

THE PROTEST IN MAZE PRISON

The Government decided late in November 1975 to make a start with the phasing out of special treatment for certain convicted prisoners; "special category" status, which was granted by the Government of the day in June 1972 and among other things meant that the prisoners concerned were not required to wear prison clothing or to work, has not been granted to any prisoner convicted of an offence committed after 1 March 1976. The number of special prisoners has fallen from over 1500 on 1 March to about 600.

2. Predictably, some prisoners have protested against this decision by refusing to wear prison clothes or to work. These are the prisoners said to be "on the blanket". The behaviour of the prisoners constitutes a breach of prison discipline, for which they are dealt with appropriately under the disciplinary procedures laid down in Prison Rules.

3. Since the middle of March this year the prisoners have escalated their protest by refusing to wash, use the toilets, take showers or slop out; they have been fouling their cells with excreta, urine and waste food, and have been systematically damaging their cells and furniture and fittings.

4. The protesting prisoners are accommodated in modern cell-blocks (known as H blocks because of their shape) which are on a par with the best prison accommodation in the United Kingdom. The present conditions have been deliberately created by the prisoners, all of whom have been convicted of criminal offences under due process of law, in support of their claim to be treated differently from ordinary prisoners.

5. The protesters' cells are being cleaned with modern steam-cleaning equipment every three weeks or so, and this process will continue as long as may be necessary. The medical aspects of the protest are being closely monitored by the doctors.

6. Government Ministers have repeatedly made it plain that they intend to stand firm on the policy of phasing out special category status. That remains the position; the Government will not be deflected from its policy, which has had overwhelming support in Parliament, by protests of any kind, inside or outside the prisons.

REQUIREMENT FOR PRISONERS TO WORK

7. Imprisonment with hard labour has been abolished in Northern Ireland. Under rule 44 of the Prison Rules (Northern Ireland) 1954 every convicted prisoner is required to engage in useful work and so far as practicable at least 8 hours must be spent in associated or other work outside the cells. The maximum period of work in any one day must not exceed 10 hours. The Government may on a report of the Medical Officer excuse a prisoner from work and no prisoner must be set to work unless he is certified as fit for that type of work by the Medical Officer.

8. A prisoner can be charged with a disciplinary offence if he refuses to work, but if he is determined not to work he obviously cannot, and is not, forced to do so.

REQUIREMENT FOR PRISONERS TO WEAR PRISON CLOTHING

9. As stated in the United Kingdom's report, unconvicted prisoners may wear their own clothing and have changes of it sent in. As a general rule, however,

all men convicted of criminal offences are required to wear prison clothing whilst in prison. The reasons for this requirement are, first, that the wearing of prison clothing is more conducive to good order and discipline, including the prevention of escapes and, second, that it is administratively convenient and economical. However convicted prisoners in Northern Ireland may wear their own clothing of an approved type during evening association periods. This privilege has been withdrawn from the protesters for disciplinary reasons.

VISITS

10. Although the protesting prisoners lose their privilege visits as a part of the disciplinary measures, they are still allowed their statutory monthly visit, and more than two-thirds of them put on prison clothes for this purpose. MPs' constituency visits and pastoral visits still take place, but general interest visits have been temporarily suspended.

RIGHT TO TAKE EXERCISE

11. The Northern Ireland prison rules, like those which apply in GB, require all prisoners to be permitted to take one hour's exercise in the open air each day. We are willing to allow the protesters to take exercise, weather permitting, wearing prison underwear [or naked] but they refuse to do so.

RESTRICTED DIETS

12. It has recently been decided to discontinue the use of dietary punishment in Northern Irish prisons. The Prison Rules (Northern Ireland) 1954 will be amended as soon as there is a convenient opportunity.

For use if necessary

13. Restricted diet as used in Northern Ireland consisted of 12 oz of bread (approx 330 grams) and 8 oz of potatoes (approx 220 grams) with water daily, a pint of tea morning and night and a pint of soup at mid-day. Dietary punishment was not used during the current protest campaign for the disciplinary offences

of refusing to work or wear prison clothing, but it had been applied to prisoners (including protesters) found guilty of offences such as assaults on staff.

The Government have repeatedly emphasized that they do not authorize, and will not condone, the ill-treatment of persons in custody; and the Chief Constable of the Royal Ulster Constabulary has made it clear that any such activity is forbidden and will be dealt with in accordance with the law. While the Government are determined to bring terrorists to book by due legal process, this is not and will not be done at the expense of the rights of the individual in custody.

2. A series of enquiries - Compton, Diplock Gardner and others - and evidence ready to investigate matters causing independent public concern, and to take advice on what further measures might be necessary to safeguard the rights of the individual. When Amnesty International's research mission visited Northern Ireland towards the end of 1977, the authorities co-operated to the full extent with the mission to ensure that they were properly informed about current practices and procedures. Their report does not prove that malpractice had occurred; it points to a need for investigations. Amnesty looked at only 78 individual cases, while themselves acknowledging that nearly 3500 people were interviewed by the RUC during the first 11 months of 1977. In only 13 cases did they both interview the person concerned and consider medical evidence. The mission itself carried out medical examinations in only 5 cases of the 78.

3. Nevertheless RUC take allegations of this sort seriously, and at the suggestion of the Chief Constable have appointed an independent committee of inquiry under Judge Bennett to look at police procedures and practice in Northern Ireland governing the interrogation of terrorist suspects, and at the operation of the complaints system. Both the reports of this committee and the conclusions of the Secretary of State for Northern Ireland on it will be published.

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4. A more detailed question and answer brief on specific points is at Annex A.

The Parliamentary Statement of 8 June 1978 is at Annex B.