use it again. Indeed, we are discussing with them how we can best proceed.

Mr. McCusker: On a point of order, Mr. Speaker. In view of the unsatisfactory nature of the reply that I received to my supplementary question, I give notice that I shall seek to raise the matter at an early opportunity on the Adjournment.

Hunger Strike (Maze Prison)

3. **Mr. Nicholas Winterton** asked the Secretary of State for Northern Ireland if he will make a statement on the current hunger strike being carried out by prisoners of Her Majesty's prison, Maze.

10. **Mr. Alton** asked the Secretary of State for Northern Ireland if he will make a statement on the hunger strikes in Northern Ireland prisons.

Mr. Humphrey Atkins: Seven prisoners in Maze prison commenced a hunger strike on Monday 27 October in support of the campaign for political status for certain convicted prisoners. They continue to refuse the food offered to them but are taking salt and water. On 6 November, the prisoners were moved from the cells which they had fouled to clean cells. They are medically examined daily and they have lost some weight, but their condition is not at present giving serious cause for concern.

The prisoners will continue to be kept under close medical surveillance and will be offered any medical treatment that may be necessary. This will be on the judgment of the doctors in charge, acting in accordance with the ethics of their profession. Medical treatment is not forced on a prisoner who refuses it.

The Government have repeatedly made it plain that they will not be blackmailed by this hunger strike or any other form of protest into conceding that the motives for which the protesters committed serious crimes entitled them to treatment different from other criminals.

Mr. Winterton: Will my right hon. Friend accept that I am grateful to him for that very full and detailed reply? However, has he noticed the early-day motion on the Order Paper in the name of the Leader of the Official Unionist Party, indicating that this House will not tolerate the authorisation of filming and televising people found guilty of very serious crimes?

Will my right hon. Friend indicate to the House whether it was on the authorisation of himself and his Department that Independent Television went into the Maze prison to interview one of the convicted people? Will he accept it from me that it is a most intolerable situation and completely counter to the views expressed by the Prime Minister, when she said that no political credibility would be given to those people?

Mr. Atkins: I can do no better than remind my hon. Friend of what the Prime Minister said in this House on Tuesday:

"the Government have absolutely nothing to hide about the Maze prison or about their attitude to those on hunger strike."—[*Official Report*, 25 November 1980; Vol. 994, c. 488.]

The inside of the Maze prison and what has been going on there has been seen on television, and hon. Members and the public can judge for themselves. A number of newspapers, particularly in Northern Ireland, have commented that that has done no harm. It has brought to the notice of the public the nature of the claims that have been made by the prisoners. I believe that that is all to the good and supports the Government's case, which we have repeatedly stated in this House and elsewhere.

Mr. Winterton: But did my right hon. Friend authorise it?

The National Archives

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From: THE PRIVATE SECRETARY

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

(1)

Prime Minister
Does this text adequately reflect your conversation with Mr Atkins this morning?

Michael Alexander Esq
10 Downing Street
London SW1

26 November 1980

MT 26/XI

Dear Michael,

Following our conversation this morning, I ... enclose a draft letter on the lines we discussed.

Yours ever,
Roy Harrington.

R A HARRINGTON

Done verbatim added, and other modifications made

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DRAFT LETTER

FILE NUMBER.....

ADDRESSEE'S REFERENCE.....

To	Enclosures	Copies to be sent to
R A Harrington Esq Private Secretary Northern Ireland Office Great George Street London SW1		
(Full Postal Address)		(Full Address, if Necessary)

LETTER DRAFTED FOR SIGNATURE BY MICHAEL ALEXANDER ESQ
(Name of Signatory)

The Prime Minister discussed with Mr Atkins on 26 November the World in Action programme broadcast on Monday 24 November which included film of one of the hunger strikers at the Maze Prison answering a question put to him by the World in Action team.

The Prime Minister is aware that the decision to permit this question ~~to be put~~ was taken in the context of the Secretary of State's ~~deliberate~~ policy ~~to show~~ of showing public opinion at home and abroad that the Government have nothing to hide at the Maze Prison. The Prime Minister nevertheless feels that it would be right to ensure that in future no prisoner in Northern

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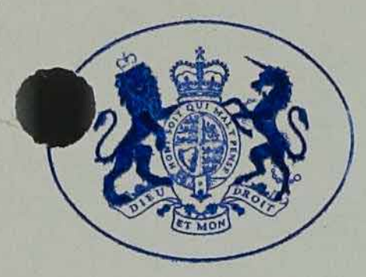
Ireland should be permitted to be interviewed by the press or broadcasting organisations ~~in circumstances where he would be identified either by name or by reference to a notorious offence~~, unless the Secretary of State had personally ~~was~~ satisfied himself that there were exceptional circumstances to justify it.

In reaching his decision, he should if he permits, consult the P.M.

From: THE PRIVATE SECRETARY



NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Michael Alexander Esq
10 Downing Street
London SW1

26 November 1980

Dear Michael,

You asked for a contribution to the Prime Minister's message to the Pope following her audience with him last Monday.

... I now enclose a contribution referring to the approach by prison chaplains which the Pope's Secretary of State referred to. The Prime Minister will be aware from material made available to her by Sir Robert Armstrong of the background to this approach, and I understand that Ken Stowe left with you this morning a note of his own meeting yesterday with the two prison chaplains concerned.

You will see that the draft proposes that an official should go to Rome to explain fully the implications of what we have learned since Monday. We understand that the Foreign Office support this proposal.

I am sending a copy of this letter to Paul Lever in Lord Carrington's office and to David Wright in Sir Robert Armstrong's office.

Yours ever,

Ray Harrington

R A HARRINGTON

SECRET

E.R. PASSAGE FOR INCLUSION IN PRIME MINISTER'S MESSAGE TO THE POPE

I was grateful to ~~your~~ the Cardinal Secretary of State for informing me of the suggestions which had been under consideration by members of the Roman Catholic church in Northern Ireland for seeking a resolution to the hunger strike in which 7 men are presently engaged at the Maze Prison in Northern Ireland. I explained during our conversation my very deep concern, and that of the Government as a whole, at the implications of the hunger strike, ~~which~~ it can bring no benefit to the hunger strikers' themselves and ~~also~~ threatens to bring violence and bloodshed to all the people of Northern Ireland. I also explained that I and my colleagues in the Government are firmly resolved that it would be utterly wrong for the Government to take any steps which could be regarded as conceding that political motives can excuse murder or other serious crimes.

I now know more about the iniative taken by two of the chaplains at HM Prison Maze, to which ~~your~~ the Cardinal Secretary of State referred. The situation facing the Government is one of great complexity and delicacy, not least because of pressures from a number of quarters within and beyond Northern Ireland. In view of the sensitivity of the issues involved, I have asked H M Minister to the Holy See, ~~[Sir Mark Heath]~~ to seek an early opportunity to explain matters more fully to ~~your~~ the Cardinal Secretary of State; and for that purpose I am arranging for a senior official concerned with the Government's responsibilities in the Northern Ireland Office to go to Rome in order to assist Sir Mark Heath.

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AND TO PRIORITY N I O (BELFAST)

Evasive to a degree.

MT.

DAIL PQ ON THE GOVERNMENT'S ATTITUDE TO H-BLOCK.

1. THE LABOUR PARTY LEADER, FRANK CLUSKEY, PUT DOWN A QUESTION FOR ORAL ANSWER IN THE DAIL TODAY TO ASK THE TAOISEACH QUOTE IF THE GOVERNMENT SUPPORTS THE DEMANDS OF THE H-BLOCK PRISONERS THAT THEY BE GRANTED POLITICAL STATUS UNQUOTE.

2. MR HAUGHEY REPLIED THAT THE GOVERNMENT HAD EXPRESSED THEIR QUOTE HUMANITARIAN CONCERN UNQUOTE OVER THE SITUATION IN THE H-BLOCKS AND WAS WORRIED THAT UNLESS THE PROBLEM WAS RESOLVED, THERE WAS A REAL DANGER OF AN INCREASE IN THE LEVEL OF VIOLENCE IN BOTH PARTS OF IRELAND. THE GOVERNMENT WERE SYMPATHETIC TOWARDS THE DISTRESS AND ANGUISH OF THE RELATIVES CONCERNED AND ALL THOSE WHO HAD SUFFERED FROM THE TROUBLES IN THE NORTH. THEY HAD CONVEYED THEIR CONCERN TO THE BRITISH GOVERNMENT WITH WHOM THEY WERE IN QUOTE CONSTANT TOUCH UNQUOTE ON THIS ISSUE. IT WAS THEIR VIEW THAT THE QUOTE LOSS OF LIBERTY UNQUOTE CONSTITUTED A QUOTE HEAVY PENALTY UNQUOTE, AND THAT THERE WAS AN QUOTE OBLIGATION UPON GOVERNMENTS UNQUOTE TO ENSURE THAT PRISON CONDITIONS WERE AS QUOTE TOLERABLE AND HUMANE AS POSSIBLE UNQUOTE. HE THOUGHT THAT A SOLUTION SHOULD BE POSSIBLE QUOTE THROUGH THE ADJUSTMENT OF THE PRISON RULES UNQUOTE, AND THAT QUOTE POLITICAL STATUS SHOULD NOT BE AN ISSUE UNQUOTE. THE GOVERNMENT WAS READY TO SUPPORT ANY INITIATIVE THAT WOULD HELP BRING A SOLUTION, SO AS TO AVOID A DANGEROUS SITUATION. IT SHOULD BE POSSIBLE TO FIND A SOLUTION WHICH QUOTE DID NOT INVOLVE THE SACRIFICE OF PRINCIPLES UNQUOTE.

/3. FRANK

3. FRANK CLUSKEY WELCOMED THE STATEMENT ON THE GROUNDS THAT, AS HE UNDERSTOOD IT, THE TAOISEACH WAS OPPOSED TO POLITICAL STATUS. HE THEN PRESSED MR HAUGHEY TO SAY WHICH OF THE QUOTE FIVE DEMANDS UNQUOTE HE SUPPORTED. THE TAOISEACH SIDESTEPPED THIS BY REPEATING THAT IT WAS QUOTE IN THE AREA OF PRISON RULES AND THE ADJUSTMENT TO THEM THAT A SOLUTION CAN BE FOUND UNQUOTE. WHEN MR CLUSKEY PERSISTED, MR HAUGHEY SPOKE OF THE QUOTE POLITICAL AND MORAL OBLIGATION UPON ALL LEADERS IN THIS ISLAND UNQUOTE TO SEEK A SOLUTION, AND SAID HE COULD NOT SAY MORE BECAUSE IT WAS A MATTER OF CONSIDERABLE SENSITIVITY.

4. MR CLUSKEY THEN ASKED HOW MANY REPRESENTATIONS HIS GOVERNMENT HAD MADE TO THE BRITISH GOVERNMENT AND ON WHICH SPECIFIC ISSUES. MR HAUGHEY REPLIED THAT REPRESENTATIONS HAD BEEN MADE QUOTE AT A HIGH LEVEL UNQUOTE BEFORE THE HUNGER STRIKE BEGAN, AND QUOTE AT DIFFERENT LEVELS SINCE UNQUOTE. THE DEBATE THEN BECAME HEATED WHEN MR CLUSKEY AND THE FINE GAEL LEADER, DR FITZGERALD, PRESSED THE TAOISEACH FOR A QUOTE STRAIGHT ANSWER UNQUOTE TO THE QUESTION AS TABLED. MR HAUGHEY DECLINED TO ADD TO HIS STATEMENT AND THE CEANN COMHAIRLE MOVED, WITH SOME DIFFICULTY, TO THE NEXT QUESTION.

SMITH.

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25 November 1980

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NORTHERN IRELAND OFFICE MEETING

I attach a note of the Northern Ireland Office Meeting which took place in NIO London on Friday 21 November 1980.

B A BLACKWELL
Secretary

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IOM (80) 7

NOTE OF A MEETING HELD IN THE NORTHERN IRELAND OFFICE ON FRIDAY 21 NOVEMBER 1980

Present:

Mr Marshall	Chairman
Mr Blelloch Mr Moriarty Mr Buxton Mr Ledlie Mr Spence Mr Blackwell Mr Bridges Mr Hall Mr Benger	NIO
Mr Stephens Mr Farthing Col Bateman Col Morton Maj Pheysey	MOD
Mr Newington	FCO
Miss Drew	Home Office

1. Mr Stephens introduced Col Morton who had taken over from Col Wilson in MO4.

The Security Situation and the Hunger Strike

2. Mr Blelloch said that the paper presented to OD summarised matters. The security situation had been dominated by first the threat and then the actuality of the hunger strike. In the first phase which ended when the hunger strike began 27 October, the problem had been to decide on the attitude which the Government would adopt. It had been decided to stand firm on political status but to make changes in prison clothing; this had been the correct course to adopt to have any possible effect on the potential hunger-strikers, but presentation of HMG"s position could have been less confused. Since then public comment on HMG's attitude had been at least as favourable

SECRET

SECRET

F.R.

as could be expected; indeed, the speech by Mr Fitt in the Commons, Cardinal Hume's pastoral letter and editorials in certain US papers had been positive bonuses.

3. There had been some 250 demonstrations in the Province, by far the largest being a march by 10,000 people in Belfast in 26 October. Apart from one march at Coalisland there had been no other marches on a comparable scale. The RUC had handled the marches very well giving no excuse for complaint either to the Republicans or the loyalists; at no stage has it been necessary to call on the Army for assistance. There were indications that since 26 October the organisers of the H-Block Protest were worried by the lack of public support and they might well feel the need to step up action in order to provoke the Loyalists and the security forces. It was impossible to forecast what would happen as the strike approached crisis point: for the moment it was best to press on with the propaganda battle; it was gratifying to note that there was little support anywhere for political status.

4. Mr Hall asked whether there was a generally agreed definition of political status. Mr Blelloch replied that there was not and Mr Newington said that the position was rather vague under international law; it was heartening to note that the Pope had stressed that terrorism, for whatever motive, was unacceptable. Mr Ledlie thought it desirable that HMG spell out exactly what the protesters were demanding but not going to receive. Mr Blelloch said that Mr Alison had already stated that the protesters were effectively demanding prisoner of war status; this would confer a degree of legitimacy on their crimes and hold out the hope of eventual amnesty. Mr Newington said that in international terms we should stress that the protesters were demanding privileges not available to other prisoners. Mr Bridges said that this point had been brought out in an interview with Mr Alison which was to be broadcast on "World in Action" on Monday 24 November.

F R.

Military assistance during industrial action

Prisons

5. Mr Blelloch said that it would not be necessary to open a second temporary prison unless the prison officers' action went on for much longer than expected or the informal arrangements governing the handling of prisoners in the Province broke down; there was still plenty of room at HM Prison Foyle, Mr Blackwell said that the remand order would need to be renewed during the next week under the negative resolution procedure; it might well be prayed against in the Lords.

Firemen

6. Mr Blackwell said that delegates from the Fire Brigades Union (FBU) were meeting today and were likely to call a series of lightning strikes, the first being a one-day national strike with notice and the rest being random with no notice. Due to the previous possibility of a strike by retained firemen, preparations in Northern Ireland were well advanced; the retained firemen were not going to strike but they would not move into areas manned by the FBU. This, in effect, left the Army to cover Belfast and Londonderry; training should be complete by the end of Friday and the Green Goddesses would be available once work had been completed on their brakes. Once preparations were complete the Army would wait for a formal request from the civil authorities; this would come through the Department of the Environment (NI) but no action would be taken until Ministers so decided; the response time would be less than the 24 hours required in GB. Fire officers might not be available to give expert advice to the Army at the scene of fires since only the Senior Fire Officer and his deputy were likely to be available to assist. This lack of expert assistance was more likely to occur in Londonderry; instructions to soldiers emphasised that the preservation of life was the first priority.

The Yellow and Pink Cards

7. The Chairman noted that a submission recommending acceptance of the terms of the revised Pink and Yellow Cards which would be issued on 1 January was with the Secretary of State.

Accommodation for a resident battalion at Portadown

8. Mr Buxton said that the proposed construction of accommodation for a resident battalion at Portadown had been abandoned by MOD, largely for economic reasons. The Secretary of State was concerned that the timing of the announcement could be unfortunate in view of the tense situation in the Province. Officials from MOD and NIO had discussed the problem and the current plan was for Mr Alison to explain the position to Mr McCusker, the constituency MP, after which Mr Hayhoe would write to Mr McCusker; the matter would be made public through an arranged PQ which, it was hoped, Mr McCusker could be persuaded to table. The general view was that this should be done as soon as possible since the situation might well get worse rather than better in the immediate and foreseeable future.

9. Mr Stephens thanked NIO for their co-operation and in response to a question from the chairman, said that he did not think that the recent articles in the "Daily Telegraph" about troop withdrawals would have much effect; the stories had been denied and were unlikely to be taken up since other newspapers were aware of the "Telegraph's" views on Northern Ireland.

The Fermanagh Border Study

10. Mr Ledlie said that the study would not be as extensive as previous area reviews. The fieldwork was complete and the first draft had been circulated. It was hoped to put the report to SPM within the next month. At the moment terrorist activity had declined but the document would be a useful basis for discussion in the future

F R.

f the problem arose again.

Northern Ireland (Emergency Provisions) Act 1978 (EPA)

11. The Chairman said that he hoped that the EPA could be renewed during the second week of December; no changes would be recommended. Mr Buxton said that there might be difficulties in this as the security forces had not yet commented but there would be merit in sticking to the usual timetable and having the debate in December. The Chairman thought it desirable to have the debate before Christmas as nobody could forecast the position in January.

Political matters

12. The Chairman said that the Queen's speech had been deliberately non-committal; the Prime Minister had conceded that we had not got the consensus deemed necessary in the White Paper (Cmnd 7950) and other methods were being examined. It was the first time that HMG had officially admitted this fact. It was likely that a statement would be made within the first three months of 1981; it was not possible to forecast the contents.

Forthcoming meeting between Prime Minister and Taioseach in Dublin

13. Mr Newington said that briefing would be co-ordinated by the Cabinet Office and would be required by 28 November. Lord Carrington had recommended that the Prime Minister grant an interview to RTE which would then probably be broadcast on radio at lunchtime on Sunday 30 November. FCO were pressing for a list of questions on more sensitive issues in advance. The Prime Minister had not yet indicated whether she had accepted Lord Carrington's advice. Mr Newington added that he personally was not in favour of a press interview in the south as none had been granted to newspapers in the North.

Ireland 2

PRIME MINISTER

PA

To see

MS

25/11

TV INTERVIEW WITH MICHAEL ALLISON, MINISTER OF STATE FOR NORTHERN IRELAND, 25 NOVEMBER, 1980

MT

INTERVIEWER: We asked Michael Allison, Minister of State for Northern Ireland if the Government's stand against the hunger strike might reverse this progress?

MICHAEL ALLISON: No, I think it's precisely because we have treated, and the broad communities on both sides have accepted that it was right to treat terrorists as terrorists and murderers as murderers, that we have got to the degree of success as we have got and that the terrorists are making this last throw as it were to try to divert us and to get some more support back. Because their numbers are way down, their capacity for striking is obviously extremely limited and I think they are on the run. But I must be careful because it has been said before and human beings are capable of springing surprises.

* * * * * * * *

INTERVIEWER: If the hunger strike persists, the seven prisoners are likely to reach a critical condition around Christmas. If they die the Security forces expect a renewed IRA military campaign, but they claim they can handle it. The British Government seem set on a final test of strength with the IRA. With all sides locked into confrontation we asked Michael Allison, Northern Ireland

/Minister

Minister with responsibility for prisons if there was any way out.

MICHAEL ALLISON: We will not make any concessions to blackmail, and if they are fighting for a great issue of principle as they see it - political status - then they are banging their heads against a brick wall. But if they are in a muddled way saying we want better prison conditions well then this is a different story. We have done a great deal along those lines already.

INTERVIEWER: What happens when one of them dies?

MICHAEL ALLISON: Well, he dies. He is carried out in a coffin as the fasting prisoners in the Republic, in Dublin, were carried out in coffins in 1940, and it is a tragedy for the man and his family. Nothing changes so far as the conduct of our responsible Government in the Province is concerned.

INTERVIEWER: What happens when the second man or the third man or the fourth man dies?

MICHAEL ALLISON: Again, I can only refer you to precedent. It has happened in Ireland in the past and democratically elected civil government goes on.

INTERVIEWER: Is the Government's principle of treating IRA men as common criminals worth the civilian bloodshed on the streets that many predict will happen?

/It

MICHAEL ALLISON: It is the only way in the long run that we can protect innocent lives because if we treat murder as murder and those who commit murder as criminals, then we have some hope in the end of persuading people that this is a course and a method of action which is profitless. But if we say both your objectives and to some extent your murderous and brutal methods can be specially recognised and given a special dispensation then the risk is a far greater one to the innocent men, women and children who walk the streets of Belfast and other towns in Ireland.

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Ireland.

GRPS 300

U N C L A S S I F I E D

FM DUBLIN 24:1220Z NOVEMBER 1980

TO PRIORITY FCO

TELEGRAM NUMBER 340 OF 24 NOVEMBER 1980

AND TO PRIORITY NIO (BELFAST)

REPEATED FOR INFO TO WASHINGTON

H-BLOCK MARCH IN DUBLIN.

1. ON SATURDAY 22 NOVEMBER A MAJOR MARCH WAS HELD IN CENTRAL DUBLIN IN SUPPORT OF THE HUNGER-STRIKERS. THERE WERE BETWEEN 8,000 AND 10,000 PARTICIPANTS AND FROM THE EVIDENCE OF THE BANNERS THEY CARRIED IT WAS CLEAR THAT THE OVERWHELMING MAJORITY (SOME 80%) HAD COME DOWN FROM THE NORTH. THERE WERE LESS THAN 200 PEOPLE BEHIND THE BANNERS OF THE UNIVERSITIES IN THE SOUTH AND THE NUMEROUS DUBLIN ONLOOKERS DID NOT GIVE ANY OBVIOUS SIGNS OF SUPPORT OR ENCOURAGEMENT AND APPEALS FOR MONEY WERE LARGELY IGNORED.

2. PROCEEDINGS WERE WELL ORGANISED: PARTICIPANTS WERE BROUGHT TO DUBLIN BY BUSES - MANY OF THEM FROM ULSTERBUS - AND ASSEMBLED AT PARNELL SQUAREM THE MARCH ENDED WITH A MASS MEETING OUTSIDE LEINSTER HOUSE WHERE A LETTER WAS HANDED IN CALLING ON THE TAOISEACH TO END SECURITY COOPERATION WITH THE BRITISH AND SUPPORT THE PRISONERS DEMAND FOR POLITICAL STATUS.

3. A NUMBER OF SPEECHES FOLLOWED. THE ONLY PROMINENT SOUTHERN POLITICIAN ON THE PLATFORM WAS NEIL BLANEY, BUT BY FAR THE MOST EMOTIVE SPEAKER WAS MS BERNADETTE MCALISKEY WHO IS QUOTED AS TELLING THE CROWD QUOTE I WANT TO SEND A SIMPLE MESSAGE TO LEINSTER HOUSE AND CHARLIE HAUGHEY - LEAD THE STRUGGLE FORWARD OR STEP ASIDE AND LET US LEAD IT UNQUOTE. SHE WENT ON TO RECALL THE WAY IN WHICH THE EXECUTIONS FOLLOWING THE EASTER RISING OF 1916 HAD QUOTE SPARKED THE FLAME WHICH BROUGHT INDEPENDENCE TO THE 26 COUNTIES UNQUOTE AND SAID SHE HAD A MESSAGE FOR MRS THATCHER, QUOTE LET HER KNOW THAT HISTORY HAS A HABIT OF REPEATING ITSELF UNQUOTE.

/4. PRESS

4. PRESS COVERAGE HAS BEEN RELATIVELY LOW KEY. EVEN THE SUNDAY PRESS ONLY THOUGHT IT WORTH OF THE BOTTOM OF THE FRONT PAGE. OTHER PAPERS YESTERDAY AND TODAY RELEGATED THE STORY TO INSIDE PAGES. PRESS ESTIMATES OF NUMBERS VARIED WILDLY FROM 4,000 (BBC) TO 20,000 (SUNDAY TRIBUNE) BUT THEY ALL REPORTED THAT A UNION JACK WAS BURNT AND THAT THE NEXT DEMONSTRATION WOULD BE AT THIS EMBASSY ON 6 DECEMBER.

SMITH

[THIS TELEGRAM WAS NOT ADVANCED]

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ADDITIONAL DISTRIBUTION

NORTHERN IRELAND

CONFIDENTIAL

Ireland

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Italy: PM's visit to Rome: Pt 2.

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10 DOWNING STREET

From the Private Secretary

24 November, 1980.

Prime Minister's Visit to Rome: Northern Ireland

During his talk with the Prime Minister at the Vatican this morning, Cardinal Casaroli raised the question of Northern Ireland. He said that he had received some new information this morning of which the Secretary of State for Northern Ireland would already be aware. This new information seemed to hold the prospect of some progress in the situation, although "an effort of imagination" would be required from HMG.

At Cardinal Casaroli's request, Monsignor Silvestrini explained that they had had a message which originated with the Chaplain of the Maze Prison, and which indicated that the prisoners on hunger strike were ready to propose a solution to the present impasse. There would of course have to be a compromise. But the hunger strikers were ready to give up the strike if their new demands were met. Monsignor Silvestrini said that he understood that the priest in question had been invited to London for a meeting with a senior Government official tomorrow, Tuesday, 25 November.

The Prime Minister said that of course she hoped a solution could be found. No good could come if the strike were pursued to the bitter end. Everyone, both inside the Maze and outside, would be harmed. Cardinal Casaroli agreed, but said that it was not always easy to strike a balance in these matters. He was conscious of the problems with public opinion to which the hunger strike was giving rise. The stress in the present situation was very great.

Cardinal Casaroli ended this part of the discussion by expressing gratitude for the tone of the Prime Minister's reply to the Pope's recent nessage about the situation.

I am sending a copy of this letter to Paul Lever (Foreign and Commonwealth Office).

Roy Harrington, Esq.,
Northern Ireland Office.

M. O'D. B. ALEXANDER

CONFIDENTIAL

CS

Secretary of State

Private Secretary

cc: PS/LPS
PS/PUS
Mr Bullard
RID

a ~~Ms Alexander No 10~~

pa

THE POPE AND NORTHERN IRELAND

At lunch yesterday the Apostolic Delegate said that the Pope had recently sent a message to the Irish Bishops (via the Papal Nuncio in Dublin) which, in his view, gave a significant steer to them to do what they could to prevent the continuation of the hunger strike. The message had obviously been somewhat unwelcome, to judge from the lack of any announcement from Archbishop O'Fiaich or others, or the release of the text. Archbishop Heim said that he was obviously precluded from disclosing it in the UK but he offered, in strict confidence, to let me have an 'anonymous piece of paper' now received and attached. Though cautiously expressed, the message is clear enough: the Irish hierarchy should not address themselves merely to the British authorities (as they have up to now), but also to the prisoners themselves (which they have hitherto failed to do). Archbishop Heim clearly thought that as a whole it was a significant step on the part of the Vatican.

2. There can obviously be no question of the Prime Minister's showing any knowledge of this during her forthcoming talk with the Pope (at which Archbishop Heim agreed that Ireland might be expected to figure largely), but you may think that it would be worth sending a copy of this minute to No 10 with the briefs, which have been submitted separately. Archbishop Heim's action in sending the text is also an indication of his generally very helpful attitude.

E A J Fergusson

19 November 1980

CONFIDENTIAL

Appeals have been made, expressing deep concern and serious disturbance within the Christian moral conscience and in the fear that the hunger-strike of the prisoners in the Maze Prison might be carried as far as its extreme consequences.

The Bishops are urged once more not only to insist with the British Autorities but also to do everything possible in order to persuade the prisoners to adopt a more humane attitude, and, I repeat, one more in keeping with Christian moral principles .

19 NOV 1980

CONFIDENTIAL

Ref. A03570

MR. ALEXANDER

Northern Ireland

In your minute of 10th November to Sir Robert Armstrong, you said that the Prime Minister had asked when the new issue civilian style clothing would be ready. I understand that the new issue will probably be made in February. The element of uncertainty results from a choice of options which the Secretary of State for Northern Ireland still has to make. We will ask his office to let you know when this has been done.

(D.J. Wright)

17th November, 1980

CONFIDENTIAL

17 NOV 1980

FILE

VS

10 DOWNING STREET

cc FCO
NIO

THE PRIME MINISTER

13 November 1980

Your Holiness,

Thank you for your personal message about the hunger strike at the Maze prison in Northern Ireland. The British Government fully share your concern that the hunger strike, and the wider protest at the Maze prison, be brought to an end as soon as possible.

Of the seven hunger strikers, six are members of the Provisional IRA; one is a member of the Irish National Liberation Army. All were convicted in open court of very serious crimes, including murder, attempted murder, armed robbery and explosives offences. Their hunger strike is in pursuit of a demand for a political status which would involve their receiving privileges greater than those available to other convicted criminals in Northern Ireland. I have made it clear that the British Government cannot and will not accede to this demand. To do so would be to accept that political motivation in some way excuses such serious crimes; it would encourage the use of violence as a means of obtaining political objectives; and it would be likely to provoke a violent confrontation between the two communities in the North.

Nevertheless, my colleagues and I are fully aware of the increase in tension which may be created both by the hunger strike itself and by the ruthless exploitation of it for propaganda purposes. We shall be quick to grasp any practical

/opportunity

VLB

opportunity to ease the situation. Over the past few months we have made a number of changes in prison rules; these could have led to a significant improvement in the appalling conditions in which the protesting prisoners choose to live. But they have not taken advantage of these changes. Recently we announced our intention to abolish conventional prison uniform for all prisoners in Northern Ireland and to substitute a range of ordinary civilian clothing provided by the prison authorities. Since one of the features of prison life to which the protesting prisoners say that they most object is the obligation to wear prison uniform, the decision is an indication of the Government's willingness to approach this difficult problem with flexibility and fairness and in a genuinely humanitarian spirit. But it too has been dismissed out of hand.

You may be sure that we very much welcome the efforts of the clergy in Northern Ireland to persuade the prisoners both to give up the strike and to end their protest; and I hope you will be able to give your full support to this objective.

Should you wish, I shall of course be happy to discuss this problem with you during my visit to Rome later in the month.

Yours sincerely,

Margaret Thatcher

His Holiness Pope John Paul II

FILE

VLB

cc N10

13 November 1980

Message to the Pope

I enclose the signed text of a message from the Prime Minister to Pope John Paul II. As you will see, the text is only very slightly different from that enclosed with your letter to me of 11 November. I should be grateful if you would arrange for the delivery of the Prime Minister's message as soon as possible.

I am sending a copy of this letter and its enclosure to Roy Harrington (Northern Ireland Office).

MICHAEL ALEXANDER

Paul Lever, Esq.,
Foreign and Commonwealth Office.

KIRB

Foreign and Commonwealth Office

Please type for signature.

London SW1A 2AH

Prime Minister

Agree text, as amended

Yes

Rmt 11/XI

11 November 1980

(1)

Dear Michael,

Hunger Strike at the Maze Prison

Flag A

You will have received the Pope's personal message to the Prime Minister which was sent to us in telno 35 from the Holy See.

I enclose a draft reply. The Northern Ireland Secretary has seen this and agrees. We propose to instruct HM Ambassador to the Holy See in handing over the reply to give Monsignor Silvestini at the Vatican full details of the crimes for which the Maze hunger strikes have been convicted. These are contained in the attached telegram.

I am copying this letter to Roy Harrington at the Northern Ireland Office.

Yours ever

Paul

(P Lever)
Private Secretary

Michael Alexander Esq
10 Downing Street

D 107991 400,000 7/76 904953

XY 42

File No. .....

Department RID

Drafted by (Block Capitals) MJ Newington

Tel. Extn. 233 3994

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[TEXT]

Your telno. 35: ULSTER PRISONERS

Please convey following personal reply from the Prime Minister to the Pope's message.

Begins

Your Holiness,

1. Thank you for your personal message about the hunger strike at the Maze prison in Northern Ireland. The British Government fully share your concern that the hunger strike, and the wider protest at the Maze prison, be brought to an end as soon as possible.

2. Of the seven hunger strikers, six are members of the Provisional IRA; one is a member of the Irish National Liberation Army. All were convicted in open

/ court

court of very serious crimes, including murder, attempted murder, armed robbery and explosives offences. Their hunger strike is in pursuit of a demand for a political status which would involve their receiving privileges greater than those available to other convicted criminals in Northern Ireland. I have made it clear that the British Government cannot and will not accede to this demand. To do so would be to accept that political motivation in some way excuses such serious crimes; it would encourage the use of violence as a means of obtaining political objectives; and it would be likely to provoke a violent confrontation between the two communities in the North.

3. Nevertheless, my colleagues and I are fully aware of the increase in tension which may be created both by the hunger strike itself and by the ruthless exploitation of it for propaganda purposes. We shall be quick to grasp any practical opportunity to ease the situation. Over the past few months we have made a number of changes in prison rules; these could have led to a significant improvement in the appalling conditions in which the protesting prisoners choose to live. But they have not taken advantage of these changes. ~~Last week~~ Recently we announced our intention to abolish conventional prison uniform for all prisoners in Northern Ireland & to substitute a range of ordinary civilian clothing provided by the prison authorities. Since one of the features of prison life to which the protesting prisoners say that they most object is the obligation to wear prison uniform, ~~this~~ the decision / is an

NOTHING TO BE WRITTEN IN THIS MARGIN

RESTRICTED

is an indication of the Government's willingness to approach this difficult problem with flexibility and fairness and in a genuinely humanitarian spirit. But ~~this~~ it too has been dismissed out of hand.

4. You may be sure that we very much welcome the efforts of the clergy in Northern Ireland to persuade the prisoners both to give up the strike and to end their protest; and I hope you will be able to give your full support to this objective.

5. Should you wish, I shall of course be ~~willing~~ happy to discuss this problem with you ~~personally~~ during my visit to Rome ~~next~~ later this/the month.

Ends.

A pleasant
MT

17 NOV 1980

SECRET

HS

9

Ireland

10 DOWNING STREET

From the Private Secretary

SIR ROBERT ARMSTRONG
CABINET OFFICE

BF 17.11.80

Northern Ireland

The Prime Minister has seen your minute to her of 7 November on this subject and has read the enclosed paper.

The Prime Minister has commented against the second paragraph of your minute that we cannot make any concessions. She has asked when the new issue civilian style clothing will be ready.

M. O'D. B. ALEXANDER

10 November 1980

SECRET

913

We cannot make any concession. When will this new initiative be ready?

Prime Minister.

Pace Sir R. Armstrong, I wonder if we should now be thinking in terms of getting PIRA "off the hook". Our aim should be to break the strike (see paras 16-20 of the assessment) + we should only be driven off this if there is a v. dramatic deterioration indeed in the situation

MT 7/XI

SECRET

Ref. A03482

PRIME MINISTER

I think that you may be interested to see the attached assessment by the Liaison Staff in Stormont of the possible developments on the hunger strike in the Maze.

2. The problems are going to be to keep the peace in the streets of Northern Ireland; to recapture and then retain the initiative in the propaganda battle; and finally to find a way of getting the strikers and the PIRA off the hook without making concessions which will be interpreted by the Loyalists as surrender.

3. There are reasons to think that both the PIRA and the INLA may be thinking in terms of some kind of "spectacular" act of terrorism in support of the hunger strike at some stage. Both the Secretary of State for Northern Ireland and Dr. Paisley have been mentioned as high risk targets; in both cases the threat is being taken very seriously and the appropriate measures are being taken.

RTA

(Robert Armstrong)

7th November, 1980

-7 NOV 1980

NIIR 041180/A/04

S E C R E T / DELICATE SOURCE / LIMITED DISTRIBUTION

TITLE: POSSIBLE DEVELOPMENTS ON THE HUNGER STRIKE AND RELATED ACTIVITY: AN ASSESSMENT

THE HUNGER STRIKERS

1. WE MUST ASSUME THAT AT LEAST SOME OF THOSE ON HUNGER STRIKE WILL CARRY IT THROUGH TO THE END. THE FIRST SEVEN HAVE BEEN CAREFULLY SELECTED FOR THEIR DEDICATION AND TOUGHNESS: AND TO REPRESENT DIFFERENCT AREAS OF THE PROVINCE, THUS PRODUCING A RECIPROCAL SENSE OF IDENTIFICATION BETWEEN THEM AND THEIR SUPPORTERS AT LOCAL LEVEL. NEITHER WILL WANT TO LET THE OTHER DOWN. EVEN IF ONE OR TWO OF THE FIRST SEVEN STRIKERS GIVE UP, THEIR PLACES WILL BE TAKEN BY OTHERS FULLY COMMITTED. (A FURTHER TWO GROUPS OF TWELVE ARE BELIEVED TO HAVE BEEN NOMINATED: IT SEEMS LIKELY HOWEVER - CONTRARY TO AND EARLIER REPORT - THAT THE INTENTION IS NOT FOR A WAVE-LIKE SUCCESSION AT PREDETERMINED INTERVALS, BUT FOR ANY GAP WHICH MAY DEVELOP TO BE FILLED FROM THE RESERVE GROUPS). HUNGER STRIKES ARE PART OF REPUBLICAN MYTHOLOGY AND THERE MUST CERTAINLY BE SOME OF THE PRISONERS WHO ARE PHYSICALLY AND PSYCHOLOGICALLY READY TO MAKE MARTYRS OF THEMSELVES IN PREFERENCE TO SEEING OUT MOST OF THEIR LIVES IN PRISON. THEY HAVE BEEN PRESSING FOR MONTHS FOR A HUNGER STRIKE. THEY ARE RELIEVED THAT THE DECISION HAS BEEN TAKEN AND ENCOURAGED BY THE DOMONSTRATIONS OF SUPPORT BOTH FROM THEIR FELLOW PRISONERS WHO HAVE GONE ON THE DIRTY PROTEST AND FROM OUTSIDE.

2. THERE ARE NOW NO SIGNIFICANT FORCES TRYING TO PERSUADE THEM OFF IT. INTELLIGENCE MAKES IT CLEAR THAT MOST OF THE RELATIVES, ALTHOUGH DISTRESSED BY WHAT IS HAPPENING, WERE, THE MOMENT THE DECISION WAS TAKEN, RECONCILED TO IT. AND THERE ARE SOME WHO ARE VERY WILLING FOR THEIR KIN TO DIE FOR THE CAUSE IN THIS WAY. ALTHOUGH INDIVIDUAL PRIESTS (INCLUDING FATHER FAUL) ARE UNDOUBTEDLY DOING THEIR BEST, THE CHURCH IS NOT BEING PARTICULARLY HELPFUL. CARDINAL O'FIAICH AND BISHOP DALY HAVE NOT AS YET TAKEN A VERY CONSTRUCTIVE LINE. FATHER REID, WHO WOULD HAVE BEEN A HELPFUL INFLUENCE, IS REPORTED TO BE IN DROGHEDA SUFFERING FROM A NERVOUS BREAKDOWN. ADVICE COMING FROM OUSIDE (EG ALISTAIR

/ LOGAN, ...

LOGAN, AN ENGLISH SOLICITOR WITH REPUBLICAN SYMPATHIES) IS THAT THE HUNGER STRIKE MUST CONTINUE IF THE PRISONERS ARE TO GET WHAT THEY WANT.

3. WHETHER OR NOT AGREEMENT ON 23 OCTOBER THAT PRISONERS MIGHT WEAR THEIR OWN (AS OPPOSED TO PRISON ISSUE) CLOTHES WOULD HAVE PRE-EMPTED THE HUNGER STRIKE IS NO LONGER RELEVANT. ATTITUDES HAVE CERTAINLY HARDENED SINCE THEN, AND IT IS HIGHLY UNLIKELY THAT THE PRISONERS WILL ACCEPT ANYTHING LESS THAN THEIR FULL DEMANDS. THEY WILL SEE IT AS A MAKE OR BREAK ISSUE. ''SPECIAL CATEGORY STATUS'' WOULD MEAN VICTORY FOR THEIR CASUE: ANYTHING LESS THEY WOULD SEE AS A SERIOUS DEFEAT, A VIEW WHICH WOULD BE WIDELY SHARED WITHIN AND WITHOUT THE REPUBLICAN MOVEMENT (AND HAS BEEN GIVEN FULL VOICE IN RECENT LOYALIST STATEMENTS).

4. THERE HAS BEEN SOME TALK, AT LEAST AMONG THE CAMPAIGN ORGANISERS, OF THE WOMEN IN ARMAGH JOINING THE HUNGER STRIKE. IN FACT THE LEADERSHIP HAVE NEVER SHOWN MUCH INTEREST IN WHAT THE WOMEN ARE UP TO BUT HAVE LEFT THEM TO THE FEMINIST MOVEMENT. HOWEVER, THEY MAY CONSIDER IT WORTH BRINGING IN THE WOMEN AT A LATER STAGE AND IT IS ALSO QUITE POSSIBLE THAT THE WOMEN WILL TAKE THE DECISION THEMSELVES PRECIPITATELY. THE DEATH OF PAULINE MCLOUGLIN OR INDEED HER RELEASE, WOULD GIVE THE WOMEN A NEW EMPHASIS.

5. NOR CAN IT BE EXCLUDED THAT AT SOME STAGE ACTION WILL BE INITIATED IN MAINLAND GAOLS, A POSSIBILITY CONSIDERED IN THE PAST.

6. THERE HAS ALSO BEEN DISCUSSION OF POSSIBLE EXPLOITATION OF THE PRISON OFFICERS' INDUSTRIAL ACTION THOUGH NO CLEAR PLANS HAVE BEEN MADE OF HOW TO DO THIS.

SUPPORT ACTIVITIES

7. THE CAMPAIGN ORGANISERS (ALTHOUGH INEVITABLY BICKERING AMONGST THEMSELVES - THE RAC BEING UPSET AT THE PSF/SMASH H-BLOCKS COMMITTEE MUSCLING IN) FOUND A SENSE OF PURPOSE WITH THE ANNOUNCEMENT OF THE HUNGER STRIKE AND WERE ENORMOUSLY HEARTENED BY THE SIZE AND BREADTH OF THE DEMONSTRATIONS, PARTICULARLY IN

/BELFAST, ...

BELFAST, ON THE EVE OF THE STRIKE. A HIGH PROPORTION OF THOSE TAKING PART WERE NOT COMMITTED REPUBLICANS OR WERE LAPSED SUPPORTERS OF THE CAUSE. BUT THEY ARE PROBABLY DISAPPOINTED THAT IN SUBSEQUENT DEMONSTRATIONS THE BULK OF THEIR SUPPORT HAS COME FROM PREDICTABLE SOURCES AND THROUGH THE EFFORTS OF A FEW DIE-HARDS. PUBLIC INTEREST IS LIMITED.

8. PRESENT PLANS FOR SUPPORT ACTIVITIES ARE FOR ''MORE OF THE SAME'' INCLUDING PICKETING OF SHOPS AND PUBLIC BUILDINGS, ROAD BLOCKS, TOKEN HUNGER STRIKES. THERE IS TALK OF SCHOOL WALK OUTS SEMI COLON AND CLOSING OF THE CLUBS AND PUBS (TO ENCOURAGE CLIENTS TO PARTICIPATE IN DEMONSTRATIONS).

9. ATTENTION IS ALSO BEING GIVEN TO THE INTERNATIONAL DIMENSION, THE MAIN SCHEMES AT PRESENT BEING FOR EX-BLANKET MEN TO PERFORM, PARTICULARLY IN THE UNITED STATES AND CANADA. THEY ALSO PLAN A CAMPAIGN IN EUROPE (KIERAN NUGENT HAS APPEARED IN PARIS) BUT THIS WILL TAKE TIME TO HAVE AN IMPACT.

10. THE ACHIEVEMENTS SO FAR, AT A CERTAIN LEVEL, ARE CONSIDERABLE AND REFLECT THE DEDICATION AND ENERGY OF THE ORGANISERS. BUT THEIR EFFORTS ARE STILL UNSOPHISTICATED. THEY HAVE NOT YET APPRECIATED THE IMPORTANCE OF FINDING ARTICULATE SPOKESMEN FOR THE CAMERAS AND HAVE NOT YET GIVEN ANY REAL CONSIDERATION TO EFFECTIVE MEANS OF RECRUITING RESPECTABLE NEWCOMERS TO THEIR CAUSE. THIS IS SOMETHING THEY HAVE NEVER BEEN VERY GOOD AT, AND THEIR EXPERIENCE WITH THE EUROPEAN COURT OF HUMAN RIGHTS WILL NOT HAVE ENCOURAGED THEM. HOWEVER, THEIR WORK MAY WELL BE DONE FOR THEM (AND INCREASINGLY AS TIME GOES ON), FOR EXAMPLE, BY CHURCH LEADERS OR POLITICIANS WHO MAY FEEL UNDER A COMPULSION TO ADOPT THEIR CAUSE.

11. THE ATTITUDE OF THE IRISH GOVERNMENT IS, AND IS LIKELY TO REMAIN, BASICALLY HELPFUL. THEY SHARE HMG'S CONCERN NOT TO DO ANYTHING WHICH MIGHT LOSE GROUND IN THE BATTLE AGAINST THE TERRORISTS: AND WOULD SEE ANY SIGNIFICANT CONCESSION ON HMG'S PART AS UNDERMINING THEIR POSITION - HENCE THEIR CONCENTRATION ON HUMANITARIAN CONSIDERATIONS AND THIER ANXIETY THAT HMG SHOULD

/HANDLE .....

HANDLE THE MATTER WELL (AND, FOR INSTANCE, GET BACK ON GOOD TERMS WITH THE CARDINAL).

12. THE CAMPAIGN ON THE STREETS OF THE PROVINCE, ON A LIMITED SCALE, COULD BE SUSTAINED INDEFINITELY - THE ENTHUSIASM IS THERE. BUT THE ORGANISERS MAY NOT FIND IT EASY TO LIFT IT TO ANOTHER PLANE (AT LEAST UNTIL DEATHS OCCUR) PROVIDED:

A) NOTHING HAPPENS TO PROVOKE A SERIOUS LAW AND ORDER PROBLEM - BUT IT WILL BE HARD FOR THE SECURITY FORCES TO MAINTAIN A BALANCE BETWEEN KEEPING TEMPERS DOWN, AND NOT PROVOKING LOYALIST ACCUSATIONS OF SOFTNESS TOWARDS THE PROVOS. THE ORGANISERS, HOWEVER, PRESENTLY TAKE THE VIEW THAT PEACEFUL DEMONSTRATIONS WILL BE THE MOST EFFECTIVE.

B) THE LOYALIST POLITICIANS OR PARAMILITARIES DO NOT PROVOKE TROUBLE - UNFORTUNATELY THE POLITICIANS ARE PREPARED TO DO SO, AND ALTHOUGH THE UDA HAVE SHOWN SOME SYMPATHY WITH PROVISIONAL DEMANDS, THEY ARE FULLY COMMITTED, PUBLICLY AND PRIVATELY, TO A POLICY OF ''ELIMINATING'' ACTIVE PROVISONALS INVOLVED IN THE H-BLOCK CAMPAING, AND ARE CLEARLY PREPARING THEMSELVES AGAINST A TIME WHEN (WHETHER OR NOT PROVOKED BY THEM) THERE IS A RESUMPTION OF SECTARIAN VIOLENCE.

C) HMG KEEP (OR, FOR EXAMPLE, WITH THE CHURCH, SECURE) THE INITIATIVE IN THE PROPAGANDA BATTLE - THIS OUGHT TO BE POSSIBLE. THE KEY POINT IS THAT THOSE IN PRISON ARE THERE FOR ACTS OF MURDER AND VIOLENCE AND HAVE BEEN RESPONSIBLE FOR TEN YEARS OF MISERY IN THE PROVINCE.

TERRORISM

13. INTELLIGENCE IN THE DAYS LEADING UP TO THE HUNGER STRIKE DEMONSTRATED CONSIDERABLE CONFUSION IN THE MINDS OF THE PIRA

/LEADERSHIP .....

LEADERSHIP AS HOW BEST TO USE TERRORISM IN SUPPORT OF THE HUNGER STRIKERS. THEIR DILEMMA IS OBVIOUS: CAN THEY CAJOLE AND BLUDGEON AT THE SAME TIME? MOST RECENT REPORTS SUGGEST THAT CAJOLERY IS AT LEAST TEMPORARILY THE ORDER OF THE DAY. THERE IS, FOR EXAMPLE, INTELLIGENCE THAT ATTACKS ON OFF-DUTY UDR, RUC AND PRISON OFFICERS ARE TO BE SUSPENDED; AND GERRY ADAMS IS REPORTED TO HAVE INSISTED ON A DISCLAIMER OF THE SHOOTING ON THE UDR WOMAN IN STRABANE ON 24 OCTOBER. HOW FIRM THIS POLICY IS, OR HOW RIGOROUSLY IT CAN BE HELD TO, REMAINS TO BE SEEN: AND IT SEEMS UNLIKELY THAT IT WOULD BE SUSTAINED INDEFINITELY IF ONLY BECAUSE IT IS IN SUCH CONFLICT WITH THE LEADERSHIP'S EARLIER DETERMINATION TO INTENSIFY THE CAMPAIGN THIS WINTER. AS A MEMBER OF THE RELATIVES ACTION COMMITTEE (CONCERNED ABOUT THE BAD PUBLICITY OF THE STRABANE MURDER) PUT IT, ''HOW CAN WE GIVE UP THE WAR WHEN THAT'S WHAT THEY ARE IN GAOL FOR''. WHAT DOES SEEM LIKELY IS THAT ADAMS IS GIVING THE MOST CAREFUL THOUGHT TO HOW AND WHEN BEST TO USE TERRORISM IN SUPPORT OF THE PRISONERS. A TURNING POINT COULD BE THE FIRST DEATH.

14. IT IS HIGHLY PROBABLE THAT EVEN IF TERRORISM IN THE PROVINCE IS KEPT AT A LOW PITCH, EFFORTS WILL BE MADE TO MOUNT ATTACKS ON THE MAINLAND AND AGAINST BRITISH TARGETS ABROAD. THERE HAS BEEN GOOD INTELLIGENCE IN THE PAST THAT THIS WOULD BE PIRA POLICY IN THE EVENT OF A HUNGER STRIKE. RECENT REPORTS SUGGEST THAT ASUS HAVE BEEN PREPARED FOR THE MAINLAND (POSSIBLY ORIGINALLY AS PART OF THE 'WINTER CAMPAIGN') AND A RECENT IMPORTANT GARDA FIND OF EXPLOSIVES AND EXPLOSIVE DEVICES WAS ALSO CERTAINLY BOUND FOR EITHER THE MAINLAND OR THE CONTINENT. HOWEVER, PIRA'S CAPACITY FOR SUCH ACTIVITY IS CURRENTLY LIMITED.

15. IT IS ALSO LIKELY THAT INLA (WHO HAVE COOPERATED WITH PIRA/PSF OVER THE HUNGER STRIKE) WILL PURSUE AN INDEPENDENT POLICY ON VIOLENCE. AND THERE HAVE BEEN REPORTS OF THEIR INTENTION TO MOUNT MAINLAND OPERATIONS.

/CONCLUSION .....

S E C R E T / DELICATE SOURCE / LIMITED DISTRIBUTION

CONCLUSION

16. THE HUNGER STRIKE COMES FROM PIRA'S WEAKNESS, NOT ITS STRENGTH. ALL THE SIGNS THROUGHOUT THE YEAR HAVE BEEN THAT THEY WERE A DECLINING FORCE, SUFFERING FORM SECURITY FORCE EFFECTIVENESS AND THEIR OWN INABILITY TO SUSTAIN THE TERRORIST CAMPAIGN AT A SIGNIFICANT LEVEL. OPERATIONS HAVE BEEN THWARTED, KEY FIGURES ARRESTED; THEY HAVE MADE NO PROGRESS TOWARDS ANY OF THEIR OBJECTIVES, SHORT OR LONG TERM; AND HAVE BECOME INCREASINGLY ALIENATED FROM THE COMMUNITY. THE LEADERSHIP CLEARLY REGARDED IT AS ESSENTIL THIS WINTER TO REESTABLISH THEIR CREDENTIALS BY STEPPING UP THE LEVEL OF TERRORIST ACTIVITY.

17. THE HUNGER STRIKE HAS INTERFERED SERIOUSLY WITH THEIR PLANS AND IS DEEPLY DISLIKED BY THE LEADERSHIP FOR IT CONFUSES THE ISSUE, GIVES SCOPE FOR DIVISION OF VIEWS AND DAMAGING DISAGREEMENT, AND IS OUTSIDE THEIR CONTROL.

18. IT IS, OF COURSE, POSSIBLE TO SEE THE SITUATION DEVELOPING TO THEIR ADVANTAGE. ON THE ASSUMPTION THAT THERE WILL BE NO PREVIOUS GIVE ON EITHER SIDE, THE NEXT CATALYST WILL BE THE FIRST DEATH. THIS WILL CLEARLY BE HIGHLY EMOTIVE AND IS BOUND TO LEAD TO LARGE SCALE DEMONSTRATION WHICH, IF IT GOT OUT OF HAND, COULD IN TURN SPARK OFF SECTARIAN VIOLENCE. THE LOYALIST PARAMILITARIES EXPECT AND ARE READY FOR IT. THE PROVISIONALS WOULD HOPE TO SEIZE ON SUCH A DEVELOPMENT AS THE OPPORTUNITY TO REESTABLISH THEMSELVES AS DEFENDERS OF THE CATHOLIC COMMUNITY. THERE IS INTELLIGENCE TO SUGGEST THAT IN BELFAST THEY MAY BE COMING TO TERMS WITH THE FACT THAT THE TIGHT ASU SYSTEM IS NO LONGER WORKING AND MAY BE IN THE PROCESS OF REVERTING TO THEIR EARLIER PATTERN OF BRIGADES AND BATTALIONS. ARMS FOR SUCH AN ORGANISATION (OR FOR A ''DOOMSDAY '' SITUATION) NEED NOT BE SOPHISTICATED AND SOME ARE PROBABLY ALREADY AVAILABLE.

19. SUCH A SWITCH OF APPROACH, EVEN THOUGH MADE AT AN OPPORTUNE MOMENT, WOULD BE AN ADMISSION OF FAILURE, AND IT IS FAR FROM CERTAIN THAT EVEN IN THE EVENT OF DEATH, THE SITUATION /WILL .....

WILL DEVELOP IN THE WAY OUTLINED ABOVE, OR IF IT DID, THAT THE PROVISIONALS COULD TAKE ADVANTAGE OF IT. THEIR CAPACITY TO MOUNT A TERRORIST CAMPAIGN IS LIMITED AND THEY WOULD NOT EASILY REGAIN THE INITIATIVE. 1980 IS NOT 1969 OR 1972. THE POPULATION AS A WHOLE IS DEEPLY WEARY OF VIOLENCE AND UNCONVINCED THAT IT CAN ACHIEVE ANYTHING: THE SECURITY FORCES ARE MUCH BETTER EQUIPED AND ABLE TO COPE WITH STREET OR SECTARIAN VIOLENCE THAN WAS THEN THE CASE. EVEN IF THINGS BEGAN TO GO WRONG, IT IS REASONABLE TO BELIEVE THAT THEY WOULD BE BROUGHT BACK UNDER CONTROL. THERE IS CERTAINLY NO GROUND, ON THE BASIS OF THE BEST ASSESSMENT WE CAN MAKE, FOR CONSIDERING THAT ANY CONCESSION (APART POSSIBLY FROM GOING THE WHOLE WAY ON CLOTHES IN ORDER TO GET CARDINAL O'FIAICH AND BISHOP DALY BACK ON SIDE) WOULD IMPROVE THE SITUATION. IT IS UNLIKELY (EVEN THOUGH THE PROVISIONAL LEADERSHIP WANT OFF THE HOOK) THAT ANYTHING WHICH COULD NOT BE INTERPRETED AS SPECIAL CATEGORY STATUS WOULD BE ACCEPTABLE. AND TO CONCEDE THAT WOULD A) BE THE VERY BEST BOOST TO THEIR MORALE THE TERRORISTS NEED AND B) PROVOKE REACTIONS IN THE LOYALIST COMMUNITY ALMOST CERTAINLY FAR MORE SERIOUS THAT ANYTHING WHICH WOULD FLOW, ON THE REPUBLICAN SIDE, FROM ALLOWING PRISONERS TO DIE.

20. ONE REASON THE PROVISIONAL LEADERSHIP DO NOT LIKE THE HUNGER STRIKE IS THAT THEY ARE DOUBTFUL THAT IT WILL ACHIEVE ITS OBJECTIVE. THEY APPEAR TO BELIEVE THAT HMG WILL NOT MAKE CONCESSIONS. ALTHOUGH THE PRESENT HUNGER STRIKERS ARE DEDICATED AND DETERMINED, THERE MUST BE A QUESTION OF HOW MANY OF THEIR FELLOW PRISONERS WOULD BE PREPARED TO EMBARK ON A HUNGER STRIKE ONCE THEY HAD HAD IT DEMONSTRATED THIS WOULD MEAN DEATH. THE CAMPAIGN COULD FIZZLE OUT, TO THE SHAME OF THE MOVEMENT. IT COULD TURN OUT ALSO, TO THE MOVEMENT'S SHAME, THAT NO EFFECTIVE WAY IS FOUND TO REINFORCE THE PRISONERS' EFFORTS. AT PRESENT THE EMPHASIS IS ON WINNING THE PROPAGANDA BATTLE. THE MOMENT IS LIKELY TO COME WHEN THE LEADERSHIP WILL DETERMINE THAT THE STRIKE BE SUPPORTED BY TERRORIST ACTIVITY. INDISCRIMINATE VIOLENCE WILL RUIN THEIR CAUSE. BUT, ALTHOUGH THEY CAN STILL CERTAINLY MOUNT VERY DAMAGING ONE-OFF ATTACKS, /A WELL ....

NIIR 041180/A/04

S E C R E T / DELICATE SOURCE / LIMITED DISTRIBUTION

A WELL-DIRECTED, SUSTAINED TERRORIST CAMPAIGN ON THE SCALE THEY NEED IS, ON OUR PRESENT ASSESSMENT, OUTSIDE THEIR CAPABILITY. THE FACT IS, THE OUTCOME OF THE HUNGER STRIKE AND THE PROVISONAL LEADERSHIP'S ABILITY TO CONTROL AND MANIPULATE COULD WELL DETERMINE THEIR OWN SURVIVAL. THEY KNOW THEY CANNOT AFFORD TO FAIL.

/READERS .....

SECRET

RCB

10 DOWNING STREET

From the Private Secretary

3 November, 1980

Disclosure of the Government's Decision on Prison Clothing in Northern Ireland

The Prime Minister has seen and taken note of your letter to me of 28 October on this subject.

I am sending a copy of this letter to David Wright (Cabinet Office) and Richard Prescott (Paymaster General's Office).

M. O'D. B. ALEXANDER

R Harrington Esq
Northern Ireland Office

RRB

R H

3 November, 1980

H Block Speech by Shelagh De Valera

Further to Dublin telnos 308 and 309 of 2 November, I enclose a copy of a letter which the Prime Minister received yesterday from the Irish Ambassador here. I have acknowledged the Ambassador's letter. Subject to your views, no further action would seem to be called for.

I am copying this letter and its enclosure to Roy Harrington (Northern Ireland Office).

M. O'D. B. ALEXANDER

Paul Lever, Esq
Foreign and Commonwealth Office

R H

3 November, 1980

I am weplying on the Prime Minister's behalf to your letter to her of 2 November. Your letter has, of course, been placed before the Prime Minister.

M. O'D. B. ALEXANDER

HE Dr Eamon Kennedy

010

SENT BY NEWFAX TO CHECKERS 2/11/80

AMBASÁID NA hÉIREANN, LONDAIN

IRISH EMBASSY, LONDON

17, GROSVENOR PLACE,
SW1X 7HR
Telephone: 01-235 2171
TELEX: 916104

2nd November 1980.

Dear Prime Minister

At a Fianna Fail by-election meeting in Donegal on Saturday, 1st November, a statement was made by Deputy Sile de Valera criticising your Government's policy in Northern Ireland.

The Director of elections of the Fianna Fail party has issued the following statement on behalf of the Taoiseach and the Irish Government:

> "The speech by Deputy de Valera was made without any prior consultation either with the Director of Elections or any member of the Irish Government. The views expressed by Deputy de Valera were her own personal views and not those of the Fianna Fail party."

In conveying this message I have been instructed to say that the Taoiseach totally and without any ambiguity rejects what was said by the Deputy. The Taoiseach has been distressed by the incident and wishes his concern to be conveyed to you.

I am, dear Prime Minister,
Yours respectfully,
Eamon Kennedy
Ambassador

The Rt. Hon. Margaret Thatcher, M.P.,
Prime Minister,
Downing Street,
London SWI.

-2 NOV 1980

PRIME MINISTER (Cheavers)

mb

I received the following information from the Resident Clerk at the Foreign Office at 7.45 this morning.

The Permanent Secretary of the Irish Foreign Office - Mr. O'Rourke - has spoken to our charge d'affaires in Dublin on the telephone. He conveyed his Prime Minister's regrets that some derogatory remarks about the H Block issue were made by Shelagh De Valera in a by-election speech given in Mr. Haughey's presence yesterday. The text of this speech has been released to the Press but Mr. Haughey, distressed by the references in it, wishes to be disassociated from them.

Shelagh De Valera is a member of the Irish Parliament and is a descendant of the former Republican President.

A letter of apology from Mr. Haughey is being delivered to No.10 by the Irish Embassy later today.

N.F.G. Mitchell
Duty Clerk

2 November 1980

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Ambassador

The Rt. Hon. Margaret Thatcher, M.P.,
Prime Minister,
Downing Street,
London SW1.

NORTHERN IRELAND: ADVANCE COPIES 18

IMMEDIATE

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MR BULLARD
MR FERGUSSON
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N IRELAND OFFICE - PS TO SEC OF STATE
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N IRELAND OFFICE [4 copies]

SIR K STOWE
MR MORIATY
MR MARSHALL
MR BUXTON

CABINET OFFICE - SIR R ARMSTRONG
DIO

NO 10 DOWNING STREET

GR 200
RESTRICTED
FM HOLY SEE 301450Z OCT 80
TO IMMEDIATE FCO
TELEGRAM NUMBER 35 OF 30 OCTOBER 1980.
INFO ROME (A)

IMMEDIATE

ULSTER PRISONERS:

1. I WAS SUMMONED TO THE VATICAN THIS MORNING BY MONSIGNOR SILVESTRINI TO BE HANDED THE TEXT OF THE FOLLOWING PERSONAL MESSAGE FROM THE POPE TO THE PRIME MINISTER.

BEGINS:

I AM RECEIVING DISTURBING NEWS ABOUT THE TENSION IN THE MAZE PRISON IN NORTHERN IRELAND, WHERE A NUMBER OF PRISONERS HAVE BEGUN A HUNGER STRIKE.

I AM AWARE THAT THE SECRETARY OF STATE FOR NORTHERN IRELAND, MR ATKINS, HAS ALREADY BEEN ASKED TO EXAMINE THE PROBLEM AND TO SEEK POSSIBLE SOLUTIONS.

IN THE SPIRIT OF THE CALL FOR PEACE AND RECONCILIATION WHICH I MADE AT DROGHEDA DURING MY PASTORAL VISIT TO IRELAND LAST YEAR, I WOULD EXPRESS MY DEEP CONCERN ABOUT BOTH THE TRAGIC CONSEQUENCES WHICH THE AGITATION COULD HAVE FOR THE PRISONERS THEMSELVES AND ALSO

THE POSSIBLE GRAVE REPERCUSSIONS UPON THE WHOLE SITUATION IN NORTHERN IRELAND.

I WOULD ASK YOU TO CONSIDER PERSONALLY POSSIBLE SOLUTIONS IN ORDER TO AVOID IRREVERSIBLE CONSEQUENCES THAT COULD PERHAPS PROVE IRREPARABLE.

IOANNES PAULUS PP.II

ENDS:

2. I EXPLAINED THE POSITION ON POLITICAL STATUS TO MONSIGNOR SILVESTRINI. HE HAD WITH HIM A LETTER FROM ME TO MONSIGNOR TONUCCI WITH WHICH I HAD SENT THE SUBSTANCE OF FCO TELEGRAMS NUMBERS 36 TO BIS NEW YORK AND GUIDANCE NO 110. I ALSO WENT OVER THE POINTS ON CIVILIAN CLOTHES.

3. WHEN I ASKED WHAT FURTHER PRACTICAL STEPS HE THOUGHT WE COULD TAKE IN ADDITION TO THE CONCESSION ON CLOTHING HE WAS SILENT. HE SAID THAT (I) FOR THEIR PART THE CLERGY WOULD CONTINUE TO URGE THE PRISONERS TO GIVE UP THE STRIKE AND (II) THE MESSAGE WAS A PERSONAL ONE FROM THE POPE HIMSELF.

HEATH

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Ireland

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FM HOLY SEE 301450Z OCT 80

TO IMMEDIATE FCO

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/3.

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HEATH

NORTHERN IRELAND
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PS/MR RIDLEY
PS/MR BLAKER

PS/PUS
SIR A ACLAND
CHIEF CLERK
MR ADAMS
MR BULLARD
MR FERGUSSON
LORD N G LENNOX
MR BRAITHWAITE

ADDITIONAL DISTRIBUTION

NORTHERN IRELAND

MR. ALEXANDER

Disclosure of Cabinet Decision on Northern Ireland

1. The facts as we understand them in Press Office are:

This may have been a real leak. I have asked the NIO to look into the background.

- On Wednesday evening - i.e. night before Cabinet - I took a call from W. Ross, M.P., Londonderry, reporting that he had learned from TV that the threatened hunger strike was to be discussed in Cabinet the following day; he wanted the topic replaced on the agenda by some other Northern Irish issue; I reported facts to Mr. Pattison. In reply, I told Mr. Ross that it was not our practice to disclose Cabinet agendas and I would be astounded if my staff had done so. I checked with them the following morning and they confirmed the point. We did not refute the story, as NIO suggest; had we done so, we would have been lying.

- There were, however, firm assertions in the press that morning that the subject was on the Cabinet agenda.

- At the 11 a.m. Lobby, in response to questions, I said that the threatened hunger strike might well be discussed. I deliberately did not lead the Lobby to expect a statement later because there is always the risk that plans go awry - I prefer to let people know after Cabinet if there are to be statements; we have a well-established practice of ringing over any additions to our guidance.

- At the 11 a.m. Lobby it was clear that BBC knew that Mr. Atkins was seeing the Cardinal that afternoon.

/ - At

- At no time before Northern Ireland Office took their initiative direct with the media did we from No. 10 give any hint of the outcome of the Cabinet's discussion. Nor were we, in Mr. Gaffin's view, asked to agree to NIO's plan to give Flackes and McCartan "a more explicit hint"; we were told NIO were doing, or had done it. We raised no objections. NIO Press Office had been put in an impossible position and by then, of course, the Cabinet's decision was clear and action was in train.

2. It is very important that at all times individual Departments should be in the lead on their subjects; they are closer to the issues and circumstances.

3. I shall not enter into the argument whether the need to spike the Cardinal's guns was adequate justification. All I would say is that NIO and No. 10 press offices were put in a very difficult position by those who so firmly leaked the fact that the threatened hunger strike was on the Cabinet agenda.

B. INGHAM

29 October, 1980

CONFIDENTIAL

From: THE PRIVATE SECRETARY

V.C Press Office

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Michael Alexander Esq
10 Downing Street
London SW1

28 October 1980

Dear Michael,

DISCLOSURE OF THE GOVERNMENT'S DECISION ON PRISON CLOTHING IN NORTHERN IRELAND

You asked for a report on the circumstances which enabled the press to report at 1.00 pm on Thursday 23 October the decision taken at Cabinet that day about prison clothing.

... I enclose a summary of the sequence of events. There are a few points which I should emphasise by way of commentary. First, there was no "leak" as such. Nobody provided information to the press surreptitiously for improper reasons, and your own Press Office were kept fully informed about the actions which our people were taking. Second, the Secretary of State had previously considered the risk that Cardinal O Fiaich, who was flying from Rome to see the Secretary of State, would try to take the credit for any moves the Cabinet decided to make. None of us could have foreseen how acutely that risk would arise because - third - our Press Office was tackled during the morning by Billy Flackes of the BBC who may have been alerted to the issue by exchanges at the Lobby briefing and who made quite clear that he knew, apparently from Church sources, of the Cardinal's visit. He also knew from the Cardinal's statements some weeks ago that the question of prison clothing had been raised with the Secretary of State.

It must be a matter of judgment whether it was right to take such urgent action to ensure that the Government got the credit for its own decision. Those of us at the meeting with the Cardinal that afternoon have a vivid recollection of his and Bishop Daly's disappointment at not being able to steal the show. You yourself have recorded the Irish Ambassador's reaction, which led his Government to exert pressure on the Cardinal without which he might have reacted even more unhelpfully. We believe the established fact that the Government volunteered a conciliatory gesture will be of continuing value in the difficult situation which the hunger strike will create, particularly in respect of our standing abroad.

CONFIDENTIAL

We believe that this limited change in the regime would have created appalling difficulties on the Unionist side if it had appeared to be made at the behest of the Cardinal.

The more cautious approach would, of course, have been to wait until the Secretary of State had been consulted before acting. That would have been well after 1.15 pm. Officials could properly have been criticised if they had done so and left the BBC (and in consequence that afternoon's Belfast Telegraph) to lead with well-informed speculation that the Cardinal's dash to London had wrung out of the Government a concession on clothing.

My Secretary of State has considered the matter in the light of this report. His conclusion is that officials were right to take action to ensure that the Cardinal could not claim the credit for the Cabinet's decision. Speedy decisions had to be made in circumstances when he himself could not be contacted and he believes they were right to use their initiative.

I am sending a copy of this letter to David Wright (Cabinet Office) and Richard Prescott (Paymaster General's Office).

Yours ever,
Roy Harrington

R A HARRINGTON

APPENDIX

DISCLOSURE OF GOVERNMENT'S DECISION
ON NORTHERN IRELAND PRISONS

The sequence of events was as follows:-

1. On Wednesday evening No. 10 Duty Press Officer phoned NIO Duty Press Officer to say that RTE, the Dublin broadcasting organisation, had sought confirmation of a story that Cabinet would be discussing the threatened MAZE hunger strike next day. No. 10 were refuting this story.

2. Thursday's GUARDIAN had a piece by Julia Langdon headed "Cabinet taking firm line on Maze threat" which indicated that the subject "is to be discussed at a Cabinet committee meeting today" (copy attached).

3. Before 11 am Lobby briefing the NIO (being aware of (1) and (2)) suggested to No. 10 that since there would be an official Government statement geared to the hunger strike later in the day, and since it would be essential to establish that the Secretary of State had the full backing of Cabinet for his decision (whatever it might be) it was neither accurate nor wise to deny that something was being discussed and would be announced later if questions arose at Lobby. No. 10 Press Office later reported that questions had been asked and a hint given that the subject might be dealt with. Questioned about a statement being made, No. 10 Press Office said that one was unlikely that day. The possibility later when the Commons resumed was left vague.

4. Presumably as a result of speculation that the subject would be discussed at Cabinet, NIO Press Office got inquiries from the two leading NI Political Correspondents, Desmond McCartan (Belfast Telegraph) and W.D. Flackes (BBC) probing for what might be coming out as a result of Cabinet. Initially, no information whatever was given to them.

5. Flackes then inquired about Cardinal O'Fiaich seeing the Northern Ireland Secretary of State. He clearly knew that a meeting had been arranged - information which could only have

Cont'd...

come from a non-NIO source - probably an ecclesiastical one. Flackes was clearly going to run a prominent story on his main lunchtime radio bulletin, which would with the statement coming out later have the effect of establishing the Cardinal not the Cabinet as the central figure in any decision.

6. It was regarded as essential that the Cardinal should not be able to claim credit for the move on prision clothing. It was explained to No. 10 Press Office that a more explicit hint was being given to Messrs. Flackes and McCartan once the Cabinet decision had been taken. The aim was to establish clearly in Northern Ireland in advance of the Cardinal's meeting with the Secretary of State that the Government had decided to make a change on prison uniform generally in Northern Ireland and would be making a formal announcement later in the day.

7. What then happened was that BBC London latched on to the story through its man in Belfast. This led to the inquiry from Noel Lewis (BBC London Political Correspondent) to No. 10 Press Office which offered no guidance on the Cabinet discussion on NI Prisons. The BBC subsequently carried the story on the lunchtime national radio news based on what had been said to Flackes and what he, with his close knowledge of the whole H-Blocks situation, had added in to build up the story.

cc. NIO
PMGS

C.F. to note
29/10/80

10 DOWNING STREET

THE PRIME MINISTER

28 October 1980

Dear Mr. Paisley,

You telegraphed me on the morning of 23 October with advice not to make any concessions to Republican prisoners at the Maze in Northern Ireland. You will since have been made aware - most recently by Michael Alison's reply to the Private Notice Question from Enoch Powell yesterday - that while the Government have decided to change the arrangements for male prisoners' clothing in the sense of substituting a prison issue civilian-type clothing for the existing prison uniform, they continue to be absolutely opposed to the granting of any special or "political" status for these or any other class of prisoners. Amnesty is not an option, and while I am sure that the idea of prisoners fasting to death is as repugnant to you as it is to me, that will indeed be the outcome if any persist in their hunger strike.

Yours sincerely,

(SGD) MT

The Reverend Ian Paisley, MP.

Ireland
Dirty Protest

27 October 1980

PA

MR J ENOCH POWELL (South Down): To ask the Secretary of State for Northern Ireland, if he will make a statement on the recent changes in prison rules in Northern Ireland and on the situation at Her Majesty's Prison Maze.

MR ALISON

My rt hon Friend who for reasons which the House will understand is in Belfast today, announced on 23 October that following a detailed study of the requirement to wear prison uniform in Northern Ireland, the Government have decided to abolish this uniform as such, and to substitute civilian-type clothing. No amendment of Prison Rules is involved. The change will apply to all male prisoners; it will not affect the privilege accorded to those prisoners who obey the Prison Rules, of wearing their own clothes at weekends, for recreation and visits. The new clothing will be introduced as quickly as the administrative arrangements can be made.

This change arises from the Government's determination that their attitude to prisoners' living and working conditions should be guided at all times by a humane and enlightened approach, and they will continue to keep the prison regime under review with this principle in mind.

Several prisoners in Maze Prison claim to have started a hunger strike today in support of their demand for political status. The Government have made it amply plain on numerous occasions that they cannot and will not concede this issue of principle.

The situation at Maze Prison is calm. It is too early to say whether the prisoners will carry out their threat of a prolonged hunger strike. The Government would still hope that they would heed the advice of Churchmen and many others not to do so. But if they do, they must understand that the Government cannot give way on the principle that those found guilty of some of the most vicious crimes for what they claim are political motives are less blameworthy than others.

77
7
9
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77 weeks

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543 days

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28 Oct 1980

→ 27 Oct 1983 3x365
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Thur 16 Oct 80

Thur 15 Oct 81

Thur 14 Oct 82

Thur 13 Oct 83

Thur 20 Oct

From: THE PRIVATE SECRETARY

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Nick Sanders Esq
10 Downing Street
London SW1

27 October 1980

Dear Nick

In your letter of 23 October you asked me for advice on the right moment to reply to Dr Paisley's telegram of that day about the possibility of concessions to the prisoners in the Maze.

We had expected that Dr Paisley might table a Private Notice Question on the subject today. While he has not, Mr Enoch Powell has; the Northern Ireland Office's position is therefore on the record in Parliament, and it seems desirable that the Prime Minister should reply to Dr Paisley's telegram before she is called on to answer questions in Parliament tomorrow.

We accordingly suggest that she should write to Dr Paisley tomorrow morning (27 October), and a draft letter is attached.

Yours sincerely
Mike Hopkins

M W Hopkins

DRAFT LETTER

FILE NUMBER

ADDRESSEE'S REFERENCE

To	Enclosures	Copies to be sent to
Rev ~~Mr~~ Ian Paisley MP House of Commons		GR for PMpl CC16
(Full Postal Address)		(Full Address, if Necessary)

LETTER DRAFTED FOR SIGNATURE BY PRIME MINISTER
(Name of Signatory)

You telegraphed me on the morning of 23 October with advice not to make any concessions to Republican prisoners at the Maze in Northern Ireland. You will since have been made aware - most recently by Michael Alison's reply to ~~a~~ the Private Notice Question from Enoch Powell yesterday - that while the Government have decided to change the arrangements for male prisoners' clothing in the sense of substituting a civilian-type clothing for the existing prison uniform, they continue to be absolutely opposed to the grant of any special or "political" status for these or any other class of prisoners. Amnesty is not an option, and while I am sure that the idea of prisoners fasting to death is as repugnant to you as it is to me, that will indeed be the outcome if any persist in their hunger strike.

27 OCT 1980

23rd OCTOBER '80

THE GUARDIAN

Cabinet taking firm line on Maze threat

By Julia Langdon and Bob Rodwell 2

The British Government's attitude towards the threatened hunger strike at the Maze Prison near Belfast is to be discussed at a Cabinet committee meeting today. The strike is due to start on Monday.

No concessions on the demand for a privileged prisoner status are expected to be offered by the Government.

Both the British and Dublin Governments are concerned about the possible effects of the strike and the issue was raised with the Northern Ireland Secretary, Mr Humphrey Atkins, by the Irish Foreign Minister, Mr Brian Lenihan, when he was in London last week.

The Provisional Sinn Fein — orchestrators of H-block protests at the Maze for over four years — has selected between six and a dozen H-block inmates to begin fasting to death.

It has done so following the failure of talks held between the Northern Ireland Office and Cardinal Tomas O Fiaich and Bishop Edward Daly of Derry to produce any significant concession from the Government towards the protesters' demand to be given a privileged status.

The Catholic Primate and Dr Daly have a further meeting scheduled with Mr Atkins, but it is unlikely to be soon enough to avert the hunger strike.

Mr Atkins is virtually certain to advise his Cabinet colleagues to stand fast on the so-called Jenkins doctrine, first enunciated by Mr Roy Jenkins, the then Home Secretary, in 1974 following the hunger strike of Provisional IRA man Frank Stagg, who died in Parkhurst Prison from acute liver failure.

The Labour Government decision, which has been accepted without modification by the present Government, is that hunger strikers should be warned of the medical dangers of their action, but then be allowed to get on with it. The doctrine rules out forced feeding.

At his meeting with Mr Atkins this month, Mr Lenihan found him unyielding on the demand for special prison status.

Dublin is now likely to warn the British Government that a hunger strike at the Maze could create such an emotional atmosphere in the Republic that its own tough and increasingly successful anti-terrorist policy, involving close cross-border cooperation, could be seriously endangered.

DAILY TELEGRAPH

£24m LOSS BY SHIPYARD

1

Harland and Wolff, the ailing Belfast shipyard kept afloat with Government money, had a record trading loss of more than £24 million last year, making the overall deficit £43 million.

In the annual report published last night, the chairman, Sir Brian Morton, blamed the heavy losses on low productivity, the prospect for the future redundancies reducing morale, and sub-contractors who failed to deliver on time.

28 OCT 1980

BF 2

2

PRIME MINISTER

We have asked Mr Atkins for advice on the context and timing of a reply

MS
23/10

MR SANDERS

cc IG
Press Office

Mr Ian

SOUTH WESTERN DISTRICT OFFICE
TUBE ROOM
01-834 9100
23 OCT 1980
SW1P 1AA

O
889113 PO SW G
747651 PO BE G

A1 0913 BELFAST T 59

PRIME MINISTER 10 DOWNING STREET LONDONSW1

ANY CONCESSIONS TO THE IRA H BLOCK MURDERERS WILL BE A GRAVE INSULT AND BETRAYAL OF THE MEMORY OF THE MANY PRISON OFFICERS WHO GAVE THEIR LIVES TO CARRY OUTGOVERNMENT POLICY. IT WILL BE VIEWED IN NORTHERNIRELAND AS THE BEGINNING OF AN AMNESTY AND FINAL CAPITULATION TO THE IRA OBJECTIVES
IAN PAISLEY

CP
COL 10 SW1

747651 PO BE G
889113 PO SW G

PLEASE READ IT WILL BE VIEWED RPT VIEWED

AMBASÁID NA hÉIREANN, LONDAIN.

IRISH EMBASSY, LONDON.

17 Grosvenor Place
SW1X 7HR

23rd October 1980

Dear Prime Minister

On instructions from the Taoiseach, Mr Charles Haughey TD, I have the honour to transmit a personal message regarding the threatened hunger strike by prisoners in the Maze Prison for which the Taoiseach would be most grateful for your urgent consideration.

Yours sincerely

Eamon Kennedy

Eamon Kennedy
Ambassador

The Right Honourable Margaret Thatcher MP
Prime Minister
No. 10 Downing Street
LONDON

AMBASÁID NA hÉIREANN, LONDAIN.

IRISH EMBASSY, LONDON.

SUBJECT

cc Master set

PRIME MINISTER'S
PERSONAL MESSAGE
SERIAL No. T 207A/80.

Message from the Taoiseach, Mr Charles J Haughey TD
to the Right Honourable Margaret Thatcher MP Prime Minister

As the date of the threatened hunger strike in Long Kesh approaches on Monday, 27th October, I feel that I should make direct and private representations to you to convey my deep and serious concern about the repercussions on our security situation of a hunger strike and possible deaths.

The Minister for Foreign Affairs, Brian Lenihan, has already expressed the Government's grave concern to the British Ambassador in Dublin and discussed the matter with Mr Atkins, the Northern Ireland Secretary, in London on 13th October.

Once a strike starts it will probably be impossible to stop it and people will inevitably die. The emotional impact on public sympathies and attitudes throughout Ireland will be grave.

The Irish Government have been successfully pursuing their campaign against subversive crime. Their success in recent months has been exceptional. They have been able to secure this success largely because of widespread public support. It is the view of our security forces that the subversive elements in our society are at present greatly shaken and demoralised. It is absolutely essential that they should not, at this point, be provided with any basis for a campaign to retrieve public support.

/...

In response to a specific enquiry from the Government, the Irish security forces have given it as their serious and considered judgement that a hunger strike in Long Kesh would be exploited by subversives and would have a definite detrimental effect on our security efforts and should, if at all possible, be averted.

It is clear also that the Provisional IRA will fully exploit the propaganda potential of the hunger strike in the US and will undoubtedly secure widespread support as a result and a renewal of the flow of arms and funds. The flow of these funds has been in substantial decline in the earlier part of this year.

I fully appreciate that the British Government must handle sensitive political questions of this kind as they consider appropriate. I feel, however, that I should, in our common interest, draw specifically to the attention of the British Government the serious repercussions for the security situation in Ireland of a hunger strike and its likely aftermath.

In drawing attention to these matters, I hope that every possible avenue will be explored in the search of a means to avoid this dangerous development. I believe that it should be possible to find a formula, perhaps on the general lines already suggested by our Foreign Minister and by the Commission for Justice and Peace of the Irish Episcopal Conference which would avoid confrontation and in no way detract from the effectiveness of the security effort or infringe the basic principles involved.

23 October 1980

jfh

23 October 1980

I am writing to acknowledge receipt of your telegram of 23 Octoberwwhich I will place before the Prime Minister at once.

NJS

The Reverend Ian Paisley, MP.

jfh

23 October 1980

BF 30.10.80

As I told you on the telephone, the Prime Minister has received a telegram from Ian Paisley, MP, about the possibility of concessions to the prisoners in The Maze. I attach a copy of the telegram and would be grateful to have advice on the timing of a reply. I am sure that the Prime Minister would wish to be guided by your Secretary of State on the right moment to reply to Dr. Paisley: I should be grateful if you could let me have a suitable draft in due course.

NJS

Mike Hopkins, Esq.,
Northern Ireland Office.

CONFIDENTIAL

SUBJECT -

cc. Master set.

Ireland: Meeting with the Taoiseach Pt 3.

10 DOWNING STREET

From the Private Secretary

23 October, 1980.

Dear Roy,

Message from the Taoiseach

As you know, the Irish Ambassador called on the Prime Minister this afternoon to deliver the enclosed message from the Taoiseach to the Prime Minister about the threatened hunger strike at the Maze Prison. Dr. Kennedy emphasised that the Irish Government did not propose to reveal the fact that a message had been sent.

Dr. Kennedy said that Mr. Haughey was deeply concerned about the dangers posed by the strike. Mr. Haughey thought that his Government had made considerable progress on the security front. Subversives in the Irish Republic had become isolated and demoralised. This had been made possible by the degree of public support enjoyed by the Government. That support might well be shaken by a prolonged hunger strike. Moreover the strike might well result in the revival of the flow of funds and arms from the United States. The Irish Government had had ample experience of the effects of hunger strikes. They feared that the consequences of an H Block hunger strike could only be damaging.

The Prime Minister said that she greatly appreciated the efforts which had been made in every quarter to tackle the security problem. She and her colleagues valued what had been achieved. They were also aware of the possible consequences of a hunger strike. It was with both points in mind that the Cabinet had that morning held a prolonged discussion of its policy towards the hunger strike. They had in the end decided to make the major gesture of allowing prisoners in Northern Ireland to wear civilian clothes instead of prison uniform. It had not been an easy decision. She hoped that the prisoners in the Maze would recognise that one of their major demands had been met, and would call off the hunger strike. She also hoped that Cardinal O'Fiaich would feel able to offer his full cooperation in the effort to avert the strike.

Dr. Kennedy warmly welcomed what the Prime Minister had said (which obviously came as news to him). He said that he was sure the Taoiseach also would be highly appreciative. He was confident

/ that

that his Government would urge Cardinal O'Fiaich to use his influence against the strike. It would obviously now be far more difficult for the men who were "on the blanket" to pursue their plans.

I am sending copies of this letter and its enclosure to Paul Lever (Foreign and Commonwealth Office) and David Wright (Cabinet Office).

M. O'D. B. ALEXANDER

Roy Harrington, Esq.,
Northern Ireland Office.

CONFIDENTIAL

HS

Ireland

23 October 1980

I enclose the text of a telegram which the Prime Minister has received from the Chairman of the Central Armagh Unionist Association. I have not acknowledged the telegram. I should be grateful if you would deal with it as you see fit.

MICHAEL ALEXANDER

Roy Harrington, Esq.,
Northern Ireland Office.

8814563CONPAR G
747066 UUC OU G
23RD OCTOBER 1980
TO THE PRIME MINISTER
FROM CENTRAL ARMAGH UNIONIST ASSOCIATION
IN THE WAKE OF THE COWARDLY MURDER OF OUR HIGHLY RESPECTED MEMBERS, GEORGE ELLIOTT, A MEMBER OF THE EXECUTIVE COMMITTEE OF THE ULSTER UNIONIST PARTY AND JAMES HEWITT, A MEMBER OF THE ULSTER UNIONIST COUNCIL, WE CALL UPON YOU NOT ONLY AS PRIME MINISTER BUT ALSO AS THE LEADER OF THE CONSERVATIVE AND UNIONIST PARTY TO REPLACE THE PRESENT SECRETARY OF STATE FOR NORTHERN IRELAND WITH SOMEONE WHO IS PREPARED TO TAKE THE NECESSARY ACTION ON THE SECURITY AND CONSTITUTIONAL FRONTS WHICH ALLOW ALL THE PEOPLE OF NORTHERN IRELAND TO ENJOY THE BENEFITS OF BRITISH CITZENSHIP
WE CONSIDER THIS A MORE PRESSING MATTER FOR THE ATTENTION OF THE CABINET THAN THE SELFIMPOSED SQUALOR OF CONVICTED MURDERERS IN THE H - BLOCKS
NORMAN ALLEN CHAIRMAN
CLLR MRS MARY SIMPSON SECRETARY

IRENE CLARKE

747066 UUC OU G
8814563CONPAR G

Ref: A03327

CONFIDENTIAL

PRIME MINISTER

Maze Prison Hunger Strike

BACKGROUND

Seven prisoners at the Maze Prison will begin a hunger strike on Monday. The Home Secretary's minute of 21st October reported to you the outcome of a long discussion at H Committee on the tactical issues raised by the Secretary of State for Northern Ireland in his paper H(80) 74. Members of the Cabinet will have seen that paper and the fuller account of the discussion in the minutes of H Committee meeting (H(80) 21st Meeting, Minute 1).

2. There is no doubt of the determination of the strikers and considerable doubt if the strike could be averted, even if the Government were to offer the only concession to the strikers' demands and the representation of Cardinal O'Fiaich that seems practicable: a change in the rules on clothing so that all prisoners in Northern Ireland would, in the course of time, be issued with a more varied range of civilian-type clothing. They would not be allowed to wear their own clothing, which, in the case of the IRA, would soon amount to a uniform. It was the majority view of H Committee that such a concession should not now be made. The possibility of making such a concession at a later stage could not be ruled out, and the wording of any Government statement would have to be carefully considered with the possibility of future developments in mind. The Secretary of State for Northern Ireland was disposed to accept that advice subject to further consultation with the Chief Constable.

3. H Committee also felt that the Government had a good case to make to counter the propaganda on behalf of the prisoners but that this had not as yet been adequately deployed.

4. Unless, therefore, the Secretary of State for Northern Ireland brings new factors to the attention of Cabinet - and we understand that his consultations with the Chief Constable have not produced anything fresh - it should suffice for the Cabinet to endorse the decision not to offer any concessions to the strikers at this stage and to consider how best the Government's case can be deployed.

On this, we understand that the Secretary of State for Northern Ireland has already been in touch with the Paymaster General. He has it in mind to make a statement on Thursday evening or Friday but does not think it would be helpful to make a further statement in Parliament on Monday since by then there will be nothing new to say.

HANDLING

5. You will wish to ask the Secretary of State for Northern Ireland to report briefly on the present position and on the lines of the statement he has it in mind to make. The Home Secretary can confirm the views of H Committee and also the undesirability from his point of view of making a change in the prison regime in Northern Ireland which could not be made at the same time in Great Britain. The Lord Privy Seal may wish to comment from the point of view of relations with the Irish Republic and your forthcoming talks with Mr. Haughey. How far can those talks introduce a new factor into the situation? The Paymaster General will want to comment on how the Government's case can best be presented.

6. The Chancellor of the Duchy and the Lord President may have views on whether it will in fact be possible to avoid a Parliamentary statement. To be forced into answering a Parliamentary Question might be worse than offering a statement in the first instance.

CONCLUSION

7. Subject to the discussion, the Cabinet may not need to do more than note the position in the Maze Prison, confirm again that there can be no compromise on the question of granting political status, and agree that the Secretary of State for Northern Ireland should offer no concessions to the strikers in the statement he proposes to make on Thursday or Friday. He might be invited to discuss further with the Paymaster General the arrangements for that statement. The Cabinet will need to record a firm view on the need or otherwise for a statement in Parliament.

RTA

(Robert Armstrong)

22nd October 1980

22 OCT 1980

GRPS 1,500

RESTRICTED

FM DUBLIN 22:1615Z OCTOBER 1980

TO IMMEDIATE DESKBY FCO 23:0800Z

TELEGRAM NUMBER 295 OF 22 OCTOBER 1980

AND TO IMMEDIATE DESKBY NIO(B) 23:0800Z OCTOBER 1980

FOLLOWING IS THE TEXT OF A LETTER, DATED 22 OCTOBER ADDRESSED TO THE SECRETARY OF STATE FOR NORTHERN IRELAND FROM BISHOP DERMOT O'MAHONY AND BRIAN GALLAGHER, PRESIDENT AND CHAIRMAN RESPECTIVELY OF THE IRISH COMMISSION FOR JUSTICE AND PEACE. THE LETTER WAS DELIVERED HERE TODAY UNDER COVER OF A LETTER ADDRESSED TO ME.

BEGINS.

DEAR MR ATKINS,

WE HAVE CAREFULLY CONSIDERED YOUR COMMENTS ON OUR STATEMENT ON THE PROTEST IN THE MAZE PRISON, CONVEYED TO US IN A LETTER FROM THE BRITISH AMBASSADOR IN DUBLIN, MR FIGG. WE WELCOME YOUR APPRECIATION OF THE CONSTRUCTIVE WAY IN WHICH THE COMMISSION FOR JUSTICE AND PEACE APPROACHED THE QUESTION OF THE PROTEST, AND THE ASSURANCE THAT MINISTERS AND THE PRISON AUTHORITIES IN NORTHERN IRELAND DO NOT WISH TO REJECT ANY BONA FIDE SUGGESTION OUT OF HAND. IN THE LIGHT OF THIS THERE ARE A NUMBER OF POINTS WE WOULD MAKE IN RESPONSE TO YOUR COMMENTS.

WE ARE FULLY AWARE OF THE MAJOR PROPAGANDA AND PUBLICITY EFFORT ASSOCIATED WITH THE H-BLOCK PROTEST. MUCH OF THIS IS DEVOTED TO THE DEMAND FOR POLITICAL OR SPECIAL CATEGORY STATUS. WE HAVE NO WISH TO ENDORSE SUCH A CLAIM. WE WILL NOT LEND OURSELVES IN ANY WAY TO PROPAGANDA WHICH SUGGESTS THAT THE RESORT TO VIOLENCE IN NORTHERN IRELAND, FROM WHATEVER QUARTER, IS JUSTIFIED, MORALLY OR POLITICALLY.

WE ACCEPT THE FINDING OF THE EUROPEAN COMMISSION ON HUMAN RIGHTS THAT THERE IS NOT ENTITLEMENT TO POLITICAL STATUS IN THIS CASE. HOWEVER, IT IS POSSIBLE TO DO AS THE EUROPEAN COMMISSION HAS DONE, AND WHILE REJECTING POLITICAL STATUS AND RECONIZING THAT CONDITIONS ARE LARGELY SELF-INFLICTED, TO URGE ALSO ON THE AUTHORITIES THE IMPORTANCE OF EXPLORING WAYS OF AVOIDING SUCH A SERIOUS DEADLOCK AS NOW EXISTS.

IT CAN SCARECELY BE DENIED THAT THE PROTEST HAS A DEEP EMOTIONAL AND POLITICAL IMPACT IN MANY PARTS OF THE COMMUNITY IN NORTHERN IRELAND, AND OUTSIDE IT. IT CANNOT BUT PROFOUNDLY AFFECT AND

/EMBITTER

EMBITTER MEN WHO SOONER OR LATER MUST BE RELEASED BACK INTO THE COMMUNITY. MANY OF THEM ARE VERY YOUNG. FOR THEM, AS WE SAID, THE DEPRIVATION OF LIBERTY IS THE MAIN PENALTY, WHICH WILL REMAIN IF AND WHEN THE PROTEST ENDS.

YOU CONSIDER THAT THE SUGGESTIONS WE PUT FORWARD IN PARAGRAPH 10 OF OUR STATEMENT QUOTE APPEAR TO BE VERY SIMILAR TO WHAT HAVE BECOME KNOWN AS THE ''FIVE DEMANDS'' MADE BY AND ON BEHALF OF THE PROTESTING PRISONERS UNQUOTE. HOWEVER, IF THESE SUGGESTIONS ARE LOOKED AT IN THE FRAMEWORK OF THE WHOLE STATEMENT, WHICH REJECTED THE CLAIM FOR POLITICAL STATUS AND APPEALED FOR THE END OF ALL ACTS AGAINST THE RIGHT TO LIFE, INCLUDING ATTACKS ON PRISON OFFICERS, THEN THEY DIFFER IN CRUCIAL RESPECTS FROM THE QUOTE FIVE DEMANDS UNQUOTE. IF PRESS REPORTS ARE CORRECT, (IRISH PRESS, 15 OCTOBER) THE PROVISIONAL I.R.A. HAS DECLARED THAT AS A DIRECT RESPONSE TO THE IRISH COMMISSION FOR JUSTICE AND PEACE STATEMENT IT WILL NOT ATTACK MEMBERS OF THE PRISON SERVICE IN THE NORTH OF IRELAND. WHILE WE DO NOT WANT TO PUT MORE WEIGHT ON THIS REPORT THAN IT CAN BEAR, AS FAR AS WE CAN ESTABLISH IT IS A NEW DECISION, MADE, WE MUST PRESUME, IN FULL KNOWLEDGE OF WHAT OUR STATEMENT SAID IN REJECTING POLITICAL STATUS.

OUR PROPOSALS WOULD ALSO BE APPLICABLE TO ALL (UNDERLINED) PRISONERS IN THE NORTH OF IRELAND, AS PARAGAPH 10 MAKES CLEAR. THIS IS NOT JUST COSMETIC OR PRESENTATIONAL. THE NORTHERN IRELAND AUTHORITIES HAVE ALREADY FOLLOWED THIS PRACTICE WHEN SPECIAL CATEGORY STATUS WAS PHASED OUT IN 1976 SEMICOLON AT THAT TIME THE MAXIMUM REMISSION WAS EXTENDED FROM ONE-THIRD TO ONE-HALF OF SENTENCE, AND ENTITLEMENT TO IT WAS EXTENDED TO ALL PRISONERS THROUGHOUT THE NORTHERN IRELAND PRISON SYSTEM.

A CAREFUL SCRUTINY OF THOSE OF YOUR COMMENTS BEARING DIRECTLY ON THE CHANGES WE PROPOSE SUGGESTS TO US THAT MOVEMENT TOWARDS AN ACCEPTABLE COMPROMISE SOLUTION AS POSSIBLE.

WE NOTE FROM YOUR COMMENTS THAT THE NORTHERN IRELAND PRISON SYSTEM DOES NOT ALWAYS HAVE TO MOVE IN STEP WITH THE REST OF THE UNITED KINGDOM SEMICOLON FOR EXAMPLE, THE PRIVILEGES ENJOYED BY INMATES WHO CONFORM TO PRISON RULES, IN BEING ALLOWED TO WEAR THEIR OWN CLOTHES FOR VISITS , IN THE EVENINGS, AND AT WEEKENDS, ARE, AS YOU POINT OUT, NOT AVAILABLE IN OTHER PARTS OF THE UNITED KINGDOM.

IN THE LIGHT OF THIS POINT IT SEEMS THAT THE QUESTION OF PRISON DRESS IS NOT A MATTER OK ABSOLUTE PRINCIPLE.

IN REGARD TO VISITS, LETTERS AND RECREATIONAL FACILITIES, YOU

/REPEAT

REFER TO THE STEPS ANNOUNCED ON MARCH 26 THIS YEAR, AND TO MORE RECENT ARRANGEMENTS FOR COMPASSIONATE LEAVE. WHILE THE PRISONERS DID INDEED REJECT THE OFFER OF MORE VISITS, LETTERS AND RECREATIONAL FACILITIES, THE FACT IS THAT THE OFFER HAS BEEN MADE BY YOU AND PRESUMABLY STILL STANDS. WE KNOW THAT WHEN OFFERED IN ISOLATION, IT WAS REJECTED. ON ITS OWN HOWEVER IT IS NOT ENOUGH TO DEMONSTRATE THE FLEXIBILITY DEMANDED BY THE EUROPEAN COMMISSION ON HUMAN RIGHTS. IF INCLUDED IN A LARGER COMPROMISE IT MUST SURELY BE A POSITIVE ELEMENT AND WOULD SEEM TO HAVE ALREADY REDUCED ONE STUMBLING BLOCK TO NEGOTIABLE PROPORTIONS.

ON THE QUESTION OF REMISSION, APART FROM POINTING OUT THAT SOME REMISSION HAS ALREADY BEEN RESTORED TO PRISONERS WHO HAVE BEHAVED WELL AFTER ABANDONING THEIR PROTEST, YOU NOTE THAT QUOTE IF THE WHOLE PROTEST WERE TO COME TO AN END, A NEW SITUATION WOULD BE CREATED UNQUOTE. WE INFER FROM THIS THAT IF THE OTHER ISSUES COULD BE RESOLVED, YOU WOULD NOT ALLOW THE RESTORATION OF REMISSION TO STAND IN THE WAY OF A SOLUTION.

THIS LEAVES US WITH THE TWO ISSUES OF FREEDOM OF ASSOCIATION AND WORK. IN REGARD TO FREEDOM OF ASSOCIATION WE OBVIOUSLY COULD NOT ACCEPT THAT GROUPS WOULD BE ALLOWED TO DO INSIDE PRISON WHAT THEY WOULD RIGHTLY BE PROHIBITED FROM DOING OUTSIDE. WHAT WE SUGGESTED WAS QUOTE REASONABLE UNDERLINED FREEDOM OF ASSOCIATION UNQUOTE. IN THE END, WHAT CONSTITUTES QUOTE REASONABLE UNQUOTE WILL PROBABLY HAVE TO BE A MATTER OF COMPROMISE. ANY GROUP OF 350 PEOPLE WHICH CAN MAINTAIN SUCH A PHYSICALLY AND PSYCHOLOGICALLY DAUNTING PROTEST OVER SEVERAL YEARS IS ALREADY UNUSUALLY COHESIVE AND DETERMINED, OR FIRMLY DISCIPLINED, OR BOTH. TO ADMIT THIS IS NEITHER TO CONDONE THEIR ACTIONS NOR TO SUGGEST THAT THEY ARE ANY THE LESS DESERVING OF BEING IN PRISON. IT MAY HOWEVER HELP TO PUT OUR SUGGESTION IN REGARD TO FREEDOM OF ASSOCIATION IN A MORE REASONABLE AND ACCEPTABLE LIGHT.

THE QUESTION OF WORK WOULD SEEM TO BE THE MOST DIFFICULT ONE. OUR STATEMENT DID NOT SUGGEST, AS YOU IMPLY, THAT WORK SHOULD BE MADE VOLUNTARY FOR ALL PRISONERS. WE PROPOSED THAT THEY BE ALLOWED QUOTE ENGAGE IN EDUCATIONAL OR OTHER ACTIVITIES AS A SUBSTITUTE FOR ORDINARY PRISON WORK UNQUOTE. THIS WOULD MEAN THAT WORK WOULD BE MORE BROADLY DEFINED, WHILE STILL NOT BEING VOLUNTARY, AND THE POSSIBILITY OF REHABILITATION SOMEWHAT ENHANCED.

IT IS POSSIBLE, AS WE SUSPECT, THAT THE PRISON AUTHORITIES MAY ANTICIPATE PRACTICAL PROBLEMS OF ONE SORT OR ANOTHER ARISING FROM THE IMPLEMENTATION OF CHANGES IN REGARD TO WORK, PROBLEMS WHICH MIGHT BECOME CLEARER IF WE HAD THE OPPORTUNITY OF HEARING MORE ON THIS ISSUE.

YOU SAY THAT THE EFFECTS OF MAKING THESE CHANGES WOULD BE TO ENABLE TERRORIST ORGANISATIONS TO MAINTAIN A FIRM GRIP ON THEIR MEMBERS IN PRISON AND TO BOOST THEIR MORALE. AS WE HAVE ALREADY POINTED OUT, THE FACT IS THAT DESPITE ALL OFFICIAL BARRIERS TO FREEDOM OF ASSOCIATION IMPOSED BY THE PRISON AUTHORITIES, 350 OR SO INMATES HAVE ORGANISED INSIDE THE MAZE A SUSTAINED, COHESIVE PROTEST FOR UP TO FOUR YEARS.

NOR DO WE BELIEVE IT CORRECT TO SAY THAT THE REPUBLIC AND ITS INSTITUTIONS ARE NOT UNDER ACTIVE ATTACK FROM TERRORIST GROUPINGS. THE FACT THAT IT IS NOW SPENDING PROPORTIONATELY MORE ON SECURITY THAN IS SPENT IN NORTHERN IRELAND IS A COMPELLING ARGUMENT TO THE CONTRARY, ESPECIALLY AT A TIME OF SUCH ECONOMIC DIFFICULTY.

WE BELIEVE THAT IF THE PROTEST CONTINUES AND ESPECIALLY IF IT DEVELOPS AS A HUNGER STRIKE, IT WILL FUEL SUPPORT FOR THE I.R.A. HOWEVER, IF THE AUTHORITIES SHOW THE FLEXIBILITY DEMANDED OF THEM BY THE EUROPEAN COMMISSION OF HUMAN RIGHTS, THIS WILL ISOLATE THOSE WHO NOW PERSIST IN SUPPORTING THE PROTEST AND SHOW UP THEIR MOTIVES AS BEING PROPAGANDIST. IF ON THE OTHER HAND THE AUTHORITIES FAIL TO SHOW SUFFICIENT FLEXIBILITY, THE PROTEST IS LIKELY TO ATTRACT THE SYMPATHY AND SUPPORT OF MANY WHO ARE OTHERWISE OPPOSED TO THE ACTIVITIES OF THE I.R.A. IF THEY ARE FLEXIBLE THE AUTHORITIES CAN DEMONSTRATE A MAGNANIMITY AND MERCY WHICH IN THEMSELVES COULD HAVE FAR-REACHING EFFECTS ON EVENTS IN NORTHERN IRELAND. THIS IS TO BE STRONG, NOT WEAK.

WE WOULD THEREFORE, IN THE LIGHT OF YOUR GENERAL COMMENTS ON OUR STATEMENT, AND OUR RESPONSE AS SET OUT ABOVE, ASK TO MEET YOU AND OFFICIALS OF THE NORTHERN IRELAND OFFICE IN THE NEAR FUTURE TO SEE IF OUR PROPOSALS COULD ACT AS THE BASIS FOR A MORE FLEXIBLE APPROACH BY BOTH SIDES, LEADING TOWARDS AN ENDING OF THE PROTEST.

YOURS SINCERELY,

BISHOP DERMOT O'MAHONY,
AUXILIARY BISHOP OF DUBLIN,
PRESIDENT, I.C.J.P

BRIAN GALLAGHER,
CHAIRMAN, I.C.J.P.

ENDS.

FCO ADVANCE TO: SIR K. STOWE (NIO LONDON)
FIGG MR D.J. WYATT (NIO BELFAST)

LIMITED
RID
WED
NAD
DCSD

PS
PS/LPS
PS/PCS
SIR E. YOUDE

MR BUCCLEUCH
MR FERGUSSON
CABINET OFFICE

COPIES TO
SIR K STOWE
MR D.J. WYATT } N.10.

CONFIDENTIAL

10 DOWNING STREET

From the Private Secretary

22 October 1980

The Prime Minister has seen the Home Secretary's minute of 21 October, in which he reported the discussion at H Committee of the threatened hunger strike at the Maze Prison.

The Prime Minister was grateful for this report. She agrees that Cabinet should be advised of the latest position on this matter tomorrow, and she also agrees that the Home Secretary should raise at Cabinet the question of the Prison Officers' Association dispute in England and Wales. She has asked that these matters be covered under an additional agenda item tomorrow.

I am sending copies of this letter to Roy Harrington (Northern Ireland Office) and David Wright (Cabinet Office).

M. A. PATTISON

J.F. Halliday, Esq.,
Home Office.

CONFIDENTIAL

NTS to see.
I have informed
N10.

MAP
22/X.

PA
MS

10 DOWNING STREET

From the Press Secretary

T. Parkinson

Mr W Ross, Londonderry MP, telephoned this evening asking me to pass on to the Prime Minister's PS a message to the effect that he had seen on TV this evening an item saying that the Cabinet intended to discuss the H-block hunger strike issue tomorrow.

He considered that it would be far better if the agenda were changed to leave out that item and substitute it for one of more importance – namely, the decision by prisons at Musgrave Park Hospital, Belfast, to lock up Irish rather than move 16 sensational patients

10 DOWNING STREET

out of a "dangerous word just because the movement was not made now overtime payments".

I said I would pass on the message.

In reply to a question as to whether the H-block hunger strike was to be discussed by Cabinet, I said that we did not disclose Cabinet agendas. I had certainly not stated that the subject was to be discussed and I would be astounded if anyone else had done.

He said he thought it might well be a journalist trying to earn his keep.

Bryan 22/10

Prime Minister

'H' decided on ~~non~~ no concessions over the hunger strike.

This should be mentioned at Cabinet. It is a serious issue - perhaps a separate item rather than an afterthought to Parliamentary Affairs?

MAP 26/x

PRIME MINISTER

Yes mk

HUNGER STRIKE AT THE MAZE PRISON

At this morning's meeting of H Committee the Secretary of State for Northern Ireland confirmed that seven I.R.A. prisoners at the Maze Prison were almost certain to begin a hunger strike on 27th October and that both they and others who might start a similar strike a little later were sufficiently determined to continue the strike until they died. The hunger strike would be accompanied by an orchestrated campaign of support throughout Ireland and abroad.

The Committee were unanimous in supporting the view of the Secretary of State for Northern Ireland that the Government could not compromise on the principle of granting political status to the prisoners concerned, and that the aim must be to sustain the improving security position. Against that background we considered very carefully the advantages and disadvantages of the Government making any move in advance of the strike on the lines discussed in the Secretary of State's paper H(80) 74.

We noted that of the five points listed in paragraph 5 of that paper the first three presented no difficulties if and when the prisoners were willing to conform to the normal rules, and agreed that no concession should be made on the requirement for prisoners to work. Discussion therefore centred on the possible announcement of a change in policy whereby all prisoners in Northern Ireland who conformed to general prison rules would, in the course of time, be issued with a more varied range of civilian-type clothing. Most of the Committee, though not all, felt that it would not be sensible for

the Government to offer such a change of policy now. Since neither I nor the Secretary of State for Scotland could contemplate an early similar change being made for Great Britain, it could not convincingly be represented as a general measure of penal reform. It was the more likely therefore to be seen as a concession to the prisoners made only because of the imminence of the hunger strike. This does not mean, however, that the possibility of making such a concession or of offering a wide review of prison regimes in Northern Ireland may not be useful cards to play as events develop.

The Secretary of State for Northern Ireland will, if you agree, report the latest position to Cabinet on Thursday, when he will have had the benefit of formal advice from the Chief Constable. He had it in mind, subject to colleagues' agreement, to make a full statement of the Government's position on Friday in Northern Ireland and to make a statement to the House of Commons when it resumes on Monday, 27th October.

At the same time, I am likely myself to have to make a statement about the dispute with the Prison Officers' Association in England and Wales. Both matters could, if you agree, be raised under "Parliamentary Affairs" at Cabinet or, alternatively, there could be a separate item on the agenda.

I am copying this minute to the Secretary of State for Northern Ireland, to our other Cabinet colleagues, to the Attorney General and the Minister of Transport, and to Sir Robert Armstrong.

Willie.

21. October 1980

21 OCT 1980

2

* H(80)74

10 DOWNING STREET

Prime Minister

Mr Atkins is taking to H the threat of a hunger strike at the Maze.

His paper sets out the options without making a recommendation. He will make his own choice after consulting the security experts in N.I. today.

It looks a case of "Heads you win, tails I lose".

MT.

MAP 20/x.

With the Compliments

of the

Secretary of State

Scottish Office,
Dover House,
Whitehall,
London, S.W.1 A 2AU

Ireland

SCOTTISH OFFICE
WHITEHALL, LONDON SW1A 2AU

NBPM.

MRL

17x.

SECRET

The Rt Hon Humphrey Atkin MP
Secretary of State for Northern Ireland
Northern Ireland Office
Great George Street
LONDON
SW1P 3AJ

16 October 1980

Dear Humphrey,

Thank you for sending me a copy of your letter of 9 October to Willie Whitelaw about proposals you are considering in relation to the regime of prisoners in Northern Ireland.

I must say that I have many personal doubts about the steps you are considering. You will, I know, have weighed very carefully all the possible repercussions of those steps but it does seem to me to be very likely that a decision not to insist on prison clothes could be used by your troublesome prisoners to develop a uniform of their own design and to continue their protest by that means. For our own purposes, we regard the wearing of prison uniform as a most important security safeguard in all but our open establishments and I certainly would not wish to make any changes in this direction. I am sure that any such change would face considerable opposition from prison Governors and staff alike.

On the question of prisoners' work, I have serious doubts whether public opinion, in Scotland at any rate, is ready to accept a position where prisoners are allowed an option not to work and to engage, in its place, in self-improving activities. As it happens, we are just embarking on a comprehensive study of prison objectives and regimes in the light of the May Committee's recommendations and I certainly would not wish, for Scotland, to pre-empt any aspect of this study by making any changes at the present time.

We do, of course, have a number of prisoners in Scotland serving sentences associated with crimes which have political associations (either of an Irish or of a purely Scottish dimension) and it is likely that any recognition in Northern Ireland of your terrorist prisoners' aim to achieve political status would be taken up by our "political" prisoners. But as the proposal you are considering is to make changes for all prisoners I do not think that these changes would have repercussions in Scotland. I would certainly propose to resist any pressure for extension to Scotland.

SECRET

You may take it, therefore, that although, as I have said, I have serious doubts about the kind of initiative mentioned in your letter, I would not wish to stand in your way if the study you are undertaking leads you to propose changes of the kind you have indicated for all prisoners in Northern Ireland. I say this, of course, understanding fully the very great pressures under which you and the prison authorities in Northern Ireland are operating.

I am sending a copy of this letter to Willie Whitelaw, and to the other recipients of your letter.

Yours ever,

George.

CONFIDENTIAL

Ireland

HOME SECRETARY

QUEEN ANNE'S GATE LONDON SW1H 9AT

13 October 1980

Dear Humphrey

NBPM

Rpt 14/X

Thank you for your letter of 9th October keeping me in touch with your work on the "H Block" protest. I have also seen your Private Secretary's letter of 10th October.

I must, of course, accept that the prison population in Northern Ireland is different in a number of respects from that in Great Britain. I note that you will be circulating a paper for H Committee and that the position may be complicated by a hunger strike. Meanwhile I am sure that it is right that our officials should keep in close touch.

I am sending copies of this letter to the Prime Minister, the Foreign and Commonwealth Secretary, the Secretary of State for Defence, the Attorney General, members of H Committee and Sir Robert Armstrong.

Yours

Willie

The Rt. Hon. Humphrey Atkins, M.P.

CONFIDENTIAL

14 OCT 1980

IMMEDIATE

NORTHERN IRELAND: ADVANCE COPIES 18

Ireland

PS
PS/LPS
PS/PUS
MR BULLARD
MR FERGUSSON
HD/RID
HD/PUSD (2)
HD/IPD
HD/NEWS DEPT

... ...

... ...

~~RESIDENT CLERK~~

N IRELAND OFFICE - PS TO SEC OF STATE
RM 66 A/2 GGS

N IRELAND OFFICE [4 copies]

SIR K STOWE
MR MORIATY
MR MARSHALL
MR BUXTON

CABINET OFFICE - SIR R ARMSTRONG
DIO

NO 10 DOWNING STREET

RR N I O(B)

GRS 300

CONFIDENTIAL

IMMEDIATE

FM DUBLIN 10/1100Z OCT 1980

TO IMMEDIATE F C O

TELEGRAM NUMBER 277 OF 10 OCT

AND TO ROUTINE INFO N I O(BELFAST)

PIRA have now announced that the hunger strike will begin on Monday, 20 October. One might expect the first deaths to occur about Christmas if the 'strikers' resolution holds & no solution is found.

POSSIBLE HUNGER STRIKE IN H-BLOCK

1. MR LENIHAN ASKED ME TO CALL THIS MORNING TO EXPRESS THE CONCERN OF THE IRISH GOVERNMENT AT POSSIBLE DEVELOPMENTS IN MAZE AND OTHER PRISONS IN NORTHERN IRELAND AND GREAT BRITAIN.

2. THEY HAD HEARD THAT THERE WERE PLANS FOR A HUNGER STRIKE TO START ON MONDAY, 20 OCTOBER. THEIR INFORMATION WAS THAT SEVERAL SINGLE MEN WITH NO DEPENDENTS KNOWN FOR THEIR RESOLUTION HAD BEEN CHOSEN FOR THE STRIKE. THE IRISH GOVERNMENT WERE CONCERNED ABOUT THE EFFECT THIS MIGHT HAVE ON THE EXISTING EXCELLENT SECURITY COOPERATION ON THE BORDER. AT THE MOMENT IRISH PUBLIC OPINION SEEMED TO BE MORE OR LESS BEHIND THE GOVERNMENT IN ITS INCREASED CAMPAIGN AGINST THE TERRORISTS. BUT A HUNGER STRIKE COULD BE

BEEN CHOSEN FOR THE STRIKE. THE IRISH GOVERNMENT WERE CONCERNED ABOUT THE EFFECT THIS MIGHT HAVE ON THE EXISTING EXCELLENT SECURITY COOPERATION ON THE BORDER. AT THE MOMENT IRISH PUBLIC OPINION SEEMED TO BE MORE OR LESS BEHIND THE GOVERNMENT IN ITS INCREASED CAMPAIGN AGINST THE TERRORISTS. BUT A HUNGER STRIKE COULD BE ESO EMOTIVE THAT THE PUBLIC MOOD COULD CHANGE AND PUT AT RISK THE PRESENT PUBLIC SUPPORT FOR SECURITY COOPERATION.

3. THE IRISH GOVERNMENT FULLY ACCEPTED THAT THERE WAS NO QUESTION OF US GRANTING POLITICAL STATUS BUT THEY WISHED TO URGE US TO TAKE A FRESH, HARD LOOK AT THE WAY WE WERE COPING WITH THE PRESENT CAMPAIGN OF PROTEST. SURELY SOMETHING COULD BE DONE ON THE ISSUES OF CLOTHING AND WORK WHICH WOULD HEAD OFF A HUNGER STRIKE.

4. I REPLIED THAT WE WERE FULLY CONSCIOUS OF THE DANGER OF THIS PROBLEM AND THAT WE HAD BEEN WORKING HARD TO TRY TO FIND A SOLUTION. AS HE KNEW , AN N I O OFFICIAL HAD VISITED DUBLIN THIS WEEK TO DISCUSS THE QUESTION OF CLOTHING AND WORK WITH DEPARTMENT OF JUSTICE OFFICIALS.

5. MR LENIHAN IS RIGHT IN SAYING THAT THE PRESENT PUBLIC MOOD IS PRETTY SOLIDLY BEHIND CROSS BORDER SECURITY COOPERATION. IT IS DIFFICULT TO FORECAST WHAT EFFECT A PROLONGED HUNGER STRIKE MIGHT HAVE BUT I AM NOT SURPRISED THAT THE IRISH GOVERNMENT SEEMS TO BE QUITE WORRIED.

6. MR LENIHAN WILL BE RAISING THE MATTER WITH MR ATKINS ON MONDAY.

FIGG

NNNN

IMMEDIATE

CCN FOR LINE NINE PARA TWO PLEASE IGNORE ''ESO''

#7?69 002/10

From: THE PRIVATE SECRETARY

2.

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Prime Minister.
To see.
10x

John Halliday Esq
Private Secretary
Home Office
50 Queen Anne's Gate
London SW1H 9AT

10 October 1980

Dear John,

My Secretary of State's letter of 9 October warned of the possibility of a hunger strike by the 'H' Block protesters in support of their claim to special category status. The Republican prisoners' declaration of intent was in fact made today and I attach a copy of their statement. You will see that they propose to start their hunger strike on 27 October. Mr Atkins has issued the attached statement by way of a reply. This will be relayed to posts abroad and its content has been given to Mr Brynmor John (the Opposition spokesman on Northern Ireland).

I am also attaching, as background, the statement made by the then Home Secretary in July 1974 about compulsory feeding of prisoners - this line has been endorsed by the current Government, as my Secretary of State made clear in his answer to a Parliamentary Question about the medical care of prisoners on 16 November 1979 (copy attached).

I am copying this letter to the Private Secretaries to the Prime Minister, the Foreign Secretary, the Defence Secretary, the Attorney General and members of 'H' Committee.

Yours sincerely
Mike Hopkins

M W HOPKINS

Over a very long period the Government has made clear their determination to create within Northern Ireland prisons a regime which will provide the most civilised possible conditions for those sentenced to terms of imprisonment for the commission of crimes - in some cases of the most serious nature.

That determination will be sustained.

The statement allegedly from Her Majesty's Prison Maze prisoners makes quite clear that the only issue is the creation of the "status of political prisoners". Lord Gardiner and the European Commission of Human Rights among others have made clear that there is no basis in law or morality for such status.

The Government has made equally clear that while determined to make conditions in prison of the highest standard it is not prepared to create gradations of crime. There will be no compromise on the principle of political status.

Murder is murder wherever it is committed.

Successive Governments have also made clear their position on hunger strikes: that position has been unchanged since 1974, and remains so.

14/3

IMMEDIATE BY HUPAX

PS/RUS
MIO(L)

From: D.J. Gilliland (via D.J.W.

Date: 10 October 1980 - 5.25pm

We have been asked to issue the following supplied statement to our office. The statement is a smuggled communication from the PRO of the blanket men in the H-Blocks.

"We, the Republican POWs in H-Block, Long Kesh, demand as of right political recognition and that we be accorded the status of political prisoners. We claim this right as captured combatants in the continuing struggle for national liberation and self-determination. We refute most strongly the tag of criminal with which the British have attempted to label us in our struggle, and we point to the derisive, partitionist institution of the six-county state as the sole criminal aspect of the present conflict.

All of us were arrested under repressive laws, interrogated and often tortured in RUC barracks and processed through special non-jury courts where we were sentenced to lengthy terms of imprisonment. After this we were put in the H Block and were expected to bow the knee to the British administration and wear their criminal uniform. Attempts to criminalise us were designed to depolitise yet the Irish national struggle.

We don't have to recite again the widespread, almost total forms of punishment, and deprivation we have been subjected to. All have failed to break our resistance.

For the past four years we have endured this brutality in deplorable conditions. We have been stripped naked and robbed of our individuality, yet we refuse to be broken. Further repression can only serve to strengthen our resolve and that of our gallant female comrades enduring the same hardships in Armagh jail.

During this period many individuals, religious figures and political organisations and sections of the media have condemned the way we have been treated. Yet despite appeals for a resolution of the H-Block protest the British Government has remained intransigent and has displayed vindictive arrogance in dealing with the problem. They refuse to treat this issue in a realistic manner which is just another reflection of their attitude to the entire Irish question.

Bearing in mind the serious implications of our final step not only for us but for our people we wish to make it clear that every channel has now been exhausted and, not wishing to break faith with those who from whom we have inherited our principles, we now commit ourselves to a hunger strike.

We call on the Irish peoples to lend us their support for our just demands and we are confident that this support will be very much in evidence in the coming days. We call on all solidarity and support groups to intensify their efforts and we also look forward with full confidence to the support of our exile countrymen in America and Australia.

We declare that political status is ours of right and we declare that from Monday 27 October, 1980, the hunger strike by a number of men representing H blocks 3, 4 and 5, will commence.

Our widely recognised resistance has carried us through four years of immense suffering and it shall carry us through to the bitter climax of death if necessary.

Signed PRO
H Block Blanketmen

benefit or family income

Information is not avail-
the question in this form,
een estimated that about
en living more than the
ng distance from school are
e and that about 10 per
n of school age belong to
ing supplementary benefit
ne supplement.

aft Education

sked the Secretary of State
and Science how many
institutions and university
eduction conduct specialist
education.

: Eighteen public sector
ngland, and one university
education, provide training
craft design and tech-
of these also provide re-
in this subject for teachers
er subjects and one further
s only such a course.

chool Meals

asked the Secretary of
Science what are the res-
teachers in supervising
in what way the Govern-
change these responsibili-
h money could be saved
k on total responsibility
ion ; and to what number
s this saving corresponds.

Under the terms of a
rking party published in
orsed by all the bodies

her must retain overall res-
conduct of the school meal,
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and there is a professional
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ad teacher in fulfilling these

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ocal authorities and the
der. The cost of employ-
000 midday supervisory
ll of whom supervise the
urrently about £46 million
is not possible to say how
ight be saved if teachers
upervision nor to what

number of teaching jobs this saving might correspond.

School Leavers

Mr. Pawsey asked the Secretary of State for Education and Science if, further to his written answer of 2 November, he will describe further the disruptive effect on final year courses, in view of the number of pupils likely to be involved.

Dr. Boyson : The question appears to assume that few pupils would be affected. I believe, on the contrary, that such a change in the law on school leaving would lead to increasing numbers of young people seeking offers of employment ; and to disaffection among those forced to remain at school. If, during the fifth year, classes were allowed to dwindle piecemeal, it could disrupt teaching and make it difficult to plan the use of resources sensibly. In such circumstances it seems that these pupils would derive minimal benefit from their last year.

Schools (Subsidies)

Mr. Richard Wainwright asked the Secretary of State for Education and Science what are the current subsidies on (*a*) school meals, (*b*) school transport and (*c*) school milk in each of the local education authorities in West Yorkshire and Greater Manchester.

Dr. Boyson : The net cost to public funds of these services in the areas in question in 1978-79 was as follows:

£000

	School meals	*School transport*	*School milk*
West Yorkshire—			
Bradford	4,497	849	110
Calderdale	2,067	440	100
Kirklees	2,771	298	72
Leeds	5,918	1,299	174
Wakefield	2,789	523	129
Total	18,042	3,409	585
Greater Manchester—			
Bolton	2,617	313	111
Bury	1,461	160	59
Manchester	5,531	1,072	116
Oldham	1,890	204	45
Rochdale	2,044	235	68
Salford	2,450	232	107
Stockport	2,312	349	106
Tameside	2,076	263	109
Trafford	2,232	295	64
Wigan	2,963	307	76
Total	25,576	3,430	861

NORTHERN IRELAND

Prisoners (Medical Care)

Mr. Goodlad asked the Secretary of State for Northern Ireland if he will make a statement about the arrangements for the medical care of prisoners in Northern Ireland, with particular reference to those prisoners in Maze prison who are breaking prison rules in an attempt to secure special treatment as political prisoners.

Mr. Humphrey Atkins : Prison inmates in Northern Ireland have access to medical facilities equivalent to those available to the general population. Medical staff are attached to the prisons, and can also call in consultants to give specialised advice and treatment as required, or refer prisoners to outside hospitals for out-patient treatment or for admission.

The doctors concerned with prisoners' health observe the same professional ethical principles as apply to the treatment of any other patients. In particular, treatment indicated in a prisoner's own interest is not forced upon him against his will. While prisoners can, therefore, deny themselves medical care by refusing to co-operate with the medical staff, medical care is never denied a prisoner on disciplinary grounds.

The current campaign by certain prisoners in Maze prison involves the creation of disgusting and unhygienic conditions, apparently with total disregard of

consequent risks to health, in support of demands for special category status. The Secretary of State has made it clear that the Government will not yield to these demands. To contain the health risk created, a number of special measures were introduced, including regular steam-cleaning and repainting of cells.

The full range of medical services is available to the protesting prisoners, with daily sick parades and with a medical officer and prison hospital officers available day and night. It is, however, part of the campaign that these prisoners do not co-operate with prison officers or clinical staff. A medical officer visits the cells at least once a week, to monitor and observe the internal conditions, personal hygiene standards and inmates' health, so far as this is practicable. It is not possible to maintain the same standards of care for prisoners who reject it as for the majority who co-operate in measures designed for their own welfare.

If the actions of individual prisoners should cause an unacceptable health hazard to other inmates, staff or the community, such measures as may be necessary will be taken to counter the risk; but it is not the practice, or the intention, to force medical care upon any prisoner for his own individual benefit.

This accords with the ethical and legal position in the general community, where measures to protect the individual's health are not forced on him against his will, but Public Health legislation provides for compulsory examination and isolation in the case of an infectious disease hazard.

Despite the conditions which the protesting prisoners have been creating since March 1978, there has so far been no evidence of any resulting illness.

Prisoners who reject normal hygienic standards of behaviour, and who refuse to co-operate in medical examination or treatment indicated for their individual welfare, do so at their own risk, and the consequences are entirely their own responsibility. I hope this is clearly understood by these prisoners and by those outside the prison who are directing or supporting the protest.

I shall continue to monitor the situation closely, and in the light of medical advice to take appropriate measures to control the health risks created by the protest campaign.

Ulster College

Mr. Kilfedder asked the Secretary of State for Northern Ireland how many academic staff are employed by the Ulster college; and how many of these are employed on degree courses, teacher training, and on other courses.

Mr. Goodhart: The number of academic staff in post at the Ulster polytechnic on 31 March 1979 was 538. Academic staff are not recruited to teach on particular courses. Most of them teach across a range of courses.

Housing Stock (Belfast)

Mr. Wm. Ross asked the Secretary of State for Northern Ireland what was the total number of dwellings owned by Belfast corporation during the last year for which it was responsible for housing; and what is the approximate number of Housing Executive dwellings in the same area in 1979.

Mr. Goodhart [*pursuant to his reply*, 13 November, c. *552*]: The number of dwellings owned by Belfast corporation in September 1971 was approximately 21,000. There are at present approximately 39,700 Northern Ireland Housing Executive dwellings in Belfast. These figures are not comparable because of differences between the boundaries of the former county borough council and the present Northern Ireland Housing Executive Belfast regional office area.

Driving Tests (Fees)

Mr. Wm. Ross asked the Secretary of State for Northern Ireland if he will give the reasons for the increase in the fee for a heavy goods vehicle driving test from £8 to £30; and if he will publish the accounts of such tests for each of the last three years.

Mr. Goodhart [*pursuant to his reply*, 13 November 1979, c. *554*]: This fee was increased to take account of increased costs since fees were last revised in April 1976 and to bring it into line with that for the same test in Great Britain.

Vehicle and driving test staff are responsible for the whole range of vehicle and driving tests and it is not possible to

give precise information on th
the heavy goods vehicle drivin
vice alone. However, estimate
for the last 3 years are:

1976–77
1977–78
1978–79

The income from fees over
period is as follows:—

1976–77
1977–78
1978–79

Altnagelvin Hospita

Mr. Wm. Ross asked the S
State for Northern Ireland (1)
medical vacancies have occurr
what departments, in Altnagelv
during the last 12 months;
have been filled; and how ma
vacant;

Medical staff

CONSULTANTS (12 posts)
Anaesthetics ... ...
Chest medicine ... ...
Geriatrics ... ...
Obstetrics and gynaecology
Oral surgery ... ...
Orthopaedics ... ...
Ophthalmology ... ...
Radiology ... ...
Pathology ... ...

REGISTRARS (20 posts)
Anaesthetics ... ...
Ear, nose and throat ...
General medicine ... ...
General surgery ... ...
Obstetrics and gynaecology
Oral surgery ... ...
Orthopaedics ... ...
Paediatrics ... ...
Radiology ... ...

SENIOR HOUSE OFFICERS (32 posts)
Accident and emergency ...
Anaesthetics ... ...
Chest medicine ... ...
Ear, nose and throat ...
General medicine ... ...
General surgery ... ...
Geriatrics ... ...
Obstetrics and gynaecology
Orthopaedics ... ...
Paediatrics ... ...
Rheumatology ... ...
Venerology ... ...

HOUSE OFFICERS (10 posts)
General medicine ... ..
General surgery ... ..
Geriatrics ... .
Orthopaedics ... .
Paediatrics ... .
Rheumatology ... ..

STATEMENT IN THE HOUSE OF COMMONS ON 17 JULY 1974 BY THE HOME SECRETARY

I will, with permission, Mr Speaker, make a statement about artificial feeding of prisoners.

On 23rd May, I said that I would review the position regarding compulsory feeding and the traditional view that a prison medical officer would be neglecting his duty if he were not prepared to feed artificially a prisoner on hunger strike, if necessary against his will, in order to preserve his health and life. Distasteful and objectionable though artificial feeding is, it has been judged preferable to allowing the prisoner to die or his health seriously to deteriorate.

I should like to pay tribute to the professional skill and compassion with which members of the prison medical service have discharged their responsibilities in circumstances which I know they have found difficult and distasteful.

The doctor's obligation is to the ethics of his profession and to his duty at common law; he is not required as a matter of prison practice to feed a prisoner artificially against the prisoner's will. Since there has been misunderstanding on this point, I think it is in the interests of prisoners, the medical profession and the public, that the procedures to be followed in future should leave no room for doubt.

I am advised that the common law duty placed upon persons in charge of a prisoner is to take such steps as are reasonable in the circumstances of each case to preserve the health and the life of the prisoner. In making their decision in respect of any particular case, they must have regard not merely to the dangers likely to flow from the prisoner's refusal of food but also to those likely to flow from the process of forced feeding itself, if it is resorted to, and particularly if it is resisted.

Accordingly, the future practice should, in my view, be that if a prisoner persists in refusing to accept any form of nourishment, the medical officer should first satisfy himself that the prisoner's capacity for rational judgement is unimpaired by illness, mental or physical. If the medical officer is so satisfied, he should seek confirmation of his opinion from an outside consultant. If the consultant confirms the opinion of the prison medical officer, the prisoner should be told that he will continue to receive medical

supervision and advice and that food will be made available to him. He should be informed that he will be removed to the prison hospital if and when this is considered appropriate. But it should be made clear to him that there is no rule of prison practice which requires the prison medical officer to resort to artificial feeding, whether by tube or intravenously. Finally, he should be plainly and categorically warned that the consequent and inevitable deterioration in his health may be allowed to continue without medical intervention, unless he specifically requests it.

I have discussed this subject with my right hon. Friends the Secretaries of State for Scotland and Northern Ireland, who have decided that the procedures I have outlined will apply also in Scotland and Northern Ireland.

SECRET

6 (1)

SECRETARY OF STATE
FOR
NORTHERN IRELAND

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

9 October, 1980

Fr. Rus

Prime Minister

Mr Atkins reports on discussions about possible ways of ending the 'H' Block protest.

MT.

Rus 9/x

The Rt. Hon. William Whitelaw, MP,
Secretary of State for the Home
Department,
Home Office,
Queen Anne's Gate,
LONDON SW1

Dear Willie,

As you are aware, for over 2½ years some prisoners in HMP Maze in Northern Ireland have been refusing to work or to wear prison uniform and have been consistently dirtying their cells with excrement and urine in support of their claim to be political prisoners with a special status. The numbers involved remain steady at about 340 and, since February this year, a small number of women at HMP Armagh have been involved in a similar protest. While the resulting conditions are entirely self imposed (and are ameliorated as far as possible by the prison staff) the "H Block" protest represents one of the few remaining propaganda tools of the PIRA.

We have at all times made it clear that there is and can be no question of granting to those convicted of criminal acts of violence political or 'special category' status, or anything that could lead to the expectation that one day there will be an amnesty for convicted terrorists in Northern Ireland. Our position has been upheld by the ECHR in their recent judgement but the Commission expressed the view that it was the responsibility of HMG to try to find a solution to this problem and to deal with the humanitarian aspects. We have in fact been deeply concerned about the threat from the protest to the prisoners' health - and equally concerned at the propaganda which PIRA and their supporters have been able to derive from it. To that end we have tried to ameliorate the conditions by rehousing the prisoners in cleaned cells every few days and have recently offered a series of small concessions on matters like compassionate home visits and reading material which were designed, inter alia, to demonstrate that we are neither vindictive to the protesters nor unresponding to those concerned with their welfare.

SECRET

Contd.....

9 OCT 1980

Among the latter are Cardinal O'Fiaich, Archbishop of Armagh, and Bishop Daly of Derry who this year have had several meetings with me on this issue at their request and in their pastoral capacity. I have told them of the changes we have introduced on humanitarian grounds and have pointed out that these have not as yet attracted any positive response from the prisoners. On the other hand, the protest has not intensified and there have been no attacks on prison officers in the period in which I have been discussing the protesters' conditions with the Cardinal: we know that the protesters and PIRA are aware of the Cardinals meetings with me on these matters.

At our last meeting, on 18 September, the Cardinal suggested that the only changes in regime that would make a difference in the minds of the prisoners would be in respect of prison clothing and work: the right to wear their own clothes and the removal of any obligation to work were among the original demands which led to the protest. After this last meeting the Cardinal issued a Press Statement recapitulating this point and I attach a copy of this and of my reply.

In addition to his public statement, the Cardinal has also written to me privately. I attach a copy of his letter, from which you will see that he goes about as far as I think we could ever expect him to do in committing himself to the view that changes in these two matters of clothing and work would end the protest. I do not think he can possibly have chosen to do this lightly. I have undertaken to consider carefully what the Cardinal suggested.

I do not rule out the possibility that we might conclude that the prison population in Northern Ireland, which is quite different in kind from that of the prisons in Great Britain, merits a different kind of regime more appropriate to the difficult task of rehabilitating (if that be possible) a large number of relatively young prisoners convicted of serious crimes of a terrorist nature. And it would be right to consider what place prison uniform and work has in that regime. It is, inter alia, with this in mind that I have asked with your agreement that the new HMI of Prisons should include HMP Maze in his programme at an early date. Meanwhile I had already set in hand exploratory work into the possibility of adapting the present rules for clothing and work; This is being done in close consultation with your own officials and those of the Secretary of State for Scotland. I will submit to H Committee as soon as possible a paper setting out the conclusions of this study and an assessment of where the best (or least damaging) course may lie taking account not only of prison interests in Northern Ireland and Great Britain but also of the security and political aspects in Northern Ireland and elsewhere.

I have asked for this work to be completed urgently. There are indications that the ground is being prepared for a fresh propaganda campaign overseas and particularly in the United States,

Contd.....

about the protest and in support of the prisoners' demands for concessions that would give them special status. Associated with this is some speculation in the Irish media last week that a hunger strike would begin in the Maze before the Cardinal returns from Rome (where, we know, he is encouraging the Pope personally to interest himself in these issues). There is evidence of our own that confirms this. It is, of course, possible that a hunger strike would be supported by action in Great Britain. If a hunger strike is publicly threatened, or does actually begin without any kind of notice, then our position will, of course, remain as set out in my minute to the Prime Minister of 15 November last year.

I am sending copies of this to the Prime Minister, the Foreign Secretary, the Defence Secretary, the Attorney General and members of H Committee.

Yours ever

Humphrey

Ara Coeli
Ard Mhacha, Armagh

22nd September, 1980.

Dear Secretary of State,

Having considered the position we have now reached in our H-Block discussions and having consulted Bishop Daly since his return to Ireland, I have decided that in addition to writing to you about some of the points which you raised last Thursday I should issue a short Interim Report giving the present 'state of play'.

We both feel bound in conscience to let the many prisoners' relatives who have placed their hopes in us know what is going on and to try to forestall any attempt to escalate the situation. I enclose a copy of this statement which will be issued at 4 p.m. on Tuesday 23rd September.

Yours sincerely,
Tomás Ó Fiaich

Cardinal Archbishop of Armagh

The Rt. Hon. Humphrey Atkins, M.P.,
Secretary of State for Northern Ireland,
Northern Ireland Office,
Stormont Castle,
BELFAST,
BT4 3ST.

(Enclosure)

Ara Coeli
Ard Mhacha/Armagh

22nd September, 1980.

Dear Secretary of State,

Arising out of our meeting last Thursday (18th September) I have thought it advisable to set down on paper, very clearly and honestly, before my departure from Ireland tomorrow, my view of the stage which our discussions on the H-Block issue have now reached and my opinion regarding a future solution of the problem.

As must have been obvious to yourself and your colleagues, I was extremely disappointed with what seemed to me as the lack of progress in regard to the two central issues i.e. 'prison dress' and 'prison work' since our earlier meetings. In our June and August meetings Bishop Daly and I had emphasised that in our view only a substantial change in these two areas would have any hope of bringing the protest to an end. For that reason we had strongly urged that the compulsory wearing of prison garb should be abolished for all prisoners and that in lieu of prison work all prisoners should be given the option of engaging in various useful and self-improving activities, of which a sample list was submitted to the Northern Ireland Office. The Chairmen of the two Boards of Visitors were in general agreement with these proposals and felt that they would be supported by the majority of the members of their Boards.

Despite my disappointment after Thursday's meeting I am still convinced that we were on the right lines and that concentration on the two issues mentioned above can still get us out of the present impasse. In fact we are nearer to the solution of the problem now than we realise, but we are also near to disaster.

If I interpreted your words correctly you are not yet persuaded that the two changes mentioned above would bring the prisoners to end their protest, and you would also have difficulty in getting the consent of the Cabinet unless you can assure them that this will bring the protest to an end.

I have stated again and again that this indeed is my personal conviction but in order to test this against the views of the protesters at the moment I have spent many hours over the week-end interviewing relatives and friends of individual prisoners. This has produced the following results:

1. They all without exception assure me that if the two proposals mentioned above are implemented the prisoners will end their protest; and they themselves will use all their influence to persuade the waverers.

2. There has been a growing restiveness among the protesters in recent weeks and an increasing demand for a hunger-strike to death. Many of them are now convinced that the authorities have no strong motivation to seek a solution of the present dreadful situation, and that only after a number of hunger-strikers die will the Government be forced by the outcry of public opinion

./...

to search for a compromise. They have already given up hope of any substantial change coming out of our talks but they decided to let our meeting after the holidays (announced at the beginning of August) take place so that they would not seem to be 'jumping the gun'. But personnel has already been chosen for a hunger-strike, and as it becomes known that I have gone abroad and will not be back for some weeks, they will conclude that we have had a fruitless meeting and a hunger-strike seems inevitable in the near future. Already some of the media have been ringing Armagh seeking to establish if a meeting has taken place.

3. Thus if a peaceful solution is to be found, it must be found as a matter of extreme urgency. To allow the conviction to spread among the prisoners that our talks have failed and to provide time for preparations for a hunger-strike would be fatal and would set a train of events in motion which it would be impossible to halt or reverse. It would also be tragic if it came on the eve of what might have been the big break-through. I must implore you therefore to have the questions of prison dress and prison work examined with all possible speed and decisions taken on these two issues.

4. I authorise you to provide copies of this letter to any of your Cabinet colleagues who may wish to have my considered view (after consultation with Bishop Daly) as to how the H-Block situation may be ended. No-one here has any doubt that if the Maze protest is ended, the protest in Armagh would then come to an end as well. I emphasise particularly point (1.) above which is tantamount to giving you the categorical assurance which you desired that our proposals would end the protest.

As time is now of the essence and my absence cannot be allowed to hold up a possible solution, I am happy to let you know that Bishop Daly will be available for consultation and discussion during the next critical few weeks.

Yours sincerely,

Tomás Ó Fiaich

Cardinal Archbishop of Armagh

The Rt. Hon. Humphrey Atkins, M.P.,
Secretary of State for Northern Ireland,
Northern Ireland Office,
Stormont Castle,
BELFAST,
BT4 3ST.

STATEMENT ON THE H-BLOCK ISSUE - EMBARGOED TILL 4 P.M. 23 SEPTEMBER 1980

During the past six months the Bishop of Derry and I have made strenuous efforts to resolve the terrible situation which exists in the Maze Prison at Long Kesh and in the Women's Prison at Armagh. The 'blanket protest' of about 350 prisoners in the former is now entering its fifth year and since March 1978 it has escalated into a 'dirt protest' as well. In Armagh the 'dirt protest' of about thirty women prisoners has gone on since last February. In view of the loss of life of several members of prison staff as well as the human suffering which the present situation in the prisons entails for prisoners, prison-staff and the relatives of both (many thousands in all), we make no apology for doing our utmost to obtain a solution. If we have so far failed to solve the problem, our failure is, we believe, less reprehensible than not to have made the attempt.

In this interim report on our efforts so far we wish to record that apart from visits to both prisons we have had five meetings with the Secretary of State, three other meetings with officials of the Northern Ireland Office, discussions with the prison Governors and with the Chairmen of the Boards of Visitors and numerous meetings with parents and other relatives of prisoners on protest. All of these meetings have involved a considerable amount of time and travel on the part of everyone concern

The over-all conviction which has been borne in on us in the course of these meetings is that the H-Block impasse could be solved in the context of a general prison reform in Northern Ireland regarding prison dress and prison work. We have therefore made certain concrete proposals to the Secretary of State under these two heads. The details of these proposals we would regard as confidential at the moment. A number of changes in the direction of a more humane approach on the part of the authorities have been made in recent months. However we have failed so far to secure any substantial changes on these two central issues but our proposals have not been rejected. We shall therefore continue to press for a decision on the part of government to make these changes and a willingness on the part of the protesting prisoners to end their protest if these changes are made.

We are convinced that the vast majority of people in Northern Ireland, irrespective of religious and political loyalties, and especially the thousands of people in our community who are suffering intense anguish because of the present situation would breathe an instant sigh of relief if this impasse became a thing of the past. We believe a solution would be welcome by prisoners and prison officers alike, by the relatives and friends of both groups, by the state authorities in charge of the prisons and the organisations to which many of the prisoners belong, by the Irish and British peoples and their governments, by the Churches and by all those who have lost a loved one in the violence of the past decade. Far too many lives have already been lost and we are fearful that if this problem remains unresolve it will inevitably lead to further tragedy.

Tomás Ó Fiaich, Cardinal Archbishop of Armagh

From: THE PRIVATE SECRETARY

35

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

24 September 1980

The Most Reverend Edward Daly
Bishop of Derry
Bishops House
St Eugene's Cathedral
Londonderry
Northern Ireland

Dear Bishop Daly,

You will perhaps have seen in the press some references to the statement which the Northern Ireland Office issued yesterday in response to the Cardinal's press release about the protest at the Maze Prison. The Secretary of State thought that, now that the Cardinal is abroad, you should have the full text of our statement and I enclose a copy. I am sending a copy to Father Clyne, in order that he may send it to the Cardinal if he wishes to do so.

Mr Atkins will of course be replying to the specific points in the Cardinal's letter as soon as possible.

Yours sincerely,

Roy Harrington

hc: PS/SofS (B)
PS/Ministers (I&
PS/PUS (I&B)
Mr Marshall
Mr Blelloch
Mr Wyatt
Mr Moriarty
Mr Barry
Mr Gilliland
Mr Corbett
Mr Jackson

E.R.

1. The Secretary of State has met Cardinal O'Fiaich and Bishop Daly on a number of occasions to hear their views in their pastoral capacity on prison conditions in HM Prison Maze and HM Prison Armagh. It was clearly understood that the Secretary of State was not prepared to discuss or negotiate the principle of special category status.

2. The Secretary of State acknowledges the humanitarian motives which have prompted the Cardinal and the Bishop to raise these issues. He has made it clear in his conversations with them that he fully shares their concern about the conditions which some of these prisoners at these prisons have imposed upon themselves. These conditions could be ended immediately were the protesting prisoners to accept the findings of the European Commission on Human Rights that they are not entitled to special category status were they to conform to prison rules as the majority of prisoners do. The prisoners concerned have all been convicted in the courts of serious crimes including murder, and as is widely accepted "murder is murder".

3. The Secretary of State has on numerous occasions made quite clear in public the Government's determination to keep the prison regime in Northern Ireland under constant review and to keep Northern Ireland in the forefront of modern prison practice.

/4.

E.R.

4. This embraces a number of issues. Among these are some of the points raised by the Cardinal including questions of clothing and work which he has said are central to the probl which have arisen at the Maze Prison.

5. His view is being given very careful consideration with the context of continuing prison reform.

From: THE PRIVATE SECRETARY

cc. Ben Ottaway.

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Prime Minister

(2)

MT

Michael Alexander Esq
10 Downing Street
London SW1

Yes

23 July 1980

23/7

(Meehan has now, according to the tapes, called off his hunger strike. You may nonetheless like to be aware of the background.)

Dear Michael,

You, and those to whom I am copying this letter, will have seen reports of the hunger strike by Martin Meehan, a prisoner in Maze Prison. He has now ceased taking liquids, and as a result his condition is causing serious concern. His death would provoke reactions at home and possibly abroad, and you may therefore find it useful to have a note of the present position.

Meehan has for a long time been an active and high ranking member of the Provisional IRA. He was detained under the old Special Powers Act on 10 November 1971. He escaped from Crumlin Road Prison on 21 December 1971 and was recaptured on 9 August 1972. He was sentenced on 27 November 1972 to 3 years' imprisonment for membership of an illegal organisation. That sentence was served as a special category prisoner at Maze.

Meehan was sentenced to 12 years' imprisonment on 26 March 1980 at Belfast Crown Court having been found guilty of conspiracy to kidnap and false imprisonment. The offences relate to the kidnapping by the Provisional IRA of a youth in the New Lodge area of Belfast on 11 July 1979. On arrival at Maze Prison on 27 March he joined the dirty protest, but on 19 May announced that he was leaving the protest and was consequently transferred to one of the conforming H blocks at Maze. At the same time he declared his intention of going on hunger strike to draw attention to his claim that he was innocent of the charge of which he was convicted.

He has been on hunger strike continuously since 22 May 1980. He commenced his thirst strike at 8.00 am on Friday 18 July following which there has been a marked deterioration in his condition. His life will be at risk within the next 2-3 days if he persists in his thirst strike, and it became necessary on the evening of 22 July to remove him to the secure wing at the Musgrave Park Hospital, where more sophisticated medical facilities are available. Meehan has again been warned by the doctors and by a senior official of the inevitable consequences of his action if he persists in his hunger and thirst strikes. He might not die immediately if he became

comatose, because the doctors might feel ethically bound to treat him, on the grounds that he was unable to take a conscious decision to refuse treatment. But ultimately irreversible damage to vital organs would result.

He has made no complaints as regards his treatment in the prison, and he speaks highly of the attention which he is receiving from the medical authorities. His wife and his solicitor have tried to persuade him to give up his present action, or at least to take liquids. So far he has refused.

Although Meehan began his hunger strike on 22 May it was not until 25 June that his legal advisers finally presented proper grounds for appeal, when there were only 3 full days of the current court sitting left. It will be mid-September before the appeal can be heard. The timing is a matter for the Lord Chief Justice. The Lord Chancellor's Office are now considering representations on the timing from Neil Blaney, a well-known Independent member of the Dail and a member of the European Parliament. My Secretary of State would not, however, suggest that the judicial process should be disturbed: Meehan's appeal has not been subjected to any delay (at least not by any action of the authorities) and we should not want to create the impression that appeals can be expedited by a hunger strike.

It is difficult to assess reactions to Meehan's death. PIRA have done their best in the last few days to give the impression that he had always been "one of theirs", and their statements have been calculated to stiffen his resolve to continue his action to the end. But Meehan had lost status by being unable to stomach the "dirty protest", and his violent reputation means that there is probably some relief, even among generally sympathetic members of the republican community, that he is in custody. For this and other reasons he would be a less effective martyr now than he might once have been. Demonstrations on the occasion of his death and funeral would involve orchestrated street violence but would probably not be prolonged. Nevertheless, his death could well be used as the pretext for an escalation of other forms of terrorist violence. We are also conscious of possible reaction in the Irish Republic, with potential implications for their co-operation with us.

Copies go to George Walden (FCO), John Halliday (Home Office) and Ian Maxwell (Lord Chancellor's Office).

Yours ever,

Roy Harrington

R A HARRINGTON

/SH

23 JUL 1980

GPS 295
CONFIDENTIAL

CONFIDENTIAL

FM DUBLIN 22/1700Z JULY 1980

TO IMMEDIATE F C O

TELEGRAM NUMBER 209 OF 22 JULY

AND INFO TO N I O (BELFAST)

MARTIN MEEHAN

1. IN ABSENCE OF MINISTER FOR FOREIGN AFFAIRS, I WAS ASKED BY NELIGAN, ACTING HEAD OF D F A, TO CALL ABOUT THE MEEHAN CASE. HE SAID THAT MR HAUGHEY WISHED US TO KNOW THAT THE IRISH GOVERNMENT WERE ACTUALLY WORRIED ON HUMANITARIAN GROUNDS BUT WERE VERY CONCERNED ABOUT THE LIKELY POLITICAL CONSEQUENCES OF MEEHAN'S DEATH. ON THE RECENT S D L P VISIT, HUME HAD SAID THAT HIS DEATH WOULD HAVE MOST UNFORTUNATE CONSEQUENCES POLITICALLY IN THE NORTH. THE IRISH GOVERNMENT WERE EQUALLY WORRIED ABOUT THE POSSIBLE EFFECT OF HIS DEATH IN THE REPUBLIC.

2. NELIGAN SAID THAT THEY WONDERED WHETHER, IN THE CIRCUMSTANCES, H M G COULD NOT CONSIDER MAKING SPECIAL ARRANGEMENTS FOR MEEHAN'S APPEAL TO BE HEARD OR AT THE VERY LEAST MAKE A STATEMENT NOMINATING A DAY EARLY IN THE NEW LAW TERM WHEN IT WOULD BE HEARD. IT SEEMED TO THEM THAT UNLIKE THE H-BLOCK , THERE WAS NO POINT OF PRINCIPLE IN THIS CASE. I SAID I REALLY COULD NOT COMMENT ON WHAT THE POSSIBILITIES MIGHT BE BUT I WOULD REPORT AT ONCE WHAT HE HAD SAID. INCIDENTALLY AS SEEN FROM HIM, IT IS SURPRISING THAT WE HAVE NOT MADE PUBLIC OFFICIALLY THE FACT THAT MEEHAN'S APPEAL COULD HAVE BEEN HEARD IN THE LAST LAW TERM BUT HIS CASE WAS NOT READY

3. I SHOULD ADD THAT NELIGAN MADE IT CLEAR THAT THE IRISH GOVERNMENT SYMPATHISE WITH OUR DIFFICULTY IN THIS CASE BUT VERY GREATLY HOPED THAT WE COULD SHOW ENOUGH INGENUITY TO GET US ALL OUT OF A DANGEROUS SITUATION.

4. CLEARLY, THE IRISH GOVERNMENT ARE VERY WORRIED. WHATEVER THE RIGHTS AND WRONGS OF MEEHAN'S CASE, HIS DEATH WOULD GIVE MUCH IMPETUS TO THE EXTREME REPUBLICAN WING OF FIANNA FAIL, MAKING MR HAUGHEY'S POSITION MORE DIFFICULT, AND UNLOCK THE TRADITIONAL ANTI-BRITISH RESPONSES ON A WIDE SCALE.
FIGG

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PS/MR HURD
PS/MR RIDLEY
PS/MR BLAKER
PS/PUS

CHIEF CLERK
MR ADAMS

MR FERGUSSON
LORD N G LENNOX
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10 DOWNING STREET

THE PRIME MINISTER

16 July, 1980

Dear Mr. Rayner,

You wrote to me on 24 June about a letter you had received from Michael Alison, Minister of State at the Northern Ireland Office, in reply to your letter of 28 May with which you had enclosed a statement from relatives of protesting prisoners in Armagh Prison.

The Minister intended no discourtesy in pointing out that the allegations contained in the statement had been refuted on numerous previous occasions. In returning the statement he was following a common practice of sending back any enclosure with a Member's letter, after taking a copy of it.

Like the Minister, however, I do understand the anxiety of the parents and relatives who are exposed to the propaganda campaign which misrepresents the true position in the Maze and Armagh prisons. I can only say that I am fully satisfied that prisoners have not been denied washing and toilet facilities and that the other forms of deprivation complained of have been brought about entirely by their own actions. They have certainly not been beaten by Prison Officers, male or female.

As far as the five demands of the prisoners are concerned, you will have noted the findings of the European Commission of Human Rights that the right to seek preferential status for a certain category of prisoner is not amongst the rights guaranteed by the Convention, or by Article 9 in particular. The Commission observed

/ that the applicants

that the applicants were not entitled to the status of political prisoner under national law, or under the Convention, or under the existing norms of international law.

The Commission found that the protesters' unhygienic living conditions were self-imposed as part of their protest for special category status and, were they motivated to improve them, could be eliminated almost immediately. Although the applicants were protesting prisoners at Maze Prison, an exact parallel can be drawn with the protest in Armagh.

You also raised the question of searching prisoners who are attending religious services. I am satisfied of the need for random frisk searches to be made when the Governor considers them necessary in the interests of security, and that these searches are carried out in an impartial manner and without harassment to individuals.

Yours sincerely

Margaret Thatcher

Frank Maguire, Esq., M.P.

CONFIDENTIAL

From: THE PRIVATE SECRETARY

Ireland

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

(2)

Prime Minister
This should have been in last night's box but you may still like to be aware of the background.
24 March 1980

26/3

Michael Alexander Esq
10 Downing Street
London SW1

Dear Mr. Alexander

Those taking part in the dirty protest at the Maze Prison, and those outside who support them, now realise that their campaign to secure special category status for all terrorist prisoners is failing. Their propaganda has not succeeded in sustaining significant public interest in Northern Ireland or elsewhere. The Secretary of State continues to put across the Government's determination not to yield on the principle, while keeping the regime in the prison under constant review, with the purpose of making it as humane as possible consistent with the state of the protest.

It is a measure of our success that what attention now remains is largely concentrated on humanitarian aspects. It is also a symptom of the desperation of the protestors that there is renewed talk of hunger strikes at the Maze before long, in addition to a recent extension of a dirty protest to part of the women's prison at Armagh, where the regime has nevertheless been kept to its previous liberal character. The Secretary of State is ready, of course, to deal with any hunger strikes, under Government policy as endorsed by the Prime Minister last November, but he also intends to make clear before the event that there is no point in such action by protestors, nor reasonable cause. This is an approach clearly shared by Cardinal O Fiaich, who has recently taken up a constructive and helpful attitude towards the protest, by others in the Catholic Church from whose community all the dirty protestors come, and by John Hume and colleagues in the SDLP who see a possibility of defusing the protest which remains a worrying and potentially explosive issue in the Catholic community.

Action needs to be taken now if it is to have optimum effect - that is, in due time before Easter, which is always a fraught period in Northern Ireland. Accordingly, the Secretary of State intends to make a statement by way of an answer to an inspired written Question on 26 March, dealing with special category status and conditions of the protestors.

CONFIDENTIAL

The Home Secretary to whom he has spoken agrees with what he has in mind; and he also has the agreement of the Chief Constable and the GOC who have been kept informed of developments.

The statement is to be in two parts.

The first part will note that some admissions to special category status continue because the offences were committed before 1 March 1976 (which is the practice that the present administration inherited and represented the Labour Government's first step to the phasing out of special category status.) All admissions to special category status will stop in respect of persons charged on or after 1 April. With the passage of time the present provision has become increasingly anomalous and helps to keep the protest alive.

The second part of the statement will make more generous provision for correspondence and visits, but will not put the protestors in as good a position as conforming prisoners. It will also as a humanitarian measure permit them to take daily exercise, which they have so far refused to take, in regulation PT kit (short sleeved vests etc) instead of full prison uniform.

The statement will accordingly reinforce the evidence of the Government's determination not to yield on special category status and will encourage those of good will, who are concerned with the humanitarian aspects of the protest, to influence the protestors to co-operate. If the protestors refuse to take up any part of the provisions made available, we will be able to demonstrate yet again, but even more convincingly that they are bringing their conditions on themselves. (Up until now they have generally refused to take up the newspapers we have made available to them; and they destroy chairs we put back in their cells.) If they do co-operate in the measures, we shall have taken another step to defuse the protest. In any event, the Secretary of State will continue to monitor the situation at the Maze very closely.

I am sending copies of this letter to the Private Secretaries to the Home Secretary, Lord Chancellor, Foreign and Commonwealth Secretary, Defence Secretary, Attorney General and Sir Robert Armstrong.

Yours sincerely

Mary Wright

P.P. M W HOPKINS

24 MAR 1980

SECRET
UK EYES A

Ireland 5

MINISTRY OF DEFENCE WHITEHALL LONDON SW1A 2HB

TELEPHONE 01-218 9000
DIRECT DIALLING 01-218 2111/3

SECRET
UK EYES A

21st November 1979

MO 19/3

Dear Humphrey,

I am grateful to you for sending me a copy of your minute of 15th November to the Prime Minister about the possibility of a hunger strike at the Maze Prison.

I agree with the proposals you are making for handling such a situation. In particular we must be prepared to face up to a hunger strike and must not yield on the issue of political status for terrorist criminals.

I am copying this letter to all members of OD and to Sir Robert Armstrong.

Yours ever
Francis

Francis Pym

The Rt Hon Humphrey Atkins MP

SECRET
UK EYES A

SECRET UK EYES A

21 NOV 1979

SECRET

c.c. CO
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Ireland

4

10 DOWNING STREET

From the Private Secretary

19 November, 1979.

The Prime Minister has seen the minute of 15 November to her from the Secretary of State for Northern Ireland about the possibility of a hunger strike at Maze Prison. She has also seen John Chilcot's letter to Clive Whitmore on the same subject.

The Prime Minister agrees with the points made in 5(i) and (ii) of Mr. Atkins' minute.

I am sending copies of this letter to the Private Secretaries to the members of OD, and to Martin Vile (Cabinet Office).

M. O'D. B. ALEXANDER

Roy Harrington, Esq.,
Northern Ireland Office.

SECRET

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SECRET

Foreign and Commonwealth Office

London SW1A 2AH

3

19 November 1979

Dear Michael,

Possible Hunger Strike at Maze Prison

Lord Carrington has seen a copy of the Northern Ireland Secretary's minute of 15 November to the Prime Minister and agrees that in the event of a hunger strike we would have no choice but to proceed as Mr Atkins proposes.

I am copying this to Roy Harrington in the Northern Ireland Office, to the Private Secretaries of the other members of OD and to Martin Vile.

Yours ever

Paul

(P Lever)
Private Secretary

M O'D B Alexander Esq
No 10 Downing Street

SECRET

NOV 1979

COPY NO 1 OF 16

From: THE PRIVATE SECRETARY

SECRET

UK EYES ONLY

2

HOME OFFICE
QUEEN ANNE'S GATE
LONDON SWIH 9AT

15 November 1979

Prime Minister
MT. Rest 16/XI

Dear Clive

The Home Secretary has seen a copy of the minute of 15 November to the Prime Minister from the Secretary of State for Northern Ireland about the possibility of a hunger strike at Maze prison.

The Home Secretary believes strongly that the course proposed by Mr. Atkins is right, and accords completely with the practice he himself accepts in relation to hunger strikes by IRA or other prisoners in England and Wales.

I am sending a copy of this letter to the Private Secretary to the Secretary of State for Northern Ireland, the Private Secretaries to other members of OD, and to Martin Vile (Cabinet Office).

Yours,
John

J. A. CHILCOT

Clive Whitmore, Esq.

Prime Minister
Agree paras (i) & (ii) overleaf?

Yes M.T. 16/XI

PRIME MINISTER

This was in your box last week. 16/XI

You will, I expect, have seen a summary (JIC) report from secret sources about the possibility of a hunger strike among the protesters in the H-blocks at Maze Prison, possibly associated with terrorist attacks in Northern Ireland, Great Britain and on the continent.

2. A hunger strike would be a deliberate and ruthlessley determined act to achieve political status for terrorist prisoners. This is the objective of the dirty protest itself and it is an indication of its failure that a hunger strike is being considered. I am sure that we must not give in, or do anything that can be used as a sign that we are not resolute.

3. Present policy and procedure for dealing with a hunger strike is set out in a statement made by the then Home Secretary in 1974 (copy attached). The effect is that prison authorities and the prison doctors will allow the inevitable deterioration - and consequent death - of a hunger-striker to take place unless the prisoner specifically asks for medical intervention. (The 1974 statement does not rule out forced feeding: the decision is left to the clinical judgement of the doctor concerned, but I think it unlikely that any prison medical officer in Northern Ireland would resort to forced feeding). In my view we must stand firm on the 1974 statement.

4. I intend to announce on Friday, by way of an arranged written Answer, our policy on the medical management of protesting prisoners. This will not, of course, refer to a hunger strike, but it will make clear that it is not the practice, or the intention, to force medical care upon any prisoner for his own individual benefit. This will get our general policy about the medical role in prisons on record before a hunger strike takes place.

5. If there is a hunger strike of a co-ordinated kind by dirty protesters it will be, as I have said, an act of desperation: there will be international interest in it and, perhaps, concurrent fears among the general public about a terrorist campaign. We shall need to say firmly and quickly what our policy is and be prepared to combat the aggressive propaganda which would accompany the strike. I seek your agreement and that of colleagues concerned that:

i. we should sustain our determination not to yield on the issue of political status for terrorist criminals;

ii. we should be prepared to face up to a hunger strike with the 1974 procedures and say so as soon as a hunger strike is called.

6. Copies of this minute go to other members of OD and to Sir Robert Armstrong.

H.A.

HA
15 November 1979

STATEMENT IN THE HOUSE OF COMMONS ON 17 JULY 1974 BY THE HOME SECRETARY

I will, with permission, Mr Speaker,make a statement about artificial feeding of prisoners.

On 23rd May, I said that I would review the position regarding compulsory feeding and the traditional view that a prison medical officer would be neglecting his duty if he were not prepared to feed artificially a prisoner on hunger strike, if necessary against his will, in order to preserve his health and life. Distasteful and objectionable though artificial feeding is, it has been judged preferable to allowing the prisoner to die or his health seriously to deteriorate.

I should like to pay tribute to the professional skill and compassion with which members of the prison medical service have discharged their responsibilities in circumstances which I know they have found difficult and distasteful.

The doctor's obligation is to the ethics of his profession and to his duty at common law; he is not required as a matter of prison practice to feed a prisoner artificially against the prisoner's will. Since there has been misunderstanding on this point, I think it is in the interests of prisoners, the medical profession and the public, that the procedures to be followed in future should leave no room for doubt.

I am advised that the common law duty placed upon persons in charge of a prisoner is to take such steps as are reasonable in the circumstances of each case to preserve the health and the life of the prisoner. In making their decision in respect of any particular case, they must have regard not merely to the dangers likely to flow from the prisoner's refusal of food but also to those likely to flow from the process of forced feeding itself, if it is resorted to, and particularly if it is resisted.

Accordingly, the future practice should, in my view, be that if a prisoner persists in refusing to accept any form of nourishment, the medical officer should first satisfy himself that the prisoner's capacity for rational judgement is unimpaired by illness, mental or physical. If the medical officer is so satisfied, he should seek confirmation of his opinion from an outside consultant. If the consultant confirms the opinion of the prison medical officer,the prisoner should be told that he will continue to receive medical

supervision and advice and that food will be made available to him. He should be informed that he will be removed to the prison hospital if and when this is considered appropriate. But it should be made clear to him that there is no rule of prison practice which requires the prison medical officer to resort to artificial feeding, whether by tube or intravenously. Finally, he should be plainly and categorically warned that the consequent and inevitable deterioration in his health may be allowed to continue without medical intervention, unless he specifically requests it.

I have discussed this subject with my right hon. Friends the Secretaries of State for Scotland and Northern Ireland, who have decided that the procedures I have outlined will apply also in Scotland and Northern Ireland.