PREM 19/1545

M1

Confidential Filing

The release of Marian Price on licence while seriously ill. Correspondence from Lord Brockway concerning the possible release of Dolours Price. Request for the release of Pauline McLaughlin and Robert Cartwell. Request for Release of the Gillespie Sisters.

IRELAND

April 1980

PREM 19/1545

| Referred to | Date | Referred to | Date | Referred to | Date | Referred to | Date |
|---|---|---|---|---|---|---|---|
| ~~29.4.80~~ | | ~~3.8.81~~ | | | | | |
| ~~9.5.80~~ | | ~~2.3.83~~ | | | | | |
| ~~11.11.80~~ | | ~~18.3.83~~ | | | | | |
| 27.11.80 | | ~~21.3.83~~ | | | | | |
| ~~11.12.80~~ | | ~~15.4.83~~ | | | | | |
| ~~9.1.81~~ | | ~~21.6.83~~ | | | | | |
| ~~12.1.81~~ | | ~~6.7.83~~ | | | | | |
| ~~18.3.81~~ | | ~~2.12.83~~ | | | | | |
| ~~19.3.81~~ | | ~~4.9.85~~ | | | | | |
| ~~6.4.81~~ | | ~~16.11.85~~ | | | | | |
| ~~13.4.81~~ | | 16.12.85 | | | | | |
| ~~14.4.81~~ | | | | | | | |
| ~~4.9.85~~ | | | | | | | |

CONFIDENTIAL

From: THE PRIVATE SECRETARY

NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

C D Powell Esq
10 Downing Street
London
SW1

16th December 1985

CDP
16/xii

Dear Charles,

DOLOURS REA NEE PRICE

Thank you for your letter of 6 November. The difficulty remains that Mrs Rea's anomalous position could well come to public notice and attract the criticism, to which we would have no very good answer, that the licence condition should either be revoked or enforced. However, the Secretary of State accepts for the time being that he should allow the present situation to continue de facto.

We are in touch with the Home Office Police Department who will inform the Metropolitan police of this decision.

I am copying this letter to Stephen Boys Smith.

Yours Sincerely
Neil Ward

N D WARD

CONFIDENTIAL

KL

IRELAND: Poss. release Dolours Price: April 1980

# 10 DOWNING STREET

*From the Private Secretary*

6 November 1985

Dear Jim,

**DOLOURS REA (NEE PRICE)**

The Prime Minister has considered the Northern Ireland's Secretary's minute of 5 November about the proposal to change Mrs Rea's licence condition to allow her to live in England.

The Prime Minister continues to think it is wrong to alter the conditions on which Mrs Rea was released. Rather than change her licence condition, she would prefer simply to take no action at all, allowing the present situation whereby Mrs Rea lives in London to continue de facto but without formal approval.

I am copying this letter to Stephen Boys Smith (Home Office).

Yours sincerely

Charles Powell

Charles Powell

Jim Daniell Esq
Northern Ireland Office

CONFIDENTIAL

①


Prime Minister

You were unhappy about this when Mr Hurd first proposed it. Tom King has now confirmed the original recommendation.

Agree to go along with it reluctantly?

CDP 5/xi

PRIME MINISTER

DOLOURS REA (NEE PRICE)

I have taken a little time to reflect on the request, conveyed in your Private Secretary's letter of 4 September, that we should reconsider the proposal agreed between Douglas Hurd and Leon Brittan. This was that Mrs Rea's licence condition should be changed to allow her to live in England, but that the licence should be amended to require her to notify her address and any subsequent changes of address.

No – do nothing. She got out of prison on a false premise

2. The background was set out in the earlier correspondence, so far as we are aware the situation remains unchanged, ie Mrs Rea is still living in Maida Vale with her husband.

3. Having studied the history, I entirely understand your reluctance to agree that Mrs Rea should no longer be required to comply with the terms of the condition included in her licence at the time of her release in April 1981 and that she should not be allowed to live in England. But, having considered the matter very carefully, it seems to me that to insist on complicance with the condition - which in the last resort could be enforced only by revoking the licence and having her arrested and returned to prison in Northern Ireland - would create a number of grave difficulties.

4. I have in mind, in particular:-

(i) the likely political repercussions in Northern Ireland. I have no doubt that recall to prison would provoke an immediate and adverse reaction among moderate Catholics in the Province and the leaders of the Catholic Church; the Government in the Irish Republic would almost certainly join in the criticism, possibly with serious consequences for what we had

CONFIDENTIAL

/achieved

achieved or were trying to achieve from the current discussions;

(ii) whatever might be said in England, most of the press and media comment on the other side of the Irish Sea would be unfavourable to the Government. The position would become worse if Mrs Rea were again to become ill in prison, whether the recurrence had been deliberately induced or not; and our senior medical advisers who know the history of the case believe that the risk of such a development is high;

(iii) we would I fear be creating a new cause which could rekindle other prisons issues, with a whole range of undesirable consequences;

(iv) while I accept that it would not be impossible for Mr and Mrs Rea to make their home in Northern Ireland, it would be difficult for an established actor to continue his profession there.

5. Our legal advice is that there is no means of enforcing the licence condition by legal means short of recall to prison - it could not - for example be done by arresting Mrs Rea, bringing her back to Northern Ireland and then releasing her. There is a further anxiety that recall in these particular circumstances might be challenged in the courts by means of an application for judicial review; while we would expect the recall to be upheld by our own courts, we think that there might well be a problem in terms of the European Convention on Human Rights. I know your views about those procedures, but I think we should recognise the dangers of the various court and ECHR procedures being used to provide a public platform for criticism of our actions on humanitarian grounds.

6. I must emphasise that I would regard none of this as conclusive if there were evidence or intelligence that Mrs Rea was reinvolved with terrorism or activities linked with terrorism. I would not hesitate to use my powers of recall at any time if the Home Secretary and I were satisfied that that course was justified in the interests of protecting the public.

 /For the

7. For the reasons I have indicated I am satisfied that any benefit resulting from enforcement of the existing licence condition would be totally outweighted by the resulting disadvantages to us. By allowing Mrs Rea to live quietly in London so long as there is no adverse information about her activities we avoid all the various adverse consequences; such a decision does not, I believe, constitute a risk to public safety. This being so, and in view of the time which has elapsed I would like now to proceed with the action which Douglas Hurd proposed shortly before he became Home Secretary, and which I have confirmed he still regards as appropriate: namely to alter the licence condition in the manner suggested and to have the change explained to Mrs Rea.

8. I am sending a copy of this minute to Douglas Hurd.

N Ward
Private Secretary
for T K

(Approved by the Secretary of State and signed in his absence in Northern Ireland)

5 November 1985

ssd

IRELAND: Release of Dolours Price: April 1980

CONFIDENTIAL

file

(88)

# 10 DOWNING STREET

*From the Private Secretary*

4 September 1985

**DOLOURS REA (NEE PRICE)**

The Prime Minister has seen your letter of 30 August to Tim Flesher conveying the then Northern Ireland Secretary's intention to change the licence condition for Mrs Rea to allow her to live with her husband in England.

The Prime Minister continues to take the view that Mrs Rea should not be allowed to live in England. She was transferred to Northern Ireland on conditions, which should continue to apply. If, understandably, she and her husband wish to be together, they should reside in Northern Ireland.

BF

The Prime Minister would be grateful if this matter could be considered further by the Northern Ireland Secretary. It may subsequently be necessary to hold a meeting.

I am sending a copy of this letter to William Fittall in the Home Office.

**C D POWELL**

J B Duke-Evans, Esq.,
Northern Ireland Office

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From: THE PRIVATE SECRETARY

NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

Tim Flesher Esq
10 Downing Street
LONDON
SW1

30 August 1985

I do not think Mrs. Rea should be allowed to live here. She was transferred to N.I. on conditions and if the Prime Minister (1) agrees that her husband wishes to be together they can live in N.I. or she will live in England. Content that (i) the North Ireland Secretary should arrange for Mrs Rea's licence conditions to be changed, and (ii) Mrs Rea be interviewed by the police, reminded of her liability to be recalled to prison, and informed of the new licence condition? May we discuss this? MEA 2/9

Dear Tim,

DOLOURS REA (NEE PRICE)

You will recall previous correspondence early last year, and before that early in 1983, about this woman, who was released on licence on medical grounds in April 1981. She was convicted in England in 1973 of causing explosions in London (on the day of the border poll in Northern Ireland) and was sentenced to life imprisonment; she was transferred to Northern Ireland in 1975. Her sister Marian Price, who was convicted with her and also sentenced to life imprisonment, was transferred with her - she was released on medical grounds in April 1980.

It is a condition of Mrs Rea's licence, although not of that of her sister, that she should not leave Northern Ireland without the prior permission of the Secretary of State. This condition was included by the Secretary of State of the day, Mr Atkins as he then was, in response to an express wish of the Prime Minister. Mr Prior was disposed, early in 1983, to revoke this particular condition (there are other conditions in the licence in regard to reinvolvement of any kind with terrorist activities or with a proscribed organisation); but after consultation of the Prime Minister, who took the view that the condition should remain, he decided not to remove it at that time. There the position has rested. Mrs Rea has asked on occasions for the residence condition to be cancelled, and has also asked for permission to visit her husband - whom she married in October 1983 - in England. These requests have been refused; one consideration which has been in our minds in Northern Ireland is the risk that even if Mrs Rea were given permission under the terms of her licence to go to England, she might be arrested by an English police force under the Prevention of Terrorism Act possibly with a view to applying to the Home Secretary for an exclusion order. Had this occurred an absurd situation would have been created, and almost certainly exploited in predictable quarters.

CONFIDENTIAL

/So much

So much for the background. Some weeks ago, on 29 May to be precise, Mrs Rea and her husband were stopped and questioned by the police in Folkestone. They gave an address in Maida Vale, London. The police decided not to detain Mrs Rea, but promptly reported that she had been seen.

Mr Hurd considered carefully whether to take immediate action in respect of this breach by Mrs Rea of the condition in her licence, particularly as we have reason to believe that she had breached the condition on earlier occasions by travelling to the Irish Republic without permission. Mr Hurd took into account an up-to-date assessment of all the available information about Mrs Rea's activities since her release; these indicated that although she had on one occasion in June 1983 assisted in canvassing for a Sinn Fein candidate during a Belfast City Council by-election, and had not cut herself off completely from some of her friends and past associates in the Republican movement, she had not come to adverse notice for some time and we had no evidence that she had become involved in any way with terrorist activity since her release from prison.

In the circumstances the Secretary of State concluded that he would not be justified, on present information, in revoking Mrs Rea's licence and recalling her to prison. At the same time he does not propose that the breach of the licence should be ignored. The action which he has in mind is to have Mrs Rea seen by a senior police officer and reminded of her liability to recall to prison; he also proposes to substitute, for the present residence condition, one requiring Mrs Rea to notify her address and any subsequent changes of address. Such a condition would, it seems to the Secretary of State, be no less effective in assisting the authorities to be aware of Mrs Rea's whereabouts; it would be easier to administer; and it would not expose the Northern Ireland Office to the charge of forcing a woman to live apart from her husband more than four years after her release from prison.

Mr Hurd has consulted the Home Secretary about the present situation. His principal concern is to consider to what extent Mrs Rea would represent a threat to security in terrorist terms if she were permitted to stay in England. The Home Secretary's conclusion, having considered a further report from the Metropolitan Police Special Branch - which confirms that Mrs Rea is living in London with her husband - is that on present evidence there is no real basis for regarding her as a threat to Great Britain, or for him to grant any application for an exclusion order, or for an extension of detention, which might be made. The Home Secretary is prepared to pass these views on to the police, which we understand would make the prospects of an arrest under the Prevention of Terrorism Act minimal. It is possible, of course, that new intelligence may emerge at any time, or that the police will at some time wish to question her, but the Home Secretary agrees that there is no contradiction between this and the proposal to alter the terms of the residence condition.

As the Home Secretary is content, the Secretary of State now proposes to go ahead with the arrangements to have the licence condition changed; and for Mrs Rea to be reminded of her liability

 /to be recalled

to be recalled to prison to resume her life sentence and informed of the wording and effect of the new condition. He would, of course, not hesitate to order such a recall if at any time there was evidence or reliable intelligence indicating that she represents a serious risk to the public.

The Secretary of State wished the Prime Minister to be aware of his intentions in view of her previous interest in this case.

I am sending a copy of this letter to William Fittall in the Home Office.

Yours sincerely,

Jonathan Duke-Evans

J B DUKE-EVANS
Assistant Private Secretary

IRELAND: Possible release of Joburs Price: April 1980

2

PRIME MINISTER

DOLOURS PRICE

You asked for a note on the story in the Express about the possibility that Dolours Price might come to Britain. The story in the Express is just not true as the attached background note makes clear. The essential point is that at your insistence her life licence requires her to obtain the Northern Ireland Secretary's permission before leaving the Province. Before she obtains such permission she must state her destination. If she travelled to the mainland without having first obtained permission she would be in contravention of her life licence and therefore subject to arrest and re-imprisonment upon arrival. Even if this were not the case, she would still be subject to the possibility of an exclusion order under the Prevention of Terrorism Act but the former should be sufficient to safeguard.

I should say that the Northern Ireland Office are rather opposed to explaining the terms of Dolours Price's life licence in public but I do not think that this line is either reasonable or sustainable.

mt

TH

2 December 1983

E.R.

SECRET

BACKGROUND NOTE

Dolours Price received a life sentence in 1973 for her part in the IRA bomb attack on the Old Bailey. She was released on licence from HMP Armagh on 22 April 1981, following the onset of an illness of psychological origin, which caused profound depression and dangerous weight loss. (Her sister Marion had been released on similar grounds on 30 April 1980). A condition of Dolours Price's life licence - imposed at the Prime Minister's request - requires her to obtain the permission of the Secretary of State for Northern Ireland before leaving the Province. She has been granted permission on a number of occasions to travel to the Republic of Ireland and she was today given permission to travel to Spain on holiday following her recent marriage to actor Stephen Rea. It is understood that she will fly there directly from Dublin.

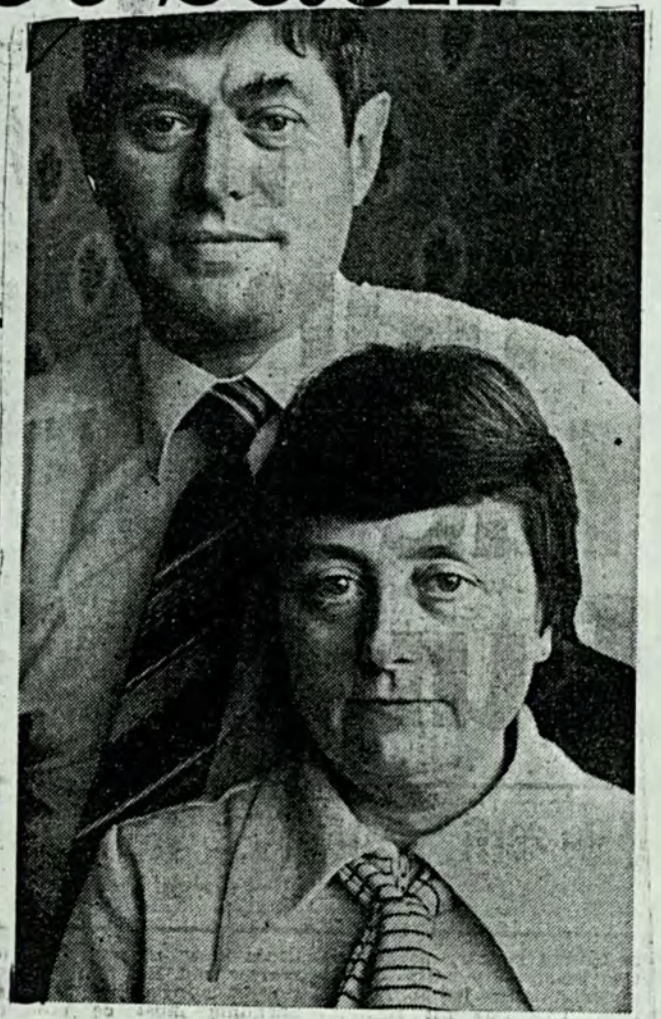
2. There has been some speculation in the press that Dolours Price would accompany her husband to the London Film Festival, where a film in which he appears is to be shown. It is understood from Dolours Price herself that she has no intention of doing so, and from the film company concerned that Mr Rea has not requested tickets for the film in question. The fact that she has been given permission to travel to Spain for a holiday appears to confirm this.

3. We understand that neither the RUC or the Garda Siochana have any intelligence to indicate that Ms Price has become reinvolved in the IRA since her release from prison. If she comes to Great Britain she will be liable to examination on entry under the port control arrangements in the Prevention of Terrorism (Temporary Provisions) Act 1976, and it will be for the police force who carry out the examination to decide whether to apply for an exclusion order against her. Press allegations (most recently in today's Daily Express: cutting attached) that the Home Secretary has decided to allow her to enter Great Britain are therefore incorrect: no decision will be taken until an application is received from the police.

SECRET

TEN-YEAR ANGUISH OF POLICEMAN IN OLD BAILEY CAR BOMB BLAST

# How can they let back the girl bomber who ruined my husband's life?



Angry: The Hines PICTURE: WILLIAM LOVELACE

2/12/83

Free: bomb girl Dolours Price

Flashback: The Queen's visit

Express 7.

**EXPRESS EXCLUSIVE**

COURAGEOUS Carina Hine spoke yesterday of her horror and revulsion that former IRA bomb girl Dolours Price is being allowed to visit London.

For the terrorist sisters whose very name evokes bitter memories of death and carnage, ruined her life when their car bomb maimed her policeman husband Malcolm outside the Old Bailey 10 years ago.

She has come to terms with his injuries, the permanent limp, the fear of an amputation of his right leg, but she cannot come to terms or accept that Dolours Price will walk the streets of the capital again this weekend.

By MICHAEL O'FLAHERTY

Police Constable Hine, 49, sat silently by her side, gagged by the rules of the City of London Police that forbid him from making public comments.

Mother of two Carina, anger in her face, spoke of the unfair life sentence the callous bombers handed out to them on March 8, 1973.

She said: "Look at my husband, he'll never be the same again.

## 'Punishment or justice?'

"He has lost some of the best years of his life. I'm horrified to hear that Dolours Price can come back to this country, a free woman, just like that.

"Is the Government so spineless that they won't ban her?"

"They promised at the time the bombers would be punished. Dolours Price served only eight years when the judge recommended a minimum of 20. Is that punishment, is that justice?"

The question hung in the air in the sitting room of their family home at Swanley, Kent. She did not want an answer, to her it was just a statement of fact.

"That bomb, that girl," she said, "took away the sexual side of our marriage but it's something we learned to live with, and come to terms with.

"It's like the rest of our lives—we have had to adapt. Life still has to go on.

"He had done nothing to harm her. He was only doing his job.

"Yet it is my husband who is still suffering, not the terrorists like Dolours Price."

Mrs Hine glanced up at the picture that has pride of place in their home, a photograph of the Queen visiting Malcolm in Bart's Hospital after the bombing. Both are smiling.

Today Malcolm Hine still smiles but it masks the pain of his body so badly damaged by the Price sisters' bomb that colleagues advised rescuers: "Leave him, he's dead."

His right calf muscle was blown away by the blast: an artery severed in the upper leg and they found a huge hole in his back.

Police Constable Hine, now a CID clerk at Snow Hill police station, retires in two years' time.

The police have been very good to him, and considerate. He sits in a high chair by his desk — more comfortable than an ordinary chair—and still dreams of his days on the beat. He loved being out among the people.

Once he had survived the bomb blast near the George pub he knew he had a future.

## Clouded with pain

Ten years on, he still has, but he knows it will continue to be clouded yith pain.

Happily, for Malcolm, he has his wife and sons Andrew, 17 and Colin, 15, to comfort him.

Dolours Price arrives at the weekend for the premiere of the film Loose Connections, starring her actor husband Stephen Rea, at the National Film Theatre.

Her victims would much rather she stayed in Ulster.

From: The Private Secretary

CONFIDENTIAL

(2)

Prime Minister

The Home Secretary is unable to agree to the early release of the Gillespie sisters.

A.J.C. 7/7.

Home Office
Queen Anne's Gate
London SW1H 9AT

-6 JUL 1983

Dear John,

Thank you for your letter of 21 June about the release of the Gillespie sisters.

The Home Secretary is very sympathetic to the views of the Irish Government in asking for the early release of the Gillespie sisters and would like to be helpful, even if, as seems likely, early release would not actually frustrate the demonstration that the Provisionals are planning. (It would be very difficult to guarantee that a new date of release could be effectively concealed from those planning the demonstration; and once they knew of it, the date of the demonstration could be changed accordingly.)

Unfortunately, however, there is no means available of giving effect to the request unobtrusively by administrative action. If there were, the Home Secretary would be prepared to take such action. The only way in which it would be possible to effect the early release of the Gillespie sisters for this purpose would be for the Home Secretary to recommend the exercise of the Royal Prerogative of Mercy. His predecessor considered a plea for the early release of the Gillespie sisters on compassionate grounds in March this year, so that they could visit their father on his deathbed, but felt obliged to refuse. It would in the Home Secretary's view be inappropriate for him to recommend to The Queen the use of the Royal Prerogative for the kind of purpose that is now suggested.

The Home Secretary appreciates that this will come as a disappointment to the Irish Government, but hopes that they will understand the reasons why he feels unable to help. If there are any further considerations which they wish to put forward, he would of course be ready to look at the matter again; but on present information he could not justify the action suggested.

I am sending a copy of this letter to John Lyon.

Yours ever,

Tony Rawsthorne

A R RAWSTHORNE

J E Holmes, Esq

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From: THE PRIVATE SECRETARY

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

A R Rawsthorne Esq
Private Secretary/
Home Secretary
50 Queen Anne's Gate
LONDON SWIH 9AT

24 June 1983

Dear Tony,

Await Home Secretary's view. A.J.C. 27/6.

RELEASE OF GILLESPIE SISTERS

John Holmes copied to me his letter of 21 June on Anglo-Irish relations which referred to the case of the Gillespie sisters currently serving terms of imprisonment in Styal Prison, Manchester.

Mr Prior agrees strongly that we should follow the course proposed by Mr Barry. It was the main point in Mr Barry's mind when Mr Prior spoke to him recently and Mr Prior considers it would considerably help to improve relations if we could assist. Quite apart from the advantage to Anglo-Irish relations which might accrue at minimal cost it is in our interests to counter a Sinn Fein demonstration which will likely be used for propaganda purposes in Northern Ireland. As you know, Sinn Fein derived much publicity from their showing in the General Election and the reception for the Gillespie sisters which Mr Barry has predicted would further encourage the morale of the party's supporters.

I am copying this letter to John Holmes and to John Coles at Number 10.

Yours ever,

John

J M LYON

NH

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Ireland
Apr 80
Price sisters

CONFIDENTIAL

010

Ireland

Foreign and Commonwealth Office

London SW1A 2AH

21 June 1983

Avril Home Secretary's reply. AR 22/6.

Dear Tony,

Anglo-Irish Relations

The Foreign and Commonwealth Secretary met the Irish Foreign Minister for half an hour in the margins of the European Council in Stuttgart on 19 June. I enclose an account of their talk.

You will see that Mr Barry made the suggestion that the Gillespie sisters might be released a little before the time expected, in the hope of disrupting a demonstration planned by the Provisionals to mark their coming home to Donegal. Supposing that the Gillespie sisters were imprisoned in Northern Ireland, Sir Geoffrey Howe undertook to pass this suggestion on to Mr Prior. I understand, however, that they are in Styal Women's Prison in Manchester and it would presumably fall to the Home Secretary to authorise their release.

From the FCO point of view there would be attractions in doing as Mr Barry proposed. The Irish authorities have shown that they are a little suspicious of our attitude towards the Provisional Sinn Fein and to do as Mr Barry suggests in this instance would help reassure them. It seems likely also that a successful demonstration in Donegal might further raise PSF morale in Northern Ireland. That cannot be in our interests - though clearly the extent to which PSF demonstrations would be undermined by early release cannot be very certain.

Perhaps you could let me know the Home Secretary's view. If officials need to be in touch about it, Republic of Ireland Department here (Patrick Eyers - 233 3994) would be the best point of contact. I should add that if the difficulties are insuperable Sir Geoffrey Howe would in any case wish to give Mr Barry a reasoned reply.

/I am sending

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I am sending copies of this letter to John Lyon at the Northern Ireland Office and John Coles at Number 10.

Yours ever

John Holmes

(J E Holmes)
Private Secretary

A R Rawsthorne Esq
PS/Home Secretary
50 Queen Anne's Gate
LONDON SW1H 9AT

CF – to note for meeting Fri.

**10 DOWNING STREET**

Prime Minister.

Mr Prior would like a brief meeting about this case.

Agree?

NB meeting cancelled due to election

3/5

Yes 7/5/83

Tim

~~Earliest~~ 15.45 on 12th Nov. cf. 4/5.

Could you arrange pse. 15 minutes only.

T.

E.R.

1974 Caused explosion school

2

PRIME MINISTER

50 IRA

I understand from the Home Office that there is considerable pressure for the convicted IRA terrorists, the Gillespie sisters, who are at present in Styal Prison, to be released to attend the funeral of their father in the Republic on Sunday. The pressure comes from the Government of the Republic, from the SDLP and Cardinal O'Fiaich, etc. Although the Gillespie sisters are due to be released in August, the Home Secretary has taken the view that he could not possibly agree to the temporary release of convicted IRA terrorists to the Republic, even so close to their final release date. The Home Secretary thought, however, in view of the likely publicity, you might like to be aware of his decision.

15 April, 1983.

file

21 March 1983

Thank you for your letter of 17 March about the case of Miss Dolours Price which the Prime Minister has now seen. Mrs. Thatcher has commented that it would, in her view, be quite wrong to cancel the residence condition in Miss Price's life licence. She considers that we are just being played along and we should resist firmly. The purpose of the residence condition is to stop Miss Price from travelling widely - and rightly so.

Timothy Flesher

Derek Hill, Esq.,
Northern Ireland Office.

**10 DOWNING STREET**

PRIME MINISTER

I am sorry to come back to you on this but I wanted to be sure that you are content with Mr. Prior's proposal to cancel the residence condition in the life licence of Miss Dolours Price.

18 March, 1983

From: THE PRIVATE SECRETARY

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Tim Flesher Esq
10 Downing Street
LONDON
SW1

17 March 1983

I think it would be kind to cancel the residence condition. I think we are just entitled to be grateful that Miss Price has played down her friendship with Lindsay. The condition was not helpful. Let her go. MT

Prime Minister:

You will recall this case. Do you agree that the Secretary of State may cancel the residence condition in Miss Price's licence? TH 17/3

Dear Tim

You will recall my correspondence with you and Willie Rickett early last month about the case of Miss Dolours Price and the question of the residence condition of her life licence. You wrote on 7 February saying that the Prime Minister was not persuaded that it was right to cancel the condition at this stage, and asking how the Secretary of State intended to proceed. I am sorry to have taken a little time to come back to you.

The Secretary of State and Lord Gowrie have been reflecting on the matter, and have taken into account a letter received from Miss Price herself a few days ago asking for consideration to be given to relieving her of the requirement to obtain the Secretary of State's permission before leaving Northern Ireland. In this letter, written from the family home in West Belfast, she says that she is trying to make a career as a writer (this accords with our own information about her activities since her release); that she needs to be able to travel outside Northern Ireland if she is to make progress; and that the consultant psychiatrist who is treating her advises that if she could establish herself as a writer, this would be helpful in enabling her finally to overcome her anorexic symptoms. She does not say that she has already been in Dublin without having obtained permission as required by her licence. (It should be noted that so far Miss Price's trips to Dublin do not seem to have been remarked upon in the press - indeed it is unlikely that her licence condition is widely known).

It would be open to the Secretary of State to exercise his power under section 23 of the Prison Act (Northern Ireland) 1953 to revoke Miss Price's licence now and recall her to prison because of her breaches of the licence, ie in already having gone to Dublin without permission. But the Secretary of State is quite satisfied that there is insufficient in Miss Price's conduct to justify such a step, and that it could be highly damaging to our relations with the moderate Catholic community in the North. It also might well lead to a new campaign for her release (probably based on recurrence of anorexia nervosa) and perhaps protest in the prisons.

Prime Minister to recall her to prison

Because/....

Because of the problems associated with enforcement of the residence condition, the fact that Miss Price appears not to have become actively involved with any Republican terrorist organisation during the period of nearly two years since she was released, and the practical difficulties of responding promptly to requests for Ministerial approval to visits outside Northern Ireland, the Secretary of State remains of the view that it would be appropriate for him to exercise the power given to him by the Prison Act to cancel the residence condition. He is, needless to say, fully conscious of public safety considerations, and as stated in my previous letter he will not hesitate to revoke the licence and recall Miss Price to prison if at any time there is evidence or other information to suggest that Miss Price is reinvolved with any terrorist organisation, or that for some other reason recall is justified in the public interest.

Yours ever

Derek A Hill

D A HILL

ssd

Ireland
2

**10 DOWNING STREET**

Prime Minister:

To remind you.
I think the SofS may
mention this case to
you in the margins of
Cabinet tomorrow

2/3

CONFIDENTIAL

file

Ireland

10 DOWNING STREET

*From the Private Secretary*

7 February 1983

B/F

Thank you for your letter of 2 February about the case of Dolours Price which the Prime Minister has now seen. While she understands the reasons which prompted your Secretary of State to take the view set out in your letter, Mrs. Thatcher is not persuaded that it would be right to cancel the residence condition attached to Miss Price's licence at this stage. Perhaps you could let me know how your Secretary of State wishes to proceed.

TIM FLESHER

D.A. Hill, Esq.,
Northern Ireland Office

CONFIDENTIAL

CONFIDENTIAL

From: THE PRIVATE SECRETARY

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Prime Minister

3/2

William Rickett Esq
10 Downing Street
LONDON SW1

2 February 1983

I think the decision is wrong

Dear Willie

DOLOURS PRICE

You may recall the case of this woman, who with her sister Marian and others was sentenced to life imprisonment and a concurrent term of twenty years for her part in the London car bombings in 1973. The two sisters were transferred to Northern Ireland in 1975; Marian Price was released on licence on medical grounds by the previous Secretary of State for Northern Ireland (Mr Atkins) in April 1980, and Dolours was also released, again on medical grounds, a year later. In each case the balance of the fixed term of imprisonment was remitted by the exercise of the Royal Prerogative of Mercy.

The Prime Minister was consulted in advance about both cases, and also about that of Miss Pauline McLaughlin, who was released on licence in January 1981 from a sentence of detention during the Secretary of State's pleasure (the equivalent of a life sentence, imposed where a person convicted of murder was under eighteen at the time of the crime). In Pauline McLaughlin's case, at the express wish of the Prime Minister, a condition was included in the licence specifying that she should not leave Northern Ireland without the prior permission of the Secretary of State. This had not been done in Marian Price's case.

When Dolours Price was released on licence on 22 April 1981 - at that time she was in Musgrave Park Hospital, Belfast - the licence included the same condition of residence, which has remained in force since.

We received a request in the summer of 1981 on Dolours Price's behalf that she should be allowed to take a holiday in the Irish Republic. Mike Hopkins wrote to Michael Alexander on 31 July explaining the circumstances in which Mr Atkins had thought it right to approve this.

/...

CONFIDENTIAL

Intelligence reports indicate that Miss Price is now working as a freelance journalist in Dublin, but there has been no evidence or intelligence to suggest that she has been involved since her release with any illegal organisation or with any kind of terrorist activity.

It would be possible on the basis of the information that Miss Price was in Dublin in breach of her licence to revoke formally the licence and recall her to prison on the grounds that she had knowingly and deliberately broken a condition of her licence. The reality is, however, that there is no way of putting the recall order into effect while Miss Price remains outside the United Kingdom. To put it into effect on her return to Northern Ireland would be perceived as highly provocative by the whole Catholic community and accordingly no action has been taken to date.

The Secretary of State has now been asked by Cardinal O Fiaich if he would be willing to cancel the residence condition in view of the fact that Miss Price has shown no signs of becoming reinvolved with any illegal organisation in the twenty-two months or so since her release, and in view of the difficulty of enforcing the restriction on residence, Mr Prior is disposed to agree to cancel this particular condition. The other conditions requiring Miss Price not to become involved in any way with terrorism or with any proscribed organisation, will remain in force, and the licence will always remain subject to revocation if at any time, and for whatever reason, this course seems desirable in the public interest.

Mr Prior has thought it right, in view of the close personal interest which was taken by No 10 in the cases of both the Price sisters and that of Pauline McLaughlin, to let the Prime Minister know of his intentions. If the residence condition in regard to Dolours Price is cancelled, we shall consider taking similar action in the case of Miss McLaughlin; that will depend, however, on the latest information about her activities and general way of life.

I should perhaps add that we have no up-to-date information about the current mental or physical health of any of the three women.

Yours ever

Derek Hill

D A HILL

em

Ireland April 1980
Lellan of Manan Prei

File AH
Ireland

# 10 DOWNING STREET

*From the Principal Private Secretary*

3 August 1981

Dear Mike,

You wrote to Michael Alexander on 31 July 1981 about Miss Dolours Price.

The Prime Minister has seen your letter and has noted that, in the light of medical advice, your Secretary of State has agreed that Miss Price may take a family holiday at a known address in the Irish Republic for a period not exceeding one month.

Yours ever,

Mark Whitmore.

M W Hopkins Esq.,
Northern Ireland Office.

From: THE PRIVATE SECRETARY

Copy to Mr Duchamen.

2. Prime Minister.

AMS

MW

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Michael Alexander Esq
PS/Prime Minister
10 Downing Street
LONDON SW1

31 July 1981

Dear Michael

I am writing to advise you of a development in the case of Dolours Price, who, you will recall, was released on licence in April for health reasons. She had been serving a sentence of life imprisonment in Armagh Prison for explosives offences.

One of the conditions of the licence was that Miss Price should not leave Northern Ireland without first obtaining the permission of the Secretary of State for Northern Ireland. Since her release she has been attending hospital as an out-patient where she is under the care of Dr Weaver, consultant in metabolic disease. Dr Weaver has now asked that she should be allowed to take a holiday with one of her sisters in the Irish Republic for recuperative purposes. He says that although her condition has improved somewhat, she is certainly not back to normal in terms of weight and physical well-being. Mr Atkins has agreed that she may take a family holiday at a given address in the Irish Republic for a period not to exceed one month.

Neither Dolours nor Marian Price has come to the notice of the RUC's Special Branch in any way since their release. We will, however, inform the RUC of Dolours Price's temporary move to the Irish Republic when the arrangements have been settled so that they may inform the Gardai.

Yours sincerely

Mike Hopkins

M W HOPKINS

SOO

Ireland

MODBA FROM MAP CONFIDENTIAL

I warned Tim on the telephone earlier today that there were developments over Dolores Price. Mr. Atkins has now decided that in accordance with medical advice, she must be freed. Theoretically, there is an alternative of discharging her to a civilian hospital where she could be kept under guard. But the doctors are saying that her anorexia will only be cured in conditions of freedom. Mr. Atkins has therefore decided to go ahead with release, and intends to make this public and put it into effect later tomorrow afternoon. Timing will depend on other factors, including the timing of a visit of Irish Members of Parliament to Bobby Sands in the Maze.

The Prime Minister has apparently been sympathetic over this case, and in a recent letter to Cardinal O'Faich, indicated that the case would be kept under constant review.

Grateful for confirmation that the Prime Minister would not wish to intervene in Mr. Atkins' decision.

19 April, 1981

File

cc: MO

Ireland

# 10 DOWNING STREET

THE PRIME MINISTER

13 April 1981

Dear Cardinal O'Fiaich,

You wrote to me on 3 April expressing your concern about the health of Miss Dolours Price, who is in Armagh Prison.

It is true that in recent weeks this prisoner's health has been giving increasing cause for concern. However, she has been receiving the closest possible medical attention; she has been seen by two consultant psychiatrists, and twice during the last few days by a consultant physician. I am informed that early next week she is likely to be transferred to a health service hospital as a precaution so that the level of medical surveillance can be improved still further.

The various points which you make on Miss Price's behalf have been carefully and sympathetically considered, but I am afraid that the Secretary of State remains of the view that he would not be justified, on present information, in directing her release from the life sentence and in remitting the balance of the fixed sentence of twenty years by the use of the Royal Prerogative. You may be assured, however, that both the Secretary of State and the Minister of State directly responsible for prison matters, Mr. Alison, are taking a personal interest in the case and that they both see up-to-date medical reports from time to time.

/ I do entirely

BK

I do entirely understand the anxiety which Miss Price's condition must be causing to her family. In this connection I should perhaps mention that approval has been given for a consultant nominated by the solicitor acting for the family to examine her for the purpose of providing them with a report on her condition.

I am sorry that I have to send you a reply which I know you will find disappointing, but as I have said Miss Price's condition will continue to be very closely watched.

Yours sincerely,

(sgd) MT

His Eminence Cardinal Tomas O Fiaich

From: THE PRIVATE SECRETARY

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Michael Alexander Esq
10 Downing Street
London SW1

10 April 1981

Type for signature

Dear Michael

DOLOURS PRICE

Cardinal O Fiaich wrote to the Prime Minister and to the Secretary of State on 3 April expressing his concern about the health of Dolours Price, who is serving a life sentence in Armagh Prison.

The background is that the Price sisters were convicted in England in 1973 of causing explosions and of conspiracy to cause explosions and each sentenced to life imprisonment with concurrent terms of 20 years which, allowing for the 50% remission which operates in Northern Ireland, would run out in 1983. Following force-feeding in England prior to their transfer to Northern Ireland in 1975, You will recall that Marian was released on licence on 30 April 1980 on medical grounds.

Dolours was considered to be the more robust of the two sisters, but since Marian's release her health has had to be kept under fairly constant surveillance. Until a few weeks ago Dolours' health had not been giving any particular cause for concern, but for a time now her condition has been causing the doctors considerable anxiety. Her weight was 8st 2lbs when she arrived in Armagh prison in 1975; it was 7st 8lbs last September; she is now down to 5st 6lbs, and the medical advice is that if weight loss continues she will be in danger of death from inanition and/or metabolic upset, with the added risk of some infection intervening because of her generally weak state. She is depressed and talks from time to time of suicide, but the doctors do not think that suicide is a serious risk.



...../2

The prisoner continues to vomit frequently after taking food, and the vomiting has been going on despite the fact that she has been taking even less food than previously. While there is reason to believe that her attitude has been influenced by Father Murray, the Roman Catholic chaplain at the prison (who has been and still is doing his best to stir up agitation for her release), the doctors believe that her basic condition is now well established beyond her conscious control. They think it unlikely that she would make an early recovery even if she were released from prison now.

She has been seen recently by two outside consultant psychiatrists and twice during the last few days by a consultant physician, Dr Weaver. It is likely that on Monday 13 April she will be transferred from Armagh to the secure ward at Musgrave Park Hospital in Belfast, where she will be under Dr Weaver's supervision; this move is being made not because her condition is yet critical (although it may soon become so), but so that she can receive the close medical care and surveillance which it is difficult to provide satisfactorily in a small prison hospital.

My Secretary of State does not believe that the time has yet come for Miss Price to be released on licence on medical grounds - her release would also, as in her sister's case, involve the remission of the balance of the 20 year sentence by the use of the Royal Prerogative - but it seems quite possible that in a short time he may have to recommend just that if she is not to die in custody. We shall continue to keep the case under review in the light of the medical reports, and will keep you in touch with developments.

Meanwhile we can only advise that a sympathetic negative reply should be sent to the Cardinal. A draft which my
... Secretary of State has approved is attached.

Yours sincerely

Mike Hopkins

M W HOPKINS

jg

DRAFT LETTER

FILE NUMBER

ADDRESSEE'S REFERENCE

| To | Enclosures | Copies to be sent to |
|---|---|---|
| His Eminance Cardinal<br>Tomas O Fiaich<br>Archbishop of Armagh and<br>Primate of All Ireland<br>Ara Coeli<br>Armagh<br>Northern Ireland | | |
| (Full Postal Address) | | (Full Address, if Necessary) |

LETTER DRAFTED FOR SIGNATURE BY
(Name of Signatory)

You wrote to me on 3 April expressing your concern about the health of Miss Dolours Price, who is in Armagh Prison.

It is true that in recent weeks this prisoner's health has been giving increasing cause for concern. However she has been receiving the closest possible medical attention; she has been seen by two consultant psychiatrists, and twice during the last few days by a consultant physician. I am informed that early next week she is likely to be transferred to a health service hospital as a precaution so that the level of medical surveillance can be improved still further.

The various points which you make on Miss Price's behalf have been carefully and sympathetically considered, but I am afraid that the Secretary of State remains of the view that he would not be justified, on present information, in directing her release from the life sentence and in remitting the balance of the fixed sentence of twenty years by the use of the Royal Prerogative. You may be assured, however, that both the Secretary of State and the Minister of State directly responsible for prison matters, Mr Alison, are taking a personal interest in the case and that they both see up-to-date medical reports from time to time.

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I do entirely understand the anxiety which Miss Price's condition must be causing to her family. In this connection I should perhaps mention that approval has been given for a consultant nominated by the solicitor acting for the family to examine her for the purpose of providing them with a report on her condition.

I am sorry that I have to send you a reply which I know you will find disappointing, but as I have said Miss Price's condition will continue to be very closely watched.

jg

file Ireland cs

10 DOWNING STREET

*From the Private Secretary*

6 April 1981

BF 8.4.81

Dolours Price

I enclose a copy of a letter about Miss Dolours Price which the Prime Minister has received from Cardinal O Fiaich. I should be grateful if you could let me have, urgently, a draft reply which the Prime Minister might send to the Cardinal.

M. O'D. B. ALEXANDER

cs

Mike Hopkins, Esq.,
Northern Ireland Office.

Ara Coeli
Ard Mhacha/Armagh

3rd April, 1981.

L44 Rcd CF 6.4.81

Dear Prime Minister,

I write to you about the extremely serious condition of a prisoner in the Women's Prison situated in this episcopal city.

When I visited the prison yesterday I was appalled to see the deterioration which had taken place in the condition of Miss Dolours Price since my last visit at Christmas 1980.

During the six months before that I had already conveyed my anxiety about her condition to the Northern Ireland Office on several occasions, either orally or in writing, and in January-February 1981 I made my increasing concern known both orally and by letter, to the Northern Ireland Office and to the Chairman of the Prison Board of Visitors. In all cases I recommended her early release. The prisoner's condition has now deteriorated to such an extent, however, that unless she is released without further delay, I fear she will die in the prison.

Dolours Price has now entered on her ninth year in custody. Since the release of her sister last Spring she has got into a state of severe depression and for several years she has suffered from anorexia nervosa brought on by force feeding. She is constantly losing weight in recent months and her weight is now down to 5½ stone. For the past month she is confined to the infirmary part of the prison where she sits, listless and companionless, scarcely able to walk and requiring help on the stairs. From being a vivacious young girl with much talent for drawing, painting and writing, she has become, at thirty, a gaunt spectre, prematurely aged and deprived of any further desire to live. I fear that she has developed strong suicidal tendencies.

I appeal to you and to the Secretary of State for Northern Ireland to release this prisoner, either under the Royal Prerogative of Mercy or by special licence, because she is now so seriously ill that to keep her any longer in prison will inevitably lead to her death.

./...

I do not need to stress the potential for further violence which such a death would have in this province at the present time. Neither do I need to recall the many arguments which can be adduced in favour of her release, such as the fact that she is already the longest-serving female prisoner in Northern Ireland, that her conduct in prison has been excellent and she has had a moderating influence on other prisoners, that her connection with the event for which she was sentenced was minimal, and that her continued imprisonment is now interfering with her sister's recovery and is causing great distress and ill-health to other members of the family.

I have already listed these and other reasons for her release in correspondence with the Northern Ireland Office. They are now all aggravated in importance by the stark fact that this girl is dying.

Last week the Northern Ireland Office, with commendable clemency, released a prisoner from the Maze Prison, who was seriously ill. I ask you, in God's name, to exercise the same clemency this week in the case of Dolours Price - even next week may be too late.

Yours sincerely,

Tomás Ó Fiaich

Cardinal Archbishop of Armagh

The Rt. Hon. Mrs. Margaret Thatcher, M.P.,
Prime Minister,
10 Downing Street,
Whitehall,
LONDON.

Ireland

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TO IMMEDIATE HOLY SEE

TELNO 3 OF 19 MARCH.

NORTHERN IRELAND : DOLOURS PRICE.
REF TELECON CALLAN/HOLROYD 17 MARCH.

1. IN RESPONDING TO SILVESTRINIS REQUEST FOR INFORMATION ON DOLOURS PRICES STATE OF HEALTH AND PROSPECTS YOU MAY DRAW ON THE FOLLOWING.

2. THERE IS AT PRESENT NO COMPARISON TO BE MADE BETWEEN DOLOURS PRICE'S CONDITION IN ARMAGH PRISON AND THAT OF HER SISTER MARION AT THE TIME OF HER RELEASE. MARION PRICE WAS RELEASED FROM ARMAGH PRISON ON 30 APRIL 1980 ON HUMANITARIAN GROUNDS BECAUSE SHE WAS SUFFERING FROM A SERIOUS PHYSICAL ILLNESS WITH ASSOCIATED PSYCHIATRIC PROBLEMS. ALL THE MEDICAL ADVICE WAS THAT SHE WOULD HAVE BEEN IN IMMINENT DANGER OF DEATH IF SHE HAD REMAINED IN PRISON.

3. DOLOURS PRICE, LIKE HER SISTER, WAS SENTENCED IN NOVEMBER 1973 TO LIFE IMPRISONMENT FOR CAUSING EXPLOSIONS AND 20 YEARS' IMPRISONMENT FOR CONSPIRACY TO CAUSE EXPLOSIONS.

4. DOLOURS IS AT PRESENT GOING THROUGH A PERIOD OF DEPRESSION AND ON 3 MARCH SHE WAS ADMITTED TO THE PRISON HOSPITAL FOR EASE OF OBSERVATION. HOWEVER, HER STATE OF HEALTH IS NOT SUCH THAT THE SECRETARY OF STATE FOR NORTHERN IRELAND COULD CONSIDER HER RELEASE ON MEDICAL GROUNDS.

5. MR ATKINS IS AWARE OF THE WIDESPREAD INTEREST THAT HAS BEEN SHOWN IN DOLOURS PRICE'S CASE AND HER CASE WILL CONTINUE TO BE REVIEWED PERIODICALLY. THE MEDICAL AND OTHER REPORTS FROM THE PRISON WILL BE TAKEN FULLY INTO ACCOUNT AT THESE REVIEWS.

6. IF THERE IS ANY CHANGE IN THE POSITION WE SHALL LET YOU KNOW.

CARRINGTON

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ds

Ireland.

18 March 1981

Robert Cardwell

The Prime Minister has seen your letter to me of 17 March about the case of Robert Cardwell. The Prime Minister agrees that Cardwell may be released on licence on the basis summarized in your letter and provided that, like Mrs. McLaughlin, Cardwell signs an undertaking not to leave Northern Ireland without the consent of the Secretary of State.

MICHAEL ALEXANDER

Mike Hopkins, Esq.,
Northern Ireland Office.

From: THE PRIVATE SECRETARY

RESTRICTED

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

And not to leave the letter without consent of S.of S. and then on conditions he attaches not.

17th March 1981

Michael Alexander Esq
Private Secretary to the Prime Minister
10 Downing Street
London SW1

Prime Minister
Agree that Mr Cardwell should be released on the basis described in the penultimate paragraph?
MT 17/3

Dear Michael,

ROBERT CARDWELL

(attached) I wrote to you on 18 November about the cases of Pauline McLaughlin and Robert Cardwell. In your reply of 28 November you said that the Prime Minister was content that the decision as to release should be taken by the Secretary of State, but that she would like to be informed if and when the decision was taken. You will recall that Miss McLaughlin was released on licence on 10 January.

When Cardwell's case was examined in October/November there was still a measure of uncertainty about the precise medical diagnosis and the extent to which Cardwell might be exaggerating his symptoms. These factors made it difficult to make any reliable prognosis. There were also non-medical factors which had to be taken into account - the view of the Lord Chief Justice of Northern Ireland that Cardwell should not be released unless the doctors could give an assurance that he was too ill, or otherwise in such a condition that he could not possibly, by word or gesture, cause danger to others, and the view of the police at that time that he should not be released while he was in possession of his mental faculties lest he should become re-involved in terrorism and perhaps jeopardise the life of a Crown witness at his trial.

The diagnosis and prognosis are now a good deal more positive. In his report of 7 January the senior consultant physician reported in the following terms:- "The outlook is one of progressive deterioration and invalidism. I feel that although there could be some improvement if discharged it is most unlikely that he will ever be more than severely disabled." (It is clear that the consultant meant that the prisoner would never on any view be other than severely disabled.) In addition to the multiple sclerosis, there remains the ever-present risk of death from pulmonary embolism to which I referred in my letter of 18 November.

To complete the picture I should perhaps add that Cardwell suffers from episodes of acute chest pain and blood spitting, has very little control over his bladder or bowels, his speech is badly impaired and he cannot get out of bed without the help of two strong men.

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We have consulted the RUC again about the danger to the public if Cardwell were to be released and in particular whether the life of the Crown witness at his trial might be put at risk. The police view - expressed by the Deputy Chief Constable - is now that Cardwell could be released on licence without serious danger to the public. It is relevant that there have been some recent successful RUC operations against the UVF in Cardwell's home area. The police now say that outbursts like Cardwell's in court are not uncommon, and that there is no intelligence of any continuing threat to the witness. The police conclude that Cardwell's release on licence should not put the witness or anyone else at any greater risk than they are in at present (if he were so minded, and if he still had the necessary authority, Cardwell could have taken steps from prison to have reprisal action taken).

The medical advice which I have summarised is fully endorsed by the senior medical advisers in the Department of Health and Social Services in Belfast. It is clear that by any normal standards Cardwell is bedridden and severely handicapped, and in view of this and the police advice my Secretary of State now feels that the time has come when Cardwell should be released on licence if satisfactory arrangements can be made for his admission to an outside hospital. Before this is done, however, he would like the Prime Minister to be aware not only of the decision but also the background to it.

In our consideration of this and other similar cases we have been very conscious of the criteria used by the Home Office in considering release on medical grounds; we are satisfied that we are not departing in Cardwell's case from the standards which the Home Office apply.

It is now more than two months since Pauline McLaughlin's release on licence, and a decision to release Cardwell is scarcely likely to be seen as a quid pro quo for political reasons. Despite Cardwell's physical state, and the likelihood that he will die in hospital in a relatively short time, we shall include conditions in his licence, similar to those imposed on Pauline McLaughlin, requiring him not to become involved in any way in acts of terrorism. We shall also consider placing him under the formal supervision of a probation officer.

It may well take a little time to make arrangements for Cardwell's admission to hospital, and it may therefore be a week or two, or longer, before he is actually released.

Yours sincerely

Julie Hopkins

M W HOPKINS

Ireland

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TO IMMEDIATE CERTAIN MISSIONS

TELEGRAM NUMBER GUIDANCE 4 OF 12 JANUARY 1981

NORTHERN IRELAND: PAULINE MCLAUGHLIN

1. THE SECRETARY OF STATE FOR NORTHERN IRELAND, MR HUMPHREY ATKINS, ON 10 JANUARY AUTHORISED THE RELEASE ON LICENCE ON MEDICAL GROUNDS OF MISS PAULINE MCLAUGHLIN FROM ARMAGH PRISON.

LINE TO TAKE

2. IF ASKED WHY SHE HAS NOW BEEN RELEASED YOU SHOULD SAY THAT SHE IS SERIOUSLY ILL AND NEEDS TREATMENT AND MEDICAL FACILITIES WHICH CANNOT BE PROVIDED IN A PRISON HOSPITAL. THE BALANCE OF THE CONCURRENT FIXED TERMS OF IMPRISONMENT BEING SERVED BY MCLAUGHLIN HAVE BEEN REMITTED BY MEANS OF THE ROYAL PREROGATIVE.

BACKGROUND

3. MCLAUGHLIN WAS CONVICTED IN FEBRUARY 1978 OF THE MURDER OF A SOLDIER IN LONDONDERRY IN OCTOBER 1974 WHEN SHE WAS 17 YEARS OLD. SHE WAS SENTENCED TO BE DETAINED DURING THE SECRETARY OF STATE'S PLEASURE UNDER SECTION 73 OF THE CHILDREN AND YOUNG PERSONS ACT (NORTHERN IRELAND) 1968. SHE WAS ALSO CONVICTED OF ATTEMPTED MURDER AND EXPLOSIVES OFFENCES AND SENTENCED TO CONCURRENT TERMS OF IMPRISONMENT TOTALLING 16 YEARS.

Paragraph 4 deleted and closed under FOI Exemption.

CA Wayland
4 March 2014

CARRINGTON
BY TELEGRAPH

| | | |
|---|---|---|
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From: THE PRIVATE SECRETARY

Ireland

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Michael Alexander Esq
10 Downing Street
London SW1

9 January 1981

(2)

Prime Minister
To note final sentence.

Dear Michael,

PAULINE McLAUGHLIN

You will remember that I wrote to you on 27 November about the case of Miss Pauline McLaughlin, (and you replied on 28 November). As I have indicated to you on the telephone today, my Secretary of State has now decided in the light of recent medical advice, that it would be right to release Miss McLaughlin as soon as possible, probably later today.

Paragraph deleted and closed under FOI Exemption.
C Wayland
4 March ~~19~~ 2014

It is the view of the doctors that she will die if she remains in prison. If she is transferred to an outside hospital, although her life may well be saved, they do not foresee her being restored to a condition in which her return to prison will be medically defensible. She is unlikely to make a quick return to normal health even in the most favourable circumstances.

In the light of this very clear and conclusive medical advice, my Secretary of State feels that it would be wrong to delay

/Miss McLaughlin's release

CONFIDENTIAL

Miss McLaughlin's release any longer - particularly in view of the acute embarrassment it would bring to HMG were she to die in prison, something which is now an immediate possibility.

He therefore proposes to remit the balance of the fixed sentence to which she is subject by the exercise of the Royal Prerogative, (advance notice being given to the Palace), and to release her on Licence from her sentence of detention during pleasure. It will be a condition of her Licence that she should go to a Health Service hospital for medical treatment and should remain of good behaviour - in particular should not engage in any activity connected with proscribed organisations. The Licence will also specify that she must not leave Northern Ireland without the prior permission of the Secretary of State.

I am sending a copy of this letter to John Halliday (Home Office).

Yours sincerely

Mike Hopkins

M W HOPKINS

cc. NIO

Ireland

# 10 DOWNING STREET

THE PRIME MINISTER

11 December 1980

Dear Ferrer,

Thank you for your further letter of 26 November about Dolours Price. You asked if she could be allowed a short period of leave over the Christmas period.

For many years there has been an arrangement in Northern Ireland under which certain sentenced prisoners can be considered for a few days' leave at Christmas. However, for a number of years the general rule has been that prisoners serving life sentences are not considered for this (or any of the various other forms of short home leave) until they have been given a provisional date for their release on licence.

This means, I am afraid, that Dolours is not eligible for consideration for leave at Christmas under the scheme as it operates at present. You will, I am sure, understand that any exception made in her case would have to be considered for other prisoners who have been detained for long periods under life sentences and sentences of detention during the Secretary of State's pleasure.

Humphrey Atkins is aware of this correspondence and has taken note of your enquiry.

Yours sincerely,

(sgd) Margaret Thatcher

The Lord Brockway.

From: THE PRIVATE SECRETARY

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SWIP 3AJ

Michael Alexander Esq
10 Downing Street
London SW1

10 December 1980

Type for PM's signature 10/12

Dear Michael

On 27 November you wrote to Roy Harrington enclosing a request from Lord Brockway that Miss Dolours Price should have a short period of leave this Christmas. I am sorry that I was not able to reply within the period given.

There is a scheme in Northern Ireland (introduced by the Northern Ireland Government in 1948 and continued by successive administrations under Direct Rule) under which certain prisoners can be considered for a few days leave, normally about 5 days, at Christmas. However the practice for some years has been to exclude from considerations life sentence prisoners who have not been given a provisional date of release. Apart from the seriousness of such prisoners' offences, the view has been that there must be a risk that, with no definite date of discharge to look forward to, they may be tempted to abscond. In the case of fixed-sentence prisoners, leave is only considered for prisoners in the last stages of their sentence.

This means that Dolours Price is not eligible for consideration for Christmas leave. Any concession granted to her would, in fairness, have to be considered for other prisoners serving indeterminate sentences who have been in prison for a long time. There are at least twenty male "lifers" who have been in prison for as long or longer than Miss Price (for 14½ years in the cases of Gusty Spence and Robert Williamson, convicted of the murder of a Roman Catholic barman in 1966).

It so happens that we are at present having a fresh look at the policy in regard to the grant of leave of various kinds to life sentence prisoners who have been in prison for a number of years, but it is scarcely conceivable that this review will be completed by Christmas or - even if it is - that it will lead to any reconsideration of the position of Dolours Price, at any rate so far as this year is concerned.

I attach a draft reply to Lord Brockway for the Prime Minister's consideration.

Yours sincerely
Mike Hopkins

M W HOPKINS

DRAFT LETTER

FILE NUMBER

ADDRESSEE'S REFERENCE

| To | Enclosures | Copies to be sent to |
|---|---|---|
| Lord Brockway<br>House of Lords<br>London SW1 | | NOT entered<br>await covering letter<br>N/O to MODBrit 10/12 (?) |
| (Full Postal Address) | | (Full Address, if Necessary) |

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

Thank you for your further letter of 26 November about ~~Miss~~ Dolours Price. You asked if she could be allowed a short period of leave over the Christmas period.

For many years there has been an arrangement in Northern Ireland under which certain sentenced prisoners can be considered for a few days' leave at Christmas. However, for a number of years the general rule has been that prisoners serving life sentences are not considered for this (or any of the various other forms of short home leave) until they have been given a provisional date for their release on licence.

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E.R.

This means, I am afraid, that ~~Miss Price~~ Dolours is not eligible for consideration for leave at Christmas under the scheme as it operates at present. You will, I am sure, understand that any exception made in her case would have to be considered for other prisoners who have been detained for long periods under life sentences and sentences of detention during the Secretary of State's pleasure.

Humphrey Atkins is aware of this correspondence and has taken note of your enquiry. ~~on Miss Price's behalf.~~

MFJ

CONFIDENTIAL

28 November 1980

The Prime Minister has seen your letter to me of 27 November about Miss Pauline McLaughlin. She has commented that she is content to leave the decision on the release of Miss McLaughlin and of Mr. Cardwell, who is referred to in your letter of 18 November, to the discretion of the Secretary of State for Northern Ireland. She would however like to be informed if he decides to release either of them.

MODBA

IKRB

M.W. Hopkins, Esq.,
Northern Ireland Office.

CONFIDENTIAL

Ireland.

27 November, 1980.

I enclose a copy of a further letter which the Prime Minister has received from Lord Brockway about Dolours Price. I should be grateful if you could let me have the text of a reply which the Prime Minister might send to Lord Brockway by Wednesday, 3 December.

M. O'D. B. ALEXANDER

Roy Harrington, Esq.,
Northern Ireland Office.

RBB.

CONFIDENTIAL

From: THE PRIVATE SECRETARY

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

I leave the question of release of Miss McL to Mr Atkins. May I be informed if he decides on release.
Prime Minister not

27 November 1980

Michael Alexander Esq
10 Downing Street
London SW1

You will see from the final paragraph that Mr Atkins may have to take a quick decision about the release of Miss McLaughlin. Are you content that he should have discretion to release her in extremis or do you wish to be consulted? MT 27/XI

Dear Michael

This letter follows up our discussion yesterday about the latest developments in the case of Miss Pauline McLaughlin, who is in Armagh prison. Roy Harrington set out the background, and the situation as it then was, in his letter of 18 November. attached

Last week Lord Gifford (who had earlier, along with Lord Longford and two other Peers, signed a letter to Mr Atkins asking for Miss McLaughlin's release on medical grounds) telephoned us and asked if he would be allowed to visit Miss McLaughlin in Armagh prison. Although it seemed unlikely that Lord Gifford's intervention would be helpful, we did not feel able to refuse the visit provided that Miss McLaughlin herself said that she wished to see him. She told the prison Governor that she did wish Lord Gifford to visit her, and on this basis the Secretary of State agreed that the visit should take place.

Lord Gifford duly visited the prisoner (accompanied by her brother) on Tuesday afternoon. After the visit he asked to see the Minister of State, Mr Michael Alison, and the interview took place yesterday morning.

Lord Gifford had in his possession a copy of a medical report prepared by a consultant, a Dr Donaghy, who saw Miss McLaughlin in the prison on 8 November. (This examination had been at the request of solicitors acting for the prisoner and her family; we agreed, after consultation with the Chief Medical Officer of the Department of Health and Social Services in Belfast, that the examination could take place.) Lord Gifford argued strongly to Mr Alison that the consultant's report - of which we had already received a copy from the solicitors - fully justified a decision to release Miss McLaughlin forthwith on medical and humanitarian grounds.

Mr Alison explained that we were aware of the consultant's report on which Lord Gifford based his representations; that the case had been under review in the Department for a long time in the light of all the available medical information - including reports from other consultants - and other relevant considerations; that both he and the Secretary of State were fully aware of all the circumstances of the case and saw up-to-date medical reports at appropriate intervals; that the position remained that we were not at present prepared to

release Miss McLaughlin/

CONFIDENTIAL

release Miss McLaughlin on licence from her indeterminate sentence, imposed for murder, and to remit the balance of the other fixed terms; but that the case would continue to be closely watched in the light of medical advice.

Lord Gifford's response was that he considered the Minister's attitude insensitive and inhumane. He (Lord Gifford) felt obliged in view of the unsympathetic reaction to go to the media, with the consultant's report, in order to draw further attention to the case and to seek their aid in bringing about her release.

However the consultant, Dr Donaghy, subsequently learned of Lord Gifford's intentions and put a stop to the proposed use of the medical report (by protesting to the McLaughlin family's solicitor and Lord Gifford himself). The result has been only a mild press reaction to Lord Gifford's announcement that he has now seen Pauline and that she is clearly seriously ill.

Paragraphs deleted and closed under FOI Exemption.

C Wayland
4 March 2014

It is not proposed to release her at this stage but as was indicated in our letter of 18 November, the Secretary of State may soon have to reach a quick decision on this, in the light of the factors we outlined. Her case will therefore continue to be closely monitored by medical staff in the prison hospital and the Secretary of State will be kept fully informed. We shall keep you in the picture.

Yours sincerely

Mike Hopkins

M W HOPKINS

C.F.?

R27
PPS

26-11-80

House of Lords · Westminster

Dear Prime Minister,

Dolores Price

Thank you for your letter. I very much appreciated your detailed consideration.

May I add one suggestion. Could she not be allowed Christmas leave? I am sure she would return.

Thank you,

Sincerely,

Fenner Brockway

From: THE PRIVATE SECRETARY

CONFIDENTIAL

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SWIP 3AJ

Michael Alexander Esq
Private Secretary to the
Prime Minister
10 Downing Street
London SW1

18 November 1980

(2)

Prime Minister

Dear Michael,

The Prime Minister has been receiving a number of letters about Pauline McLaughlin, a prisoner in Armagh prison, whose poor health is giving rise to representations that she should be released. Because it may be necessary to consider releasing her, my Secretary of State wants the Prime Minister to have some background information about the case and a brief explanation of how it is being handled.

Miss McLaughlin is now aged 23, and was sentenced early in 1978 to detention during pleasure for the murder of a soldier in 1974, when she was 17. That sentence is, in effect a life sentence. She was also sentenced to concurrent terms of imprisonment amounting to 16 years for other offences including attempted murder and causing explosions. The case for the Crown was that she had collected and assembled the rifle used in the murder and in the attempt, and had carried it away afterwards.

Paragraphs deleted and closed under FOI Exemption

C Wayland
4 March 2014

The position at present, therefore, is that Miss McLaughlin's case is distinguishable from, but in some respects more difficult than, that of Marian Price. Unlike Miss Price, there is nothing to suggest that Miss McLaughlin has renounced violence. There must thus be a greater risk than in the earlier case that if released she would revert to terrorist activity should she recover her health sufficiently to do so. Because of the extent to which she could be manipulated, there is a significant danger that she might be exploited in the context of the H-Block campaign (although the police advise us that the family background is satisfactory, and Bishop Daly would be left in no doubt that he was expected to use his influence to keep her out of any sort of trouble in future.)

Miss McLaughlin is under the closest medical care although she is not wholly co-operative in her attitude towards it. The Secretary of State does not feel that her present condition warrants release but he will consider that possibility if at any point in the future the doctors advised that her decline would be irreversible if she were kept in prison (and it might take such a course that it would be irreversible even if she were released). Such a decision, whichever way it went, would be a particularly difficult one because of the heightened atmosphere of tension which the hunger strike is already creating, and which can only get worse as the hunger strike proceeds.

The Secretary of State also has to keep under review the case of Robert Cardwell, a Loyalist prisoner now aged 39 who was sentenced to life imprisonment in March 1977 for the murder of a fellow UVF member. The trial judge recommended that he should serve a minimum of 25 years. He has been in custody since October 1975. Cardwell and three accomplices took the victim to an isolated farm house on the pretext of collecting arms and shot him in the head. Cardwell was diagnosed in 1978 as suffering from multiple sclerosis, and since then has been under constant medical care in Maze prison, where he is confined to bed almost continuously. Although to some extent he manipulates or exaggerates his symptoms, he now has no feeling below the waist, his arm movements are very restricted and his speech is hesitant and slurred. Most recently the chief cause for concern has been a recurrence of pulmonary embolism (blood clot in the lung), and he has recently been admitted to Belfast City Hospital on two occasions. There is a possibility, if not a probability, that a further episode of pulmonary embolism would result in his sudden death. In his case also the Secretary of State takes the view that his condition does not justify release on medical grounds at present.

Summary

In either of these cases it may in due course become necessary to decide, in the light of medical and security advice, whether the prisoner should be released. Release of Miss McLaughlin, who is subject to determinate sentences in addition to detention during pleasure, would involve the use of the Royal Prerogative. Cardwell is subject to a life sentence, and could therefore be released on licence by decision of the Secretary of State. It is well established practice in the UK generally to release terminally ill

prisoners so that they may die free of custody. In the case of McLaughlin it may be necessary to consider the more difficult question whether her release might be justifiable to save her life. Decisions in both cases, if required in the near future, will have to be taken in an atmosphere in Northern Ireland already made more tense by the hunger strike, and in which, as a result, the two communities can be expected to be highly sensitive to any apparent lack of impartiality in the Secretary of State's treatment of two very sick prisoners. We are already giving such advance consideration as we can to the handling of the differing circumstances which might arise. I am copying this letter to John Halliday (Home Office) and David Wright (Cabinet Office).

Yours sincerely
John Graham

pp R A HARRINGTON

VLB

cc NIO

Ireland

CF

# 10 DOWNING STREET

THE PRIME MINISTER

11 November 1980

Dear Lord Broadway,

Thank you for your letter of 25 October about Miss Dolours Price. I am fully aware of the close personal interest which you have taken in her and her sister, Marian, over a number of years.

I have read your letter and its eloquent plea on behalf of Dolours. I have sent a copy of it, and the enclosure, to Humphrey Atkins so that he is aware of what you have said and what Dolours has written. I recognise that you are convinced that Dolours has renounced violence, and this will certainly be taken into account when her case is reviewed by Northern Ireland Office Ministers. As you know, however, she is still subject not only to the life sentence imposed in England in 1973, but also to a concurrent sentence of twenty years' imprisonment for conspiracy to cause explosions. Even allowing for the half-remission system which applies in Northern Ireland, this sentence will not run out until 1983.

I have made enquiries about Dolours' current state of health. She suffers from periods of depression, severe at times, but the doctors consider that she is a much tougher personality than her sister. Fortunately neither her mental nor physical health is giving cause for serious concern at present, but the prison medical officer (who can call on expert consultant advice as and when he thinks it necessary or desirable to do so) and the nursing and other staff at the prison will continue to keep a close but friendly eye on her.

/ I do understand

HS

I do understand that Dolours must be feeling a sense of greater isolation following her sister's release. I am afraid, however, that in view of the current medical reports which I have described, there are not sufficient grounds for releasing her on licence from the life sentence and remitting the balance of the concurrent fixed term.

I should perhaps add, lest there is any doubt in your mind on the point, that Dolours Price is accommodated in a separate part of Armagh Prison along with two other remaining women special category prisoners. The accommodation which these prisoners have is exceptionally comfortable by prison standards - they have free access to a very well-equipped kitchen. They are entirely separated from the women taking part in the dirty protest action.

I am returning herewith, as you requested, Dolours' letter to you.

Yours sincerely

Margaret Thatcher

The Lord Brockway

From: THE PRIVATE SECRETARY

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Michael Alexander Esq
10 Downing Street
London SW1

Letter to come

7 November 1980

Dear Michael,

Thank you for your letter of 29 October with which you enclosed a copy of one from Lord Brockway about Miss Dolours Price, together with a copy of a letter which she had sent to him.

I attach a draft reply for the Prime Minister's consideration. I am afraid that as Armagh is the only prison in Northern Ireland for women (there are only 61 women prisoners altogether), there is no prospect of moving Miss Price to other surroundings. We expect to open a new prison for women at Maghaberry, Co Antrim, in about September 1982, but that will still be the only women's prison as Armagh will then be closed.

We have confirmed that Marian Price has visited her sister only four times since she was released on 30 April. She visited twice in July, on 1 October and 3 November. I am afraid that neither we nor the prison concerned can say why Marian has not visited her sister more frequently. It may be that she does not find it a happy experience to return to the prison where she spent nearly five years, but this is no more than conjecture on our part.

The Prime Minister will wish to know that the latest medical reports give no cause for serious concern about Dolours Price's condition. She does suffer from periods of depression, indeed despair at times, but her depression is of the reactive type and is not a constant feature of her condition. She is not regarded as a serious suicide risk. We shall of course continue to keep the case under close review.

Dolours Price is one of only three women special category prisoners at Armagh. She has a cell of her own, is nowhere near the women taking part in the dirty protest and has free access to an excellent kitchen.

Yours sincerely
Mike Hopkins

M W HOPKINS

DRAFT LETTER

FILE NUMBER

ADDRESSEE'S REFERENCE

| To | Enclosures | Copies to be sent to |
|---|---|---|
| The Lord Brockway<br>House of Lords<br>London SW1 | | |
| (Full Postal Address) | | (Full Address, if Necessary) |

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

Thank you for your letter of 25 October about Miss Dolours Price. I am fully aware of the close personal interest which you have taken in this girl and her sister, Marian, over a number of years.

I have taken careful note of the points you make on behalf of Dolours Price. I have sent a copy of your letter, and the enclosure, to Humphrey Atkins so that he is aware of what you have said. I recognise that you are sincerely convinced that Dolours has renounced violence, and this will certainly be taken into account when her case is reviewed by Northern Ireland Office Ministers. As you know, however, she is still subject not only to the life sentence imposed in England in 1973, but also to a concurrent sentence of twenty years' imprisonment for conspiracy to cause explosions. Even allowing for the half-remission system which applies in Northern Ireland, this sentence will not run out until 1983.

I have made enquiries about Dolours Price's current state of health. She does suffer from periods of depression, severe at times, but

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The doctors consider that she is a much tougher personality than her sister. Neither her mental nor her physical health is giving cause for serious concern at present, but it goes without saying that the prison medical officer (who can call on expert consultant advice as and when he thinks it necessary or desirable to do so) and the nursing and other staff at the prison will continue to keep a close but friendly eye on her.

I do understand that Dolours must be feeling a sense of greater isolation following her sister's release. I am afraid, however, that in view of the current medical reports which I have described, there are not sufficient grounds for releasing her on licence from the life sentence and remitting the balance of the concurrent fixed term.

I should perhaps add, lest there is any doubt in your mind on the point, that Dolours Price is accommodated in a separate part of Armagh Prison along with two other remaining women special category prisoners. The accommodation which these prisoners have is exceptionally comfortable by prison standards - they have free access to a very well-equipped kitchen. They are entirely separated from the women taking part in the dirty protest action.

I am returning herewith, as you requested, Dolours' letter to you.

Paul

CONFIDENTIAL

Rtl

10 DOWNING STREET

*From the Private Secretary*

29 October, 1980

Dolours Price

I enclose a copy of a letter the Prime Minister has received from Lord Brockway about Dolours Price, together with a copy of a letter to Lord Brockway from Miss Price.

The Prime Minister has seen these letters. She would like to send a sympathetic reply, but without giving any undertaking to act at present. The Prime Minister has asked whether there would be any possibility of moving Dolours Price to another prison were Miss Price to request this. She has also expressed surprise that Marian Price visits her sister so rarely. Do we have any background on the reasons for this?

I should be grateful if you could let me have a draft reply by close of play on Thursday, 6 November.

M. O'D. B. ALEXANDER

Roy Harrington, Esq
Northern Ireland Office

CONFIDENTIAL

JS

From Lord Brockway

(1)

You are overwhelmed.
But please read.

(1) I am amazed that Marian goes to see her so rarely. That itself must be disturbing for a time.

(2) Can she be moved if she requests?

(3) She says 'mentally I will live or have each day with them'. The sympathies still seem to be there.

(4) One person was killed

(5) I doubt whether her ex-friends will let her alone when she is out. Sympathetic chat please, but doubt whether we can encourage not.

Prime Minister.
This Price's letter indicates that she is a woman of some intelligence: the N.I.O. confirms this. I gather it is true that she has disassociated herself from her former collaborators. She will probably serve maximum sentence i.e. be eligible for release in 1983. To seek earlier release would involve using the royal prerogative which would hardly be justified on present evidence even supposing one felt inclined to try. If you agree, I will ask the N.I.O. to provide a reply on standard lines.

Brock. 28/X

House of Lords · Westminster

25th October 1980

The Rt. Hon. Margaret Thatcher, M.P.
10 Downing Street,
London S.W.1.

Dear Margaret,

Dolours Price

I do not like doing things behind anyone's back, and therefore I asked the permission of Humphrey Atkins to write to you. He readily agreed.

You may remember that eight years ago Dolours and Marian Price received life sentences for being involved in a bombing outrage outside the Old Bailey. Marian was a teenager and Dolours just 22, and they were caught up in adolescent emotion as Catholics by the I.R.A. It says something for them that they insisted that if they took part no human being would suffer. In fact one person was killed, but it is generally recognised that this was due to a fault in the exchange of information in London after a warning had been given. When I have seen the girls since they were both deeply distressed that this casualty should have occurred.

When they were on remand at Brixton Prison they went on hunger strike to demand that they be imprisoned in their homeland in Northern Ireland. They were then heroines among the Republicans, and I knew that if they died there would be Hell to pay in Ireland. I therefore saw Mr. Roy Jenkins, the Home Secretary, and he agreed that I could go to see the girls and urge them to stop their hunger strike, promising that they would shortly be sent to Northern Ireland.

I saw the girls and succeeded in convincing them to end their hunger strike. On this I was complimented in the House of Lords by the ex-Prime Minister of Northern Ireland, who agreed that I had prevented a serious situation there. Disappointed in the delay in sending them to Ulster, the girls renewed their hunger strike. I had then been informed

25th Oct. 1980

House of Lords · Westminster

that their mother was terminally ill and was distressed by their refusing food. I saw the girls, and then, not revealing my knowledge, they agreed to discuss the matter with their father. I got permission from Roy Jenkins for their father to see them next day, and in consequence they stopped their hunger strike.

From the first I reached an accord with the girls, and they trusted me. Although I am a Humanist, I became almost their spiritual adviser.Dolours wrote to me every week on their behalf, and in my replies I discreetly sought to influence them against violence and the I.R.A. Last year I visited them in Armagh Prison, and I was overjoyed to know that they had now become convinced that violence was wrong.

Marian has subsequently been released on health grounds and Dolours is left isolated in Armagh Prison, not only because she has lost Marian, but because she declines to take part in the "dirty" protest which the other I.R.A. prisoners are pursuing. Her recent letters to me show that she is deeply upset psychologically.

I have been deeply impressed by the mental qualities of the girls and by their personalities. I am quite sure that if Dolours were released she would become active, despite the dangers, in urging her fellow Catholics to refrain from violence. Indeed, in a recent letter she is longing for release in order to urge action for peace.

I am sorry to have written this long letter, but I know you will respond sympathetically. You know how I disagree with you politically, but I always remember your kindness when I was in the House of Commons, and have no doubt about your human feelings.

With good personal wishes,

Yours sincerely,

Fenner Brockway

P.S. I enclose a letter just received from Dolours. It illustrates her condition of mind and her convictions. Please return. F.

D081713.25m.1/77.D.gp.191

Form 21 AD



In replying to this letter, please address the envelope as follows:

Number ..... Name Dolours

Arwergh Prison

20 Something th
October 1980.

Dear Fenner,

It is such a long time since I last wrote, every day is such a long time to me now and each day I fill with nothing except my tears and heartache and weariness. I move as a clockwork doll, on and on and on 'til exhaustion and, perhaps, sleep overtake me. I am a soul wandering in the darkness, eternally on the precipice, always unsteady on my feet knowing that at any moment I may fall into the abyss. I am trying to put the time in but nothing constructive is left to me, I have no thoughts for "usefulness" all I can achieve now is activity, occupation of time and that by ceaseless movement, anything so that I need not think. It is a form of escape for me, although ultimately I must face the reality, I know it but as yet am unable to face it, it lurks in the background, a grey phantom – I close my eyes if I perchance glimpse it. November approaches, I have myself girded up for the momentous dates – 14th, seven years ago, seems like seven million. Then to December and my 30th birthday on the 16th. 30 is a marker in any womans life, for me it is more, it means almost all my twenties wasted in prison, it means no babies and my fruitful years passing by me, it means a natural instinct thwarted for so long perhaps never to be fulfilled. I don't think secretaries of state think along those lines unless they are women!! It does hurt me deeply and badly

and will scar the rest of my life. Marian comes to visit me very rarely, she will visit this week for only the third time since her release. It is the most awful ordeal to part when the visit ends, I cling, she clings, but in the end we must go our seperate ways - she to the front gate, me to my cell - it is not fair Fenner, we both suffered enough and are deserving of some mercy, was blood with the flesh in the contract? I will have served eight years in March, even murderers don't serve that, I am doing life for causing an explosion, some people get away with four years for the same charge, the system is not fair or just. I no longer even pay lip service to any organisation, I am made to suffer for that too, each day I live my solitary life and am made to feel an outcast, a traitor to their 'Cause' because I have declared it to be no longer mine. I am feeling very, very sorry for myself. All this potential trouble we can expect if there is a hunger strike in 'H' Block has my nerves shattered, it is such an emotional theme with me, am I to live through all those awful memories, I will be eating (as well as any anorexic can!) but mentally I will live and starve each day with them, thank God they will never face the horror of force feeding. Fenner, I must be away before this thing develops, if not in body I think my mind will retreat into some dark corner to hide from it. People are going to die, always people are made to die, if not physically then mentally. I want to live, to love life again, to survive - help me to do that, to speak up for Life not for Death - I must be allowed to do that. I can't do it here. I am chained to a wall and my voice echos back to me from wire tapped walls. Write, I need you now more than ever, I was strong in Brixton, now I am weak.

love

Dolores

E.R.

Ireland

Prime Minister. Mr Atkins was first for questions in the House yesterday and the Marian Price affair was not mentioned.

MR. ALEXANDER

for Mrs

9/5

David Gilliland of NIO telephoned today about the Marian Price affair and, more particularly, the Sun's leader page comment. He said that, while the Price release might cause us difficulty in England, the temperature on the subject in Northern Ireland was very low indeed. The Protestant majority were not making anything of it.

Moreover, he believed that the English newspapers were putting the wrong interpretation upon her being out of danger. He believed that it referred to her being out of physical danger, since she clearly remained very ill.

However, Mr. Gilliland said that one of the major Irish Catholic magazines published today praises Mr. Atkins' intelligent and flexible handling of present problems and, more specifically, of the release of Marian Price as a good humanitarian move and evidence of his common-sense approach to problems.

Mr. Gilliland said that on the whole it was one of the best articles they had had in a newspaper widely read by the Catholic and Republican community which is exactly the target they needed to hit.

B. INGHAM

9 May, 1980

CONFIDENTIAL

From: THE PRIVATE SECRETARY

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

(2)

Prime Minister.
See in particular the final paragraph.
9/5

Michael Alexander Esq
10 Downing Street
LONDON SW1

9 May 1980

Dear Mr. Alexander

MARIAN PRICE

You inquired earlier today about the editorial piece about Marian Price in this morning's issue of 'The Sun'.

To the best of our knowledge this is a speculative piece based on stale information, the source of which can be traced back to what was said to the Press by a member of the staff of the Royal Victoria Hospital, Belfast (RVH), on the basis of Marian's stay in that hospital last week. It does not reflect any up-to-date information in the hands of 'The Sun'.

... There was a more helpful comment in last week's 'Sunday Telegraph', a copy of which I enclose.

The medical advice on which the Secretary of State decided to release her, and to which the article refers, was quite specific: had she been kept in prison she would have died but if released she had a chance of recovery. She is not under statutory or other formal supervision, but our information is that the medical advice is being borne out: she is making a recovery. Our chief concern is that she avoids any re-involvement with the PIRA. Such evidence as we have since her release indicates that her allegiance to PIRA is at ebb. This evidence confirms the intelligence assessment which my Secretary of State considered before deciding to release her on licence.

Finally, the Prime Minister will wish to know that although Marian went to a hospital outside Dublin after being recognised in the RVH, she has since returned to Belfast. And in this respect we place some confidence in the involvement of Cardinal O'Fiaich, with whom we continue to keep in touch.

Yours sincerely
Mary Wright

MRS MARY WRIGHT

CONFIDENTIAL

SUNDAY TELEGRAPH
4 . 5 . 80

## Tempering Justice

MR ATKINS should not be reproached for his decision to release Marian Price from Armagh prison, where she has been serving a life sentence for her part in the Old Bailey bombing in 1973. The girl, it would seem, is desperately ill and such possibility of survival as she may have depends on her release from custody. She is not now trying to put pressure on the authorities by refusing to eat or engaging in any other kind of self-abnegating protest: but to leave her where she is would be to convert a life sentence into a death sentence. Moreover, she can be brought back, without trial, if she shows any signs of reverting to terrorist activity.

Humanity, in such an extreme case, should make it easier rather than harder for the Government to stick to its flat refusal to grant political status to those prisoners who are trying to further their cause by fouling their cells and engaging in other nauseating forms of "moral blackmail."

From: THE PRIVATE SECRETARY

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

Michael Alexander Esq
10 Downing Street
London SW1

May 1980

Dear Michael,

MARIAN PRICE

I suspect you would prefer never to hear again the name above but we have prepared for our own use a summary of the circumstances leading up to this woman's release on licence and subsequent events to the point when we confirmed that she was undergoing treatment in a religious institution in the Republic. I thought you, or whichever of your colleagues is on duty this weekend, might like to have this summary of the facts to hand.

Yours ever,

R A HARRINGTON

THE RELEASE OF MARIAN PRICE

Recent Ministerial consideration of this case stems from a case conference held amongst the doctors and officials directly concerned on 22 April. The Conference concluded that the point had been reached where Marian Price could not for much longer be treated in prison

Passage deleted and closed under FOI Exemption
CWayland
4 March 2014

(A coincidental complication was that the prison doctor, in whom she had some confidence, was at present seriously ill himself).

2 With that background, Ministers considered 3 options:

i to leave her in the prison hospital;

ii to remove her to an outside hospital still under secure conditions (ie still a prisoner);

iii to release her.

3 Advice to Ministers was that humanitarian considerations clearly weighed in favour of release. To leave her in prison would be to leave her to die (for crimes through which no one was killed). To transfer her to secure conditions in an outside hospital could only



CONFIDENTIAL

CONFIDENTIAL

be an interim stage in treatment; its chances of success were slim, and if she did recover, her return to prison would probably re-create the same conditions. The political arguments were thought to be finely balanced. Officials recommended (as did the doctors) in favour of release. This would call for the remission of her 20-year sentence through the Royal Prerogative, and, since she also had a life sentence - release on licence. It was thought at that time that conditions, such as consent to continued medical treatment, could be imposed beyond an implied requirement to be of good behaviour (implicit in the liability to recall which is part and parcel of the licence).

4 Ministers were at first inclined (on 25 April) to prefer a version of option (ii), viz that Marian should be transferred to a secure hospital first, to evaluate whether there was medical scope for treatment and recovery, and to help prepare public opinion for her release if the interim stage proved negative.

5 The Secretary of State considered the matter further on 28 April, taking expert medical advice. It was explained that the conditions of treatment if Marian were transferred to a secure outside hospital would not be significantly different from those in Armagh, and no reversal in the decline could be expected. Treatment could not be imposed on her against her will, and she might very well refuse it. It was besides more difficult to apply a strictly disciplined medical regime in a prison hospital (including the secure hospital outside), because the medical staff there could not refuse to go on treating her, however inadequately she conformed to their prescribed treatment. Thus in prison, unlike a "free" civilian hospital, the doctors would lack the sanction, once they had generated the will to live, that if she did not cooperate they would not be able to go on treating

her. It was noted that, if she were released, it would not be possible to compel her to go to hospital or to remain there thereafter.

6 The Secretary of State also noted that if Marian refused to be transferred for treatment in a secure outside hospital, he would have to confront the alternatives of releasing her or leaving her probably to die, in much less favourable conditions, since the initiative would have passed to her. He was assured that if he decided to release her, he would be free to explain publicly the broad considerations related to her treatment in prison, resulting from her state of health, that had led him to his decision.

7 The Secretary of State accordingly decided that Marian Price should be released. The Prime Minister and other interested Ministers were informed on 29 April, as were the Lord Chief Justice of Northern Ireland and the Trial Judge (Lord Justice Sebag Shaw). The Private Secretary to HM The Queen was informed, in view of the grant of the Royal Prerogative, on 30 April.

8 The essential reasons leading the Secretary of State to this conclusion were as follows: To leave her in prison was to sentence her to death. That should not be permitted if it could reasonably be avoided: her offences did not include murder. Release on licence was the only course to offer a hope (though by no means certain) of recovery. Political arguments, though secondary, were consistent with this course. The case created no precedents. Marian's sister Dolours, though ill, was not in a state requiring removal to an outside hospital. It was distinct from a case of hunger-striking (where the prisoner on current policy would be left to die if he voluntarily persisted), since Marian's illness was genuine and her

actions involuntary in that sense. (There are equally believed to be no precedents in the UK for release in the present conditions, ie in order to give the prisoner a chance to live).

9 Marian Price was released on 30 April, and went voluntarily under an assumed name to the Royal Victoria Hospital, Belfast, where she began to settle in well and cooperate with the medical staff. At 3 pm on 1 May she was visited by her father, sister and brother-in-law, and at 3.15 pm she told the Registrar that she was concerned for her safety, and thought she should leave. He talked her out of this, but 4 more visitors then arrived, and at 4.30 pm she told the Registrar that she was set on leaving. At 5.15 pm the consultant in charge of her case discussed her intention with her, and found her determined to go, and to seek further medical attention in the Republic. Accordingly, having no power to restrain her, the consultant released her at 5.55 pm; she signed a statement that she was leaving contrary to medical advice. The consultant, having failed to reach the DHSS medical officer immediately on the telephone, arranged for senior NIO officials to be told of her departure by [5.10 pm].

10 Freedom to give up the recommended medical treatment, and to leave the Northern Ireland jurisdiction, was inherent in the decision to release Marian Price. As noted, the authorities could not have compelled Marian Price to continue treatment against her will (in prison or out); if they could, the compulsion would in the circumstances of her case have defeated their object. Similarly, to have insisted on her remaining in Northern Ireland [illegible] would have been a constraint likely to undo the benefits of release; certainly so if any serious attempt were made to enforce the condition over a period of time (but practically speaking it would be unenforceable, short of re-imprisonment).

.R.

11 Marian Price left the hospital for the Republic, and is now understood to be undergoing treatment in an institution run by the Sisters of Simeon at Blackrock near Dublin.

Now confirmed.
RAH.

File

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10 DOWNING STREET

*From the Private Secretary*

29 April 1980

Dear Roy,

Marian Price

The Prime Minister has seen your Secretary of State's minute to her of 29 April about the case of Miss Marian Price. We have discussed the problem on the telephone. As you know the Prime Minister, after a little hesitation, has agreed that Mr. Atkins should proceed on the lines proposed.

I am sending copies of this letter to Ian Maxwell (Lord Chancellor's Office), John Chilcot (Home Office), Michael Richardson (Foreign and Commonwealth Office) and David Wright (Cabinet Office).

Yours sincerely

Michael Alexander

Roy Harrington, Esq.,
Northern Ireland Office.

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PRIME MINISTER

MARIAN PRICE

This young woman, now aged 26, is the younger of two sisters convicted of two counts of causing an explosion and one of conspiracy to cause explosions in connection with terrorist offences in London in 1973. She is at present in Armagh Prison, to which she was transferred from Great Britain in 1975. She is serving concurrent sentences of 20 years and life imprisonment. Her health, which has been declining for some time, has now reached a state where I am advised that she is in imminent danger of death: an abrupt acceleration in her decline has become apparent within the last 2 days. I have concluded that the right course is to release her on licence.

Both Marian Price and her sister have been suffering for some time from * * The physical condition of Marian is much the worse, and her case is made more difficult by complex associated psychiatric factors. There is no doubt that her illness is genuine: it is not consciously controlled. Having considered the results of a medical case conference last week which took the views of two independent medical consultants, and having personally discussed the matter with my department's medical adviser, I am satisfied that there is no more that can be done in the prison hospital at Armagh: her physical health is such that she would die quite soon (and her decline would become irreversible before that) while her * *

I have considered the possibility of transfer to the secure ward at the Musgrave Park Hospital. In her present state of mind she might refuse it (in which case she could not be forced to go and might become conscious that she was challenging us to let her die). But even if she agreed to go, there is no ground for believing that she would recover there. The doctors' judgement is that it will not be possible to arrest her decline in conditions of custody.

To leave her in prison is clearly to sentence her to death. Whatever her offences - which did not include murder - that should not be permitted to happen if it can reasonably be avoided. I am advised on medical grounds that her release on licence is the only course offering a hope of her recovery though recovery is by no means certain, would be very slow and might never be complete in physical or psychological terms. I regard that as the overriding factor but I am also convinced that release on licence is the right course having

* ~ * Passages deleted and closed under FOI Exemption. CWayland, 4 March 2014



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weighted both the political factors and the reasonable expectation of the public that those who commit serious offences must expect severe punishment.

There will, of course, be reactions in Northern Ireland and perhaps also in Great Britain. Many here and abroad will recognise the humanitarian considerations: there would certainly be substantial criticism if she were left to die, which would be the worst outcome in political terms. I believe that criticism of a decision to release can be met by making clear how desperate is her state of health, and how imminent is her death if nothing were done. I would not expect that the Provisional IRA would make much capital either way. The two sisters and their family have avoided publicity and I would expect them to continue to do so, but if she became a PIRA activist she would be liable to recall to prison to continue serving her life sentence.

The case creates no precedent for others (Marian's sister Dolours, though ill, is not in a state requiring removal to an outside hospital or release). Marian Price's case is clearly distinguishable from that of a person voluntarily undertaking a hunger strike, who - as in the case of Frank Stagg - would be allowed to die if he persisted in it.

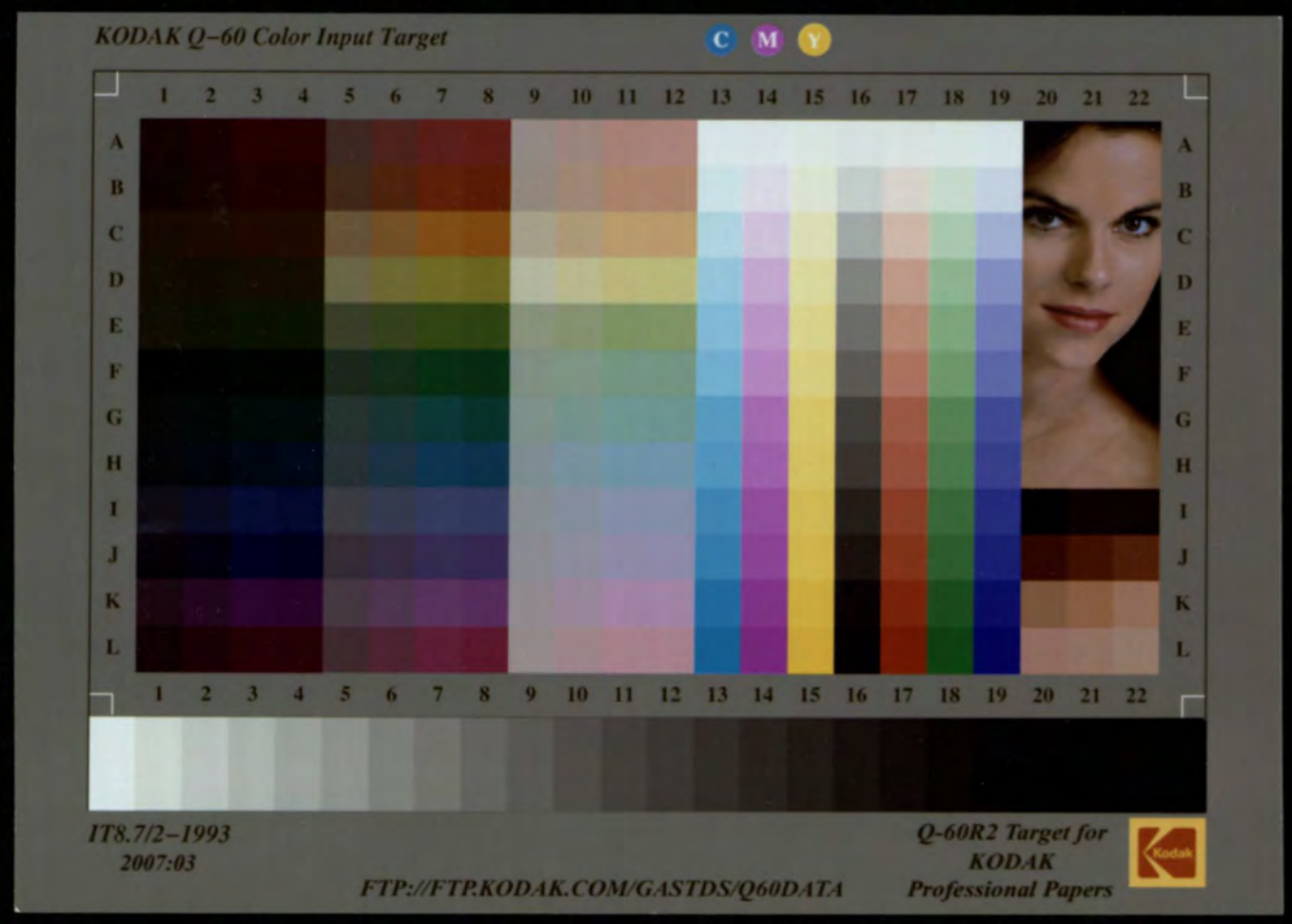
I am accordingly informing the trial judge and the Lord Chief Justice of England (where she was convicted) and of Northern Ireland with a view to releasing her on licence later this week. The balance of the determinate sentence of 20 years to which she is subject would need to be remitted by means of the Royal Prerogative; as the amount of special remission is substantial and the case is likely to attract public comment, the Palace would be informed in advance of any announcement.

I am sending a copy of this minute to the Lord Chancellor, the Home Secretary, the Lord Privy Seal and Sir Robert Armstrong.

pp HA

(Signed on behalf of the Secretary of State in his absence)

29 April 1980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