



NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

17 December, 1980

Michael Alexander, Esq.,
No. 10 Downing Street,
LONDON SW1

K.A. Hunt - 18/12/80

Dear Richard,

Mike Hopkins' letter of 17 December set out the present position in Northern Ireland prisons, and the steps which the Secretary of State will be taking to present the Government's case. For the benefit of those attending the Prime Minister's meeting at 9.30 am tomorrow morning, this letter records developments since that earlier letter, and possible changes in the proposed procedure which will be discussed at that meeting.

The second page of the earlier letter referred to the objections to the use of mediators and negotiators. Those objections stand. But through our close contacts with John Hume we have learned over the last 24 hours of a possibility that the 7 main hunger strikers, some of whom are now quite near death, may be looking for a face-saving formula on the basis of which they could bring to an end not only their own hunger strike but also, we are told, the dirty protest and blanket protest. The possibility of such a formula was originally made known to John Hume yesterday by a prison chaplain who had visited the 7 in the course of his pastoral duties. He and another prison chaplain have visited the prison again today (Wednesday) and have explored the possibilities that the prisoners had already mentioned, and have made the results known to John Hume. An account of them is set out in a note of which I attach a copy at A. We are told that, in summary, they want to be entitled to buy for themselves the self-same prison issue civilian clothing which is being introduced shortly and to have a greater freedom of movement within the wings during periods of association. They also want members of the Board of Visitors to visit the wings during their periodic visits to the prison.

Given the violence and innocent deaths which the hunger strikers'

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... deaths might cause, it is tempting to explore the face-saving formula, particularly as it clearly does not infringe three essential principles - that there should be no political status, or differential treatment for particular groups, or ceding of aspects of control of the prison regime to prisoners. This letter obviously does not attempt to argue the merits, but as a basis for discussion tomorrow morning I enclose at B a revision of the statement previously circulated which has, in square brackets, the sort of changes which would be needed if such a formula were to be adopted.

Mr. Atkins will explain in more detail the implications of the formula proposed, and a procedure by which we could establish the reaction to it. He will also explain a possible role for Mr. Hume who, though eminently respectable, appears to be trusted by the prisoners, and would be willing to accompany officials to the prison as an independent guarantor to the prisoners who, whether we like it or not, do not trust British Governments.

I am sending a copy of this letter to Stephen Boys-Smith in the Home Office and to Sir Robert Armstrong.

Yours sincerely,

R. A. Harrington

R.A. HARRINGTON

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NOTE OF A PHONE CALL FROM JOHN HUME BETWEEN 4.30 and 5.00pm
ON WEDNESDAY 17 DECEMBER, 1980

John Hume said that Fathers Toner and Murphy had returned from the Maze and told him that all three protests would end immediately if the following conditions were met.

i) Prisoners should be able to purchase their own prison issue civilian clothing if they so wished;

ii) Association -

8-9 am when prisoners were washing and having breakfast the cells and the canteen would be open and there would be free movement within the wing.

9 - 12 am if the prisoners were working in their cells, the cell door would be open so that they could use the toilet freely.

12 - 1pm During lunchtime they could be locked together in the canteen, but preferably would have access to a toilet.

1 - 2pm Prisoners would be locked in cells for the change of guard.

2 - 4pm As at 9 -12 am above.

4 - 5pm Prisoners would be locked in cells for the change of guard.

4.45 - 5.15 pm Arrangements for tea as for lunch above.

5.00- 8.00pm Free movement within the wing.

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iii) During their monthly visits, the Board of Visitors would visit the H Block wings.

(NOTE: This is obviously a very garbled inaccurate account of a prison day and we believe only being used to make the general points picked up later.)

2. John Hume reported that the Fathers had said that the hunger strikers had refused to move on McKenna because this would be interpreted as a sign that they were already giving up their strike.

3. PUS said that he had noted what John Hume said. But it was quite clear that the demands on association were difficult and would have to be looked at most strictly in the light of the security of the prison. What was being asked for was arrangements for 50 men at various times to have free association together. He would want to look very carefully at the present regime for conforming prisoners and compare this with what the strikers were asking. At this point Mr. Hume said that the Fathers had said that the strikers had mentioned the fact that the Government's aim was to have 25 prisoners to a wing when possible. PUS said that this was still a large number associating from the security point of view. It was also extremely important that the prisoners should realise that they would be expected to participate fully in the work of running the prison. And the paramount point was that the Government could do nothing which might be interpreted as the prisoners in any way being in control of their daily regime. Mr. Hume repeated that the prisoners fully accepted that they would be locked up during changes of the guard and there would be ample opportunity for head counts.

4. PUS said that in order for the association point even to be considered it was necessary to reduce it to some sort of workable principle. There could be no question of discussing that sort of detail with the prisoners. One possibility would be something along the lines of "the authorities would review the association arrangements in order to consider whether within each wing prisoners at meal times and other times would be able to use the amenities of the wing freely, subject always to the overriding requirements of security.

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5. PUS again stressed that this question of association presented great difficulties and that we had to be most careful of how much weight we put on the two Fathers' reports but he was interested to know what the Fathers had said would happen if the prisoners' suggestions could be met. John Hume reported that the prisoners had guaranteed all three protests/^{would end}immediately. John Hume himself believed that this was the case. On procedure John Hume suggested that he and the PUS should go in to the prison tomorrow afternoon to explain the Government's position. They might then either listen to the prisoners' response and reply or withdraw to consider their reply. PUS asked what would happen then. Mr. Hume said that the hunger strikers would communicate their decisions to the blanket protesters and the action would then be called off.

6. PUS then said he wished to re-cap on what the prisoners' requests might look like when reduced to shorter form. He suggested something along the lines of:

i) Clothing. The Government had already decided to issue civilian-type clothing. This would be personal to each prisoner and if he wished he could purchase it.

ii) Association. Within each wing the prisoners will associate for work, education and training, at meal times, and during recreation and leisure. Subject to the overriding requirements of security, it is the Government's wish that prisoners should be able to make maximum use of the facilities of the wing. As the programme of integration of the 500 protesters into the normal life of the prison proceeded, the arrangements for association would be carefully reviewed [and the Board of Visitors would be asked by the Secretary of State to take a special interest in it during their monthly visits.]

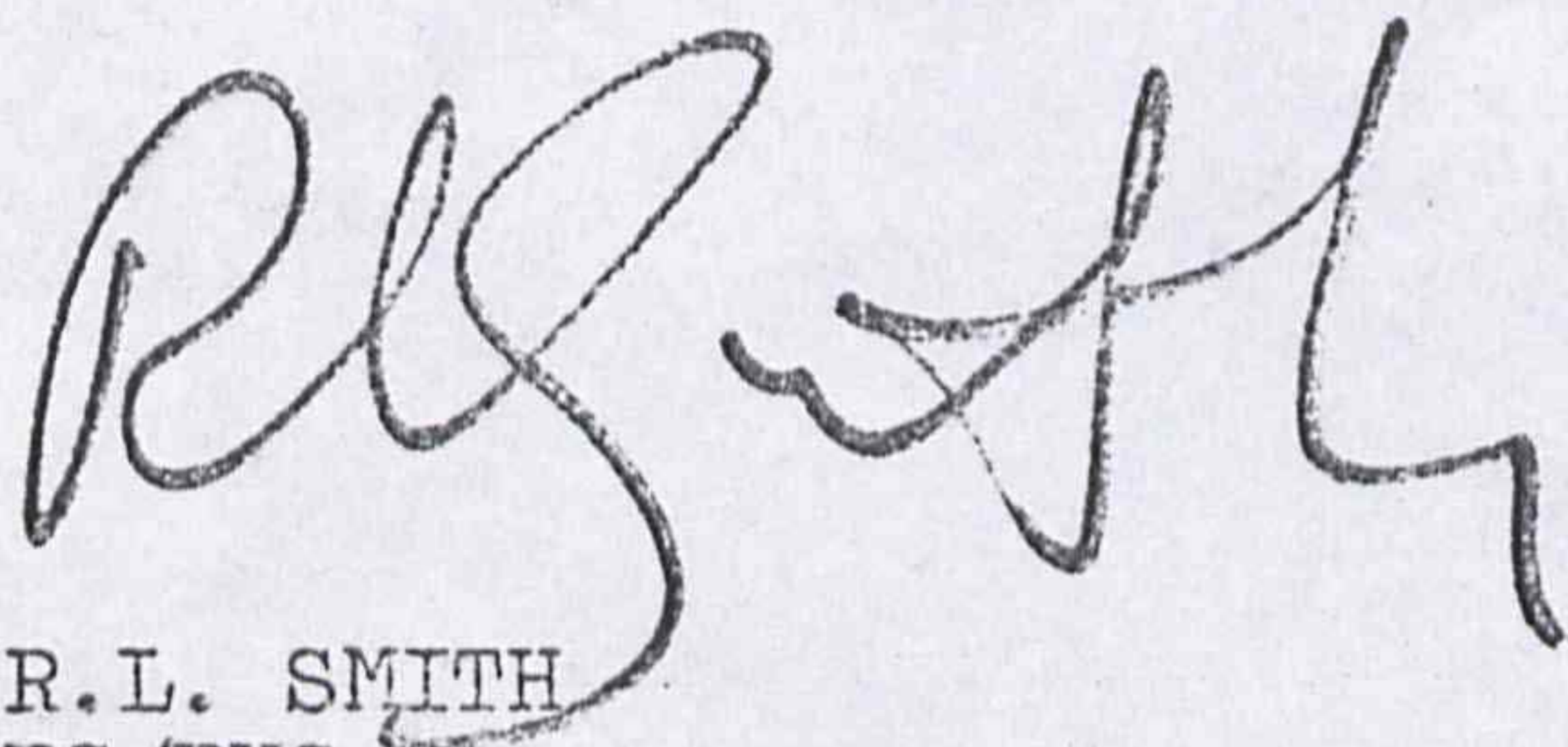
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7. PUS said that the above were only his first thoughts of possible formulæ and he wished to stress again the problems associated with this, the overriding need for security, the need for us to be very sure that the Fathers had reported accurately and the need to proceed generally with great caution. He was particularly concerned that the Fathers may have left an expectation amongst the prisoners that their requests would be met. PUS could make no predictions about what the Government might do until Ministers had been consulted.

8. On procedure a possible way of operating would be for the people who went to the Maze to have a text of the proposed statement with them including the two points if it were decided they could be incorporated. Then whatever the prisoners replied the statement would be issued to all the protesting prisoners. It would also be helpful if the church leaders could issue a statement earlier in the day pressing the Secretary of State to make a humanitarian move. PUS would also have to consider PM's questions that afternoon and the lobby briefing that evening.



R.L. SMITH
PS/PUS

17 December 1980

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N.I.O.(L)

17 Dec

11.00 pm.

DRAFT STATEMENT

On 4 December the Government set out clearly what is available to all prisoners in Northern Ireland prisons.

2. We hoped that this would bring an end to the protests. Two more weeks have passed. The protests continue. Those on hunger strike are two weeks nearer death.

3. Their demand for political status is not going to be granted. We share the concern of all people of goodwill that these protests and the hunger strike should not lead to deaths. To the prisoners especially, I want to say: you have made your point. The European Commission of Human Rights has considered your case. The Government has already responded. So I want to spell out, for the prisoners and their families, what will happen when the protests end.

[DRAFTING NOTE: What follows will be set out in a note which will be handed to every protesting prisoner, Republican and Loyalist, before this broadcast is made.]

4. First of all, we will have to clean up the cells and get prisoners into clean accommodation. We will start at once and complete the task in a week or 10 days.

5. Within a few days clothing provided by their families will be given to them to wear during recreation, association and visits. As soon as possible all prisoners will be issued with civilian-type clothing for wear during the working day, which would be personal

to each prisoner, [and if he wishes can be purchased]. From then on, as I said in October, denim prison uniform becomes a thing of the past for all prisoners.

6. They will also immediately become entitled to eight letters, four parcels and four visits per month. We will arrange these visits as quickly as possible.

7. Once prisons are cleaned up the prisoners can associate within the wings of the prison blocks in the evening and at weekends. Subject to the overriding requirements of security :

the arrangements for association will be carefully reviewed [and the Board of Visitors will be asked by the Secretary of State to take a special interest in it during their monthly visits.]

8. We want to work out for every prisoner the kinds of available activity (including of course the work of running the prison itself) which we think suits him best - work, vocational training, educational training. Obviously, getting this programme organised will take some time.

9. On the question of remission - and this will be of special importance to the prisoners' families - provision already exists for lost remission to be restored after subsequent good behaviour. We will immediately start reviewing each case on an individual basis.

[DRAFTING NOTE: end of note for prisoners.]

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10. I have set out again the conditions which the protesters can secure for themselves now by ending their protests. I have done so because I want you all to understand that the prisoners' choice is between accepting humane conditions which meet in a practical way the kind of things they have been asking for, or dying as a result of their hunger strike.

11. We do not want prisoners to die. But we shall not let the way we run the prisons be determined by threats of suicide.

12. Northern Ireland prisons are acknowledged to include some of the best in the United Kingdom. Even so there will be opportunities in the future to improve the conditions in them for prisoners and prison staff alike. And the Government remains determined to take such opportunities whenever they arise.

N.I.O. (L)

17 Dec

11 pm

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