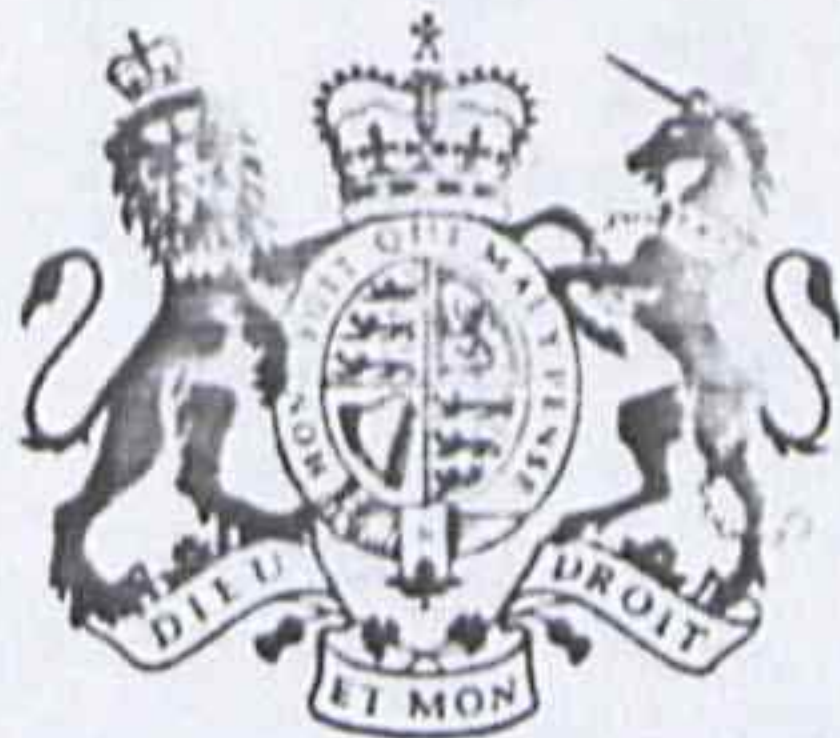


SUBJECT.



cc. Minister sec.

## 10 DOWNING STREET

From the Private Secretary

3 July 1981

Dear Stephen

The Prime Minister held a meeting this morning to discuss your Secretary of State's minute of 2 July. The Home Secretary, the Lord Privy Seal, the Chancellor of the Duchy of Lancaster, your Secretary of State, Mr. Alison, Sir Robert Armstrong, Sir Kenneth Stowe and Mr. Woodfield were present. The Prime Minister said that she felt that no concession could be made to the hunger strikers in any way. There was however something to be said for meeting, at least in part, Dr. Fitzgerald's wish for the Irish Commission for Justice and Peace to be allowed into the Maze Prison. She had been confirmed in her view by her discussions with Cardinal O Fiaich. She said that her initial view was that Mr. Alison could allow the Commission to see the hunger strikers to explain their proposals, but not to negotiate. It was for consideration whether the Commission should be represented by a single spokesman, perhaps Father Crilly, who had a distant relative among the hunger strikers.

Discussion concentrated on the basis on which the Commission would be allowed to visit the hunger strikers. The following were the main points that were made:

a) Mr. Alison had already explained to the Commission that the Government must stand by the principle that the Prison Governor must retain control and authority over conditions in the prison. He had however indicated to the Commission the flexibility in the Government's position on their three proposals on association, work, and clothing. He had hinted on clothing that the Government did not see this as an issue of principle, but one of security and control. Outside working hours, the prisoners were already free to wear what they liked subject to certain guidelines laid down by the Governor. There was some possibility of extending this régime to working hours. It might be possible for the Commission to persuade at least one of the hunger strikers to give up his protest by exploiting

/ this flexibility.

this flexibility. A possible formula on clothing would be to allow the prisoners to wear their own clothes, subject to the Governor having a veto on the choice. On the other hand, it could be argued that any concession, even of this marginal kind, would become the top of a slippery slope. Such concessions were unlikely to bring a permanent end to the hunger strike. The hunger strikers were the pawns of the Provisional IRA. While it was true to say that offering flexibility on clothing would not strictly speaking be a concession, the Provisional IRA would exploit it as a symbolic victory. They might call off the hunger strike temporarily while exploiting this victory, but they would probably return to the strike when they felt the time was right.

b) If the Government's purpose was to persuade one or more of the hunger strikers to give up their protest, then the option of prolonging their life by intravenous feeding ought to be considered. If such options were pursued, however, the Government would inevitably be accused of force-feeding. The BMA's Rules of Ethics, and a similar declaration of ethics made in Tokyo, both prohibited doctors from taking such action. It might be possible to persuade doctors in the Maze prison to introduce force-feeding in the last stages of a hunger strike, but the Government could open itself to international criticism by taking this path. The Home Secretary had been asked for assurances by the German Government that the UK would not re-introduce force-feeding. It was, however, agreed that this option should not be ruled out, and the Prime Minister asked for information on practice in the United States on force-feeding.

c) If the Government's purpose was to reduce criticism of its policy, then the emphasis should be to lay the blame for lack of progress on the hunger strikers themselves, and to show that conditions in prison were excellent. This might be achieved in two ways. First, the Irish Commission for Justice and Peace could be asked to urge the hunger strikers to direct their complaints to the European Commission on Human Rights. If the hunger strikers refused, they would condemn themselves. If they accepted, the Government had already made plain that it was happy for the ECHR to respond. The second option was to invite the International Committee of the Red Cross to look at the present régime in Northern Ireland and to say whether it was humane and reasonable. The ICRC had been into the Maze in each of the years from 1971 - 1974, though this had been to examine the conditions for handling internees, who had of course not been convicted by a court and who in the public mind were more akin to prisoners of war. However, the advantage of this option was that the ICRC could be invited in by the Government, whereas the ECHR could not. Moreover, the ICRC were often active in countries not in a state of war but only in conditions of "internal disturbance or tension".

d) Since there could be no question of the ICJP's negotiating with the hunger strikers and the Government, it should be made clear that the Commission would not be able to see Ministers after they had visited the Maze. They would however be free to discuss their visit with officials.

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The Prime Minister, summing up the discussion said that it was unlikely that the ICJP could persuade any of the hunger strikers to call off his fast. The Government's main aim should be to demonstrate that the blame for the hunger strike lay with the strikers themselves, rather than with the alleged inflexibility of the Government. There should be no change in the Government's position on clothing, but the Irish Commission for Justice and Peace should be allowed to visit the strikers. The Government should make a statement before the visit took place. The statement should first explain the Government's position, as set out in Mr. Atkins' recent statement and Mr. Alison's letter to the Commission. It should also say that the Government hoped that if the hunger strikers had any complaints about their treatment, the Commission would explore and encourage the possibility of an approach to the ECHR. In such circumstances the Government would at once contact the ECHR, and start making arrangements to enable it to act on the complaint without delay. The statement should emphasise that in taking up the Government's offer to visit the Maze, the ICJP stood by the absolute necessity for the control of the prison to vest in the Governor. It should also welcome the statement by the Conference of Irish Bishops. If, following the Commission's visit, the hunger strikers refused to make any approach to the ECHR, the Government would invite the International Committee of the Red Cross to report on the conditions in the prison.

I am sending copies of this letter to John Halliday (Home Office), Michael Arthur (Lord Privy Seal's Office), David Heyhoe (Office of the Chancellor of the Duchy of Lancaster), and David Wright (Cabinet Office).

W. F. S. RICKETT

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