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**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

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

*KRB*

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NORTHERN IRELAND OFFICE  
GREAT GEORGE STREET,  
LONDON SW1P 3AJ

*I leave the question of  
release to the Min. Roy H  
informed if he  
decides on  
release.  
Prime Minister not 27*

November 1980

Michael Alexander Esq  
10 Downing Street  
London SW1

Dear Michael

*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 unmet?*

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*

*27/11*

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/

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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.

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

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From: THE PRIVATE SECRETARY



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NORTHERN IRELAND OFFICE  
GREAT GEORGE STREET,  
LONDON SW1P 3AJ

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

18 November 1980

*Prime Minister*

(2)

*Dear Michael,*

*Ambs 14/11*

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*

*Wayland*

*4 March 2014*

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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

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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*  
*R A Harrington*  
R A HARRINGTON

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18 NOV 1980

