

~~CONFIDENTIAL~~ ~~TOP SECRET~~

*James*  
*Safe*  
*S in Pals*  
CIVIL AUTHORITIES (SPECIAL POWERS) ACTS  
(NORTHERN IRELAND), 1922-1943

*Division (6)*  
*21 Feb 80*

I N T E R N E E S

REPRESENTATIONS AGAINST INTERNMENT ORDERS

P R O C E D U R E

A. PRELIMINARY PROCEDURE IN MAKING REPRESENTATIONS

1. The internee will hand in a written statement of his representations against the internment order to the Governor or other official of the place of internment. This statement must be the statement of the internee himself and not one made on his behalf, but in the case of an illiterate internee the Governor will cause his statement to be written down and will cause the internee's mark to it to be witnessed. In his statement the internee will state fully the reasons which he wishes to put forward against his internment. The Governor will have the statement forwarded without delay to the Ministry of Home Affairs.

2. The Ministry of Home Affairs will arrange:-

- (a) a time and place for the internee to appear before the Advisory Committee;
- (b) for the production of his statement;
- (c) for the production of a statement of the case against the internee or of such extracts from his dossier as can be produced, and
- (d) if necessary, for the attendance before the Committee of a representative of the Ministry of Home Affairs.

B. THE HEARING

3. Each case will be heard separately and no one is to be present save the Committee, their Secretary, a shorthand writer, the internee, with an escort, if considered necessary by the Governor, and the representative, if any, of the Ministry of Home Affairs.

Neither counsel nor solicitor may appear either on behalf of the Ministry of Home Affairs or of the internee. The Committee will inform the internee that he may now make further representations by word of mouth to them and they will impress on him that he may speak freely as nothing he may have stated in his written representations and nothing he may say to them will be used in evidence against him on any charge on which he may be tried.

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2.

The Committee will also give an undertaking to the internee, in such cases as they consider it desirable, that his name will never be divulged in connection with any statements he may make to them unless he himself afterwards publishes false statements as to the proceedings before them. It would not, however, be desirable to give such an undertaking in any case where the Committee considered that an internee did not come before them in good faith, but that his object was to discover the procedure of the Committee with a view to endeavouring to intimidate his fellow internees from speaking freely to the Committee.

4. The Committee will ask the internee such questions as they think fit, including questions relating to the information in the statement against him. The greatest care should be taken to avoid asking any questions which could indicate to an internee the identity of an informant.

The following active organisations have been declared by Regulation to be unlawful associations in Northern Ireland:-

The Irish Republican Brotherhood  
The Irish Republican Army  
The Irish Volunteers  
The Cumann na m'Ban  
The Fianna na h'Eireann  
Saor Eire

The National Guard  
Cumann Poblaicthe na h'Eireann  
Saor Uladh  
Sinn Fein  
Fianna Uladh  
Republican Clubs  
The Ulster Volunteer Force

The Committee will satisfy themselves by such questions as they think fit as to the internee's degree of membership of or association with any of these organisations, and, in particular, as to his attitude to the Crown and the Constitution of Northern Ireland.

The replies to these questions should be recorded.

5. The Committee will bear in mind that in the past, whilst the authorities of the I.R.A. and other dangerous illegal organisations took no interest in their rank and file, whether prisoners or internees, they exhausted every method both by way of appeal and by way of prison breach and rescue to set free important members of their organisation.

6. The Committee will cause as full a record as practicable to be made of the proceedings before them, including the written and oral representations of the internee and his answers to questions.

C. THE RECOMMENDATIONS

7. The Committee will forward confidentially to the Ministry of Home Affairs their recommendations with their record of the proceedings, including the written and oral representations of the internee and his answers to questions

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3.

Any further enquiries rendered necessary will be made by the Ministry of Home Affairs and the Police Authorities will be consulted.

All the papers will then be laid before the Minister for his decision.

MINISTER OF HOME AFFAIRS

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