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12 AUG 1982

Dear Mr Jenkins

In the Home Secretary's absence, I am replying to your letter of 13th July enclosing a copy of one from Sister Sarah Clarke of the Relatives and Friends of Prisoners Committee about the transfer of prisoners convicted of terrorist-type offences to Northern Ireland.

The five prisoners to which the Committee draw attention in their document are among a larger group of 80 or so Irish prisoners convicted of terrorist type offences who are currently serving periods of imprisonment in England.

You will be aware, I am sure, that no prisoner serving a sentence in England and Wales has a right to be transferred to Northern Ireland to serve his sentence. We have said, however, that whenever possible prisoners should be accommodated in an establishment near their home, thus helping them to maintain their family relationships. Unfortunately this is not always possible even within England and Wales and there are more difficulties if the prisoner's home is in Northern Ireland. Any application for a transfer to a prison in Northern Ireland is considered in consultation with the Northern Ireland Office on its individual merits. We take full account of the need to maintain contact with the family and we look sympathetically at any particularly compassionate circumstances. However, this has to be weighed against other considerations and these are such that where the prisoner has been convicted of a terrorist offence the balance is heavily weighted against a transfer.

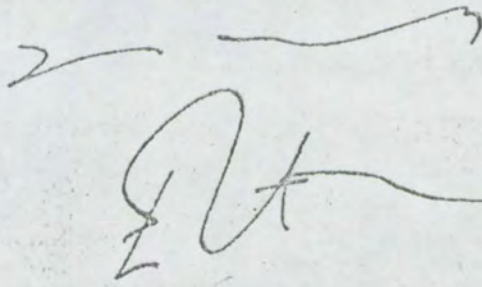
Until recently the Northern Ireland prison system was very short of accommodation and staff and this, by itself, precluded most transfers to the province. Although this particular problem has now eased, the Northern Ireland Office still could not contemplate accepting all terrorist prisoners with Northern Irish connections as this would substantially increase the proportion of such prisoners in a small prison system thus exacerbating control problems.

Apart from these practical problems there are other objections to the transfer of terrorist prisoners to Northern Ireland. I do not need to emphasise to you the strong feelings and deep concern expressed over the movement of people from Ireland to commit terrorist offences, particularly in the light of the most recent outrages, and the return on a routine basis of those convicted of such offences to Northern Ireland to serve their sentences would justifiably provoke public anxiety. The fact that prisoners in the province receive more remission than those here, makes this particularly difficult.

The Rt. Hon. Roy Jenkins, M.P.

If a prisoner has not been convicted of a terrorist offence, however, if his family live in Northern Ireland and he was domiciled there before the offence, it should generally be possible to arrange a transfer.

In view of these general issues governing transfers you will appreciate that there can be no question at present of the Home Secretary reconsidering the cases of the five prisoners convicted with the Price Sisters, Mr. Feeney and Mr. Kelly, who are currently serving the remainder of their sentences in prisons here.

A handwritten signature in dark ink, consisting of a stylized 'E' followed by a flourish and a horizontal line extending to the right.

(THE LORD ELTON)