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PRIME MINISTER:

Northern Ireland: the Hunger Strike

1. Following the sending of the message which you approved last night, we have received, as you will know, an unsatisfactory response. That particular channel of activity is therefore now no longer active. At the same time the Irish Commission for Justice and Peace (ICJP) have decided, contrary to their earlier intention, not to issue a statement to the press about their talks with Michael Alison.

2. There are however two good reasons why we should issue an early statement. One is to correct a rich crop of rumours circulating in the press about possible deals. The other - and the more important - is to straighten out the prisoners themselves who may have been misled by the zeal of the ICJP for turning general statements into particular examples.

... 3. I therefore attach for your approval the draft of a statement which I would propose to issue this evening. It is in two sections, and my intention is that the second part in particular should be given by the Prison Governor to each of the protesting prisoners, including the hunger strikers in an attempt to ensure - yet again - that they are in no doubt about our position and about the regime which is available to them when they start to conform. In drafting this document I have had to pay close attention both to the views you yourself expressed last night and to the need to safeguard Michael Alison's position with the ICJP, with whom he has spent many hours in detailed discussion. The words are therefore carefully chosen. I should be glad to know if you would be content with this.

4. I am sending copies of this minute and enclosure to the Home Secretary, the Lord Privy Seal, the Chancellor of the Duchy of Lancaster and to Sir Robert Armstrong.

H.A.

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STATEMENT BY THE SECRETARY OF STATE FOR NORTHERN IRELAND

The Irish Commission for Justice and Peace have held a series of discussions with Mr. Alison, Minister of State in the Northern Ireland Office, at their request in order to clarify the Government's position on the prison regime in an effort to bring about an end to the current hunger strike in the Maze Prison. They have also visited the prisoners on a number of occasions. The Government ^{has} ~~have~~ not been in negotiation through the intermediary of the Commission. It was and remains grateful for the strenuous efforts which the Commission have made to contribute to a resolution of the prison protest.

2. I issued a carefully considered statement on 30 June on Northern Ireland Prison Regimes and nothing which has happened since then has led me to think that anything in that document should be changed.

3. The statement of 30 June made it clear that we cannot agree either that a particular set of prisoners should be given preferential treatment (and I welcome the indication in the prisoners' statement of 4 July that this is not now one of their demands) or that the Prison Authorities can abdicate control over how the prisons are run and how life goes on in them.

4. The statement also made clear that the Government, as its actions in the past have shown, will continue to maintain

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and where possible improve the present enlightened and humane regime with flexibility in its administration.

5. In the last 12-18 months, partly but not solely in response to certain criticisms contained in the Partial Decision issued by the European Commission of Human Rights in June 1980, the British Government has made a series of modifications in the regimes applicable to conforming and/or protesting prisoners, the most notable of which was the abolition, announced in October 1980 and implemented early in 1981, of prison uniform and its replacement by an issue of civilian-type clothing in various designs. Other changes (most of which have been rejected by the protestors) include additional letters and visits, extra association time and compassionate home leave. These adjustments of themselves constitute clear evidence of HMG's readiness to act flexibly over the question of prison regimes.

6. Despite all the efforts which Government has made since October 1980 and despite the Commission's own efforts I am persuaded by the Commission that there is still doubt in the minds of prisoners about what in practice would happen if they gave up the hunger strike. Some may doubt the Government's intention to be flexible and humane in applying the existing regime. Some may delude themselves that the flexibility is infinitely extendable into a mirror of the regime for special category prisoners. Both are wrong. I have therefore set out in very simple terms what we can and cannot do below and

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this has been given to all prisoners today by the Prison Governor.

7. In doing this we are setting out to the prisoners what is already available to conforming prisoners. The regime is administered flexibly. There is scope for further development but not under duress. The protestors' action, far from bringing about changes, has in fact rendered movement impossible. The only key to advance is for them to end the strike.

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WHAT HAPPENS WHEN THE PROTEST ENDS?

1. Protesting prisoners have been segregated from the rest. Other prisoners are not segregated by religious or political or any other affiliation. If there were no protest the only reason for segregating some prisoners from others would be the judgment of the prison authorities, not the prisoners, that this was the best way to avoid trouble between groups.

2. Prisoners who give up their protest would get the association non-protesting prisoners now get. That is to say three hours each evening, all their weekends plus periods for exercise, physical education, games and meals. There is little immediate scope for expansion. The suggestions of the Commission for Justice and Peace that adjacent wings should share association in recreation rooms and exercise areas depends on satisfactory arrangements being made for supervising and controlling movement and it would take time to arrange the necessary physical facilities for this.

3. During association prisoners would have the privilege of wearing their own clothes. At other times they would wear civilian-type clothing of a non-uniform kind. By comparison with most other western countries this is a liberal regime, but we would not rule out the possibility of further development.

4. All prisoners are in practice as well as in principle liable for domestic tasks inside and outside the wings, eg for orderly duties and in the laundries and kitchens. No one will be excluded as of right from the liability to work in prison workshops. We will add to the range of activities so far as and

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as quickly as we can. The Commission for Justice and Peace have given us examples of such activities. We shall look closely at these but at the end of the day it will be for the prison authorities to decide what jobs a prisoner does.

5. Any prisoner who abides by the rules is already allowed 8 letters, 4 visits and 4 parcels a month. Those giving up their protest would get this straight away. And it is more than they have been asking for.

6. 50% remission is awarded for good behaviour. It is forfeited by those who breach prison rules by protesting. In practice prisoners who have given up their protest have had up to 1/5th of lost remission restored.

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DRAFT STATEMENT

HUNGER STRIKE:

During the past weekend the Minister of State in the Northern Ireland Office has been involved in lengthy and continuing discussions with the Irish Commission for Justice and Peace. The basis for those discussions has been the anxiety of the Commission and many other people of goodwill to see an end to the hunger strike which is taking place in HM Prison Maze.

The Government has made it clear in the past that it is prepared to listen to proposals from responsible bodies designed to bring an end to this distressing and regrettable protest and it welcomes and is grateful for the approach which has been made by the Commission.

In his discussions with the ICJP the Minister of State has emphasised that the Government means exactly what it says on its firmness of principle in relation to the granting of political status as embodied in the '5 demands' made by the hunger strikers; and, equally, that it is genuine in its commitment to flexibility in putting into practice improvements in the prison regime when the hunger strike ends.

The Government has facilitated a number of visits by members of the ICJP to HM Prison Maze on the clear and unambiguous understanding that there are to be no negotiations. That understanding was clearly shared by the Commission from the beginning.

The Government is encouraged that the prisoners in a statement on 4 July are no longer asking for political status and seem at last to want to resolve the issue on the basis of prison reform. That is the way forward. If prisoners accept that, they should also accept that it would be tragic and indefensible for prisoners to go on killing themselves about the details of the prison regime.

It must be made absolutely clear that improvement in the prison regime is a matter to which the Government is committed. While the Government is not prepared to take further action under duress it is nevertheless determined to honour its commitments in relation to improvement of conditions within the prison.

It must be clearly understood that threat or blackmail on the part of the prisoners, or those who advise them, can only set back any resolution of the present problem;

Any changes which may be introduced cannot be done instantaneously; and if prisoners think that their human rights are being infringed the European Commission for Human Rights are still available to give reasoned and impartial judgements on their complaints.

The Government stands by its statement of 30 June. If the hunger strikers give up their protest a beginning can be made towards real progress on the issues which the prisoners now say, according to their latest statement, concern them. But the Government must behave openly and honestly and it is not prepared to seek a resolution by offering bribes or promises either directly or indirectly. We will not concede the substance of the '5 demands' and we must stand upon the principle that

control and authority within the prison must be maintained
and cannot be delegated to prisoners.