

CONFIDENTIAL
From: THE PRIVATE SECRETARY



NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

C D Powell Esq
10 Downing Street
London
SW1

16th December 1985

Dear Charles,

CJP
16 / ki

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

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IRELAND : Poss . release Dolaws Price : April 1980





10 DOWNING STREET

6 November 1985

From the Private Secretary

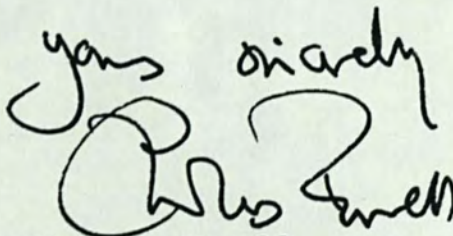
Dear Jim,

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

Jim Daniell Esq
Northern Ireland Office



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?

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.

CDP
5/xi

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out of

Andon on a false pretence

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 complicity 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



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.

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7. For the reasons I have indicated I am satisfied that any benefit resulting from enforcement of the existing licence condition would be totally outweighed 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 Howard
Private Secretary
for T K

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

5 November 1985

IRELAND : Release of Debutus Price : April 1980

