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OD(81) 12th Meeting

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CABINET

DEFENCE AND OVERSEA POLICY COMMITTEE

MINUTES of a Meeting held at
10 Downing Street on
THURSDAY 18 JUNE 1981 at 4.45 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon William Whitelaw MP
Secretary of State for the
Home Department

The Rt Hon Lord Hailsham
Lord Chancellor

The Rt Hon Lord Carrington
Secretary of State for Foreign
and Commonwealth Affairs

The Rt Hon Sir Geoffrey Howe QC MP
Chancellor of the Exchequer

The Rt Hon Francis Pym MP
Chancellor of the Duchy of
Lancaster and Paymaster General

The Rt Hon Lord Soames
Lord President of the Council

THE FOLLOWING WERE ALSO PRESENT

The Rt Hon George Younger MP
Secretary of State for Scotland
(Item 2)

The Rt Hon Humphrey Atkins MP
Secretary of State for Northern Ireland
(Item 2)

The Rt Hon Sir Michael Havers QC MP
Attorney General
(Item 2)

The Rt Hon Michael Jopling MP
Parliamentary Secretary, Treasury
(Item 1)

SECRETARIAT

Sir Robert Armstrong
Mr R L Wade-Gery
Mr W N Wenban-Smith

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1. INDEPENDENCE FOR ANTIGUA AND BARBUDA

The Committee considered a memorandum by the Secretary of State for Foreign and Commonwealth Affairs (OD(81) 30) proposing that the Government should proceed with the steps needed to grant Antigua independence as a unitary state.

THE FOREIGN AND COMMONWEALTH SECRETARY said that the Government of Antigua had requested that the status of association with Britain should be terminated on 1 November. Under the West Indies Act 1967, which conferred the status of association on a number of territories including Antigua, the United Kingdom had given up all responsibility for their affairs apart from external relations and defence. The territories were entitled to opt for independence when they wished. It was clear that a large majority of Antiguan wanted independence, but the inhabitants of the island of Barbuda, which had been part of Antigua for over one hundred years, were opposed to the present proposal. The Barbudans' opposition was maintained despite the safeguards as regards land tenure and the position of their island's local council which had been incorporated in the proposed independence constitution. There were thus no grounds for seeking a way out of the Government's obligation to grant independence. The Opposition in Parliament were likely to support the Government's proposals, which would be presented in the form of an Order in Council requiring affirmative resolution in both Houses. Nevertheless Barbudans in the United Kingdom had started a Parliamentary lobby in support of their cause, and the Barbudans might seek to resist independence. Their resistance was likely to be peaceful, but it could give rise to criticism of the Government both in Parliament (including from some of their own supporters) and internationally. Misleading parallels might be drawn with the cases of Anguilla and the Banabans.

THE PRIME MINISTER, summing up a brief discussion, said that the Committee agreed that the Orders necessary to terminate the association status of Antigua with effect from 1 November 1981 should be introduced at an early date. The Order in Council would need to be approved during July, but the debate was unlikely to attract much attention.

The Committee -

1. Took note, with approval, of the Prime Minister's summing up of their discussion.
2. Invited the Foreign and Commonwealth Secretary, in consultation with the Lord President of the Council, the Chancellor of the Duchy of Lancaster and the Chief Whip, to arrange for the Antigua Termination of Association Order to be introduced into Parliament at an early date.

2. NORTHERN IRELAND: POLITICAL DEVELOPMENT AND PRISONS SITUATION

Previous Reference: OD(80) 24th Meeting

The Committee considered two memoranda by the Secretary of State for Northern Ireland, the first of which (OD(81) 31) proposed the establishment of a Departmental Committee to examine certain aspects of the prisons regime in Northern Ireland; while the second (OD(81) 32) proposed the introduction of a new elective body with advisory functions in the Province.

THE SECRETARY OF STATE FOR NORTHERN IRELAND said that the present impasse in Northern Ireland was leading to increased questioning of the long-term viability of the Government's policy and to a revival of support for the Irish Republican Army (IRA) among the Catholic community. There was every likelihood that the succession of hunger strikes in the Maze prison would continue, and would result from early July onwards in strikers dying at about weekly intervals. This would lead to rioting and further tension, which would increase the already considerable strain on the Security Forces and would provoke renewed criticism of British policy from international opinion particularly in the United States and the Republic of Ireland. To retain the initiative it was highly desirable for the Government to be seen to be taking positive action on two closely-linked aspects of the situation: the prison protests and the political stalemate in the Province. The room for manoeuvre in respect of the prison regime was extremely small; but there was a need for expert advice in the management of Northern Ireland's prisons, with their uniquely high proportion of long-term prisoners. Advice would also be needed when it became possible, in 1982, to transfer the remaining "special category" prisoners from their present compounds to new celluar accommodation. A Departmental Committee set up for these purposes could be asked for an interim report on possible adjustments, consistent with the Government's principles, to the current prisons regime. On the political front, a valuable step would be the resumption of the Joint Studies with the Republic, once a new Government was formed there. But an internal counterpart was also required. There was no present alternative to Direct Rule in Northern Ireland; and there was no immediate prospect of securing the agreement of both communities to any form of political development. But it could not be accepted that there could be no forward movement in the lifetime of the present Parliament. He proposed therefore to create an elective body

which initially would have advisory powers only, but which would be capable of being developed into something stronger. The renewal of the Emergency Powers Act and of Direct Rule was to be debated by the House of Commons on 2 July; it would be helpful if on that occasion he could give some indication of how the Government saw the way forward.

In discussion there was general agreement that if the terms of reference of any Committee set up to advise the Secretary of State for Northern Ireland on prison administration were designed to make a political impact on the Catholic community or on foreign opinion, they would inevitably be interpreted by the IRA and the Protestant community as a sign that the Government's resolve to resist the prisoners' five demands was weakening. Such a Committee would itself be under great pressure to propose concessions on one or more of those demands; and if it did so would undermine the Government's ability to pin the charge of intransigence on the IRA, where it properly belonged. There would also be damaging repercussions for the management of prisons elsewhere in the United Kingdom from any Departmental Committee review which compared prison conditions in Northern Ireland with those in Great Britain; or which involved international participation, for example by a member of the European Commission for Human Rights; or which considered the provision of advice on a continuing basis. On the other hand it would be highly desirable for the Secretary of State for Northern Ireland to have expert advice on the special problems to which he had drawn attention.

In discussion of possible political initiatives, attention was drawn to the risks of conferring additional powers on the District Councils, which continued to show strong sectarian bias. As regards the establishment of an elected body, it was argued that it would not be worth accepting the destabilising effects of an election campaign in order to set up a purely advisory body which would do little more than criticise the Government's policies. It might therefore be preferable to nominate a body of persons already holding elective office, as suggested in paragraph 8 of OD(81) 32. But it would be important to ensure that any nominated body contained properly balanced representation from the two communities; and it might also be desirable for the Government to nominate to it some persons of standing in the Province who were not associated with any political party.

Tactically, there would be advantage in presenting proposals for such a body without a further round of discussions with Northern Irish leaders; but it would be important that they should be seen to have the backing of the Westminster Parliament, which might be secured by the vote at the end of the renewal debate. It was for consideration whether the Government would need to publish their proposals as a White Paper or whether it would suffice to announce them in the course of the debate.

THE PRIME MINISTER, summing up the discussion, said that the Committee agreed that if the Government established a Departmental Committee with terms of reference designed to appeal to the Catholic community they would inevitably appear to be weakening in their resolve to resist the demands of IRA prisoners for political status. But there was no objection to the Secretary of State for Northern Ireland establishing an advisory body to give him expert advice on the prison management problems which he had identified. The last Director General of the Prison Service for England and Wales was widely respected and might be willing to undertake the task. On the political front, a new elective body would be unlikely to serve a useful function in present circumstances. A more promising approach to political advance would be to set up quickly a non-elective advisory body. Its composition should be designed to achieve a proper balance between the two communities and it should probably include both some existing holders of elective office and some non-political persons of standing. The Cabinet would need to consider an appropriate proposal at their meeting on 25 June, to enable the Secretary of State for Northern Ireland to announce it during the Parliamentary debate on 2 July.

The Committee -

1. Invited the Secretary of State for Northern Ireland, in consultation with the Home Secretary, to consider the composition and terms of reference of a body to advise him on the special problems of managing Northern Irish prisons.
2. Invited the Secretary of State for Northern Ireland to lay before the Cabinet on 25 June a proposal for the establishment of a non-elective political advisory body as outlined by the Prime Minister in her summing up.