

Northern Ireland Office
Dundonald House
BELFAST

The Governor
HM Prison
Armagh

Mr Templeton S.C.J.

13.8.80

PRISONERS PROTESTING AGAINST THE REFUSAL OF SPECIAL CATEGORY STATUS

I attach for your information a copy of a minute which has been sent to the Governor, Maze Cellular. (Mr Hilditch was a member of the Working Party mentioned in the opening paragraph of the minute, but the subsequent discussion was with Mr Hayes in Mr Hilditch's absence on leave.)

2. It appears that of the 7 items only (ii) applies to Armagh. In future, any women protester who applies for compassionate home leave will be considered under the normal criteria applying to sentenced prisoners generally. You will no doubt take any steps which you consider necessary to let this change of policy be known.

S C JACKSON

12 August 1980

The Governor
HM Prison
Maze (Cellular)

PRISONERS PROTESTING AGAINST THE REFUSAL OF SPECIAL CATEGORY STATUS

Ministers have now considered and approved the recommendations of the Departmental Working Party set up to examine the implications of the criticisms made in the decision of the European Commission of Human Rights on the admissibility of the application by four of the protesting prisoners. This minute follows up the discussion which Mr Barry and I had with Mr Hayes at Dundonald House on 7 August.

2. The changes which are to be made in the regime of the NCPs are set out in paragraph 3 below. These will be introduced quietly and without any public announcement by NIO. They will also be introduced gradually, as indicated.

3. (i) In future we shall not rule out a measure of restoration of lost remission to prisoners who have conformed for a period after abandoning the dirty protest.

Comment This change will not require anything to be said at this stage. Cases will be considered, as hitherto, as and when requests for restoration are received. Restoration will be considered only on the basis of positively good behaviour over a significant period of time. Until Prison Rules are amended the power to restore in these cases will continue to rest in the Governor alone, but applications will continue to be referred to Headquarters for consideration.

(ii) Protesters should be considered for compassionate home leave (CHL) on the same basis as other prisoners.

Comment This change, which is to be introduced forthwith, means that NCPs may apply for CHL and will have their applications considered in accordance with the established criteria. The necessary steps should be taken to acquaint those concerned, including chaplains and welfare staff, with the change in policy. We recognise that conforming prisoners are required to submit board papers applying for CHL, or confirming an application made previously by telephone; it may be that NCPs will be willing to see an Assistant Governor and submit a board paper in these particular circumstances, but in any event full details of the request and the reasons for it should be forwarded to Headquarters for consideration.

(iii) NCPs should be offered the choice of closed visits, now that facilities for these are available, if they do not wish to undergo searching before and after visits.

Comment This change should be introduced as soon as the facilities are ready, and appropriate steps should be taken to inform the prisoners of it. This answers the point raised in the Governor's minute of 3 July.

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Reference.....
(iv) The books, magazines and papers now available in the changing-rooms in the wings should be moved on Sundays to the dining-halls where the NCPs attend Mass.

Comment Unless there are any unexpected difficulties, this should be done on Sunday 17 August and on subsequent Sundays. You will no doubt report on the outcome after the first Sunday.

(v) NCPs wishing to see visiting medical consultants should be offered the choice of wearing official issue pyjamas and dressing-gowns for the purpose.

Comment We are discussing with DHSS the practicalities of introducing this change, which will not affect the requirement to wash. Either we will confirm when the arrangement can be put into effect, or Dr Bill will communicate with you following our approach to DHSS.

(vi) NCPs should be offered one hour's exercise a week to take place in the exercise area, in sports attire and under the supervision of prison officers

(vii) They should also be offered limited evening association, in prison uniform and under supervision. In the first instance this might be in groups of 10.

Comment on (vi) and (vii) These will be the last of the changes to be introduced, and will first require to be discussed locally with the POA.* The arrangements for this exercise and association (which in practice seem highly unlikely to be taken) were discussed in the Working Party. At the discussion with Mr Hayes it was recognised that if the prisoners took the exercise there might be difficulties in arranging supervision by PTIs; it would be important not to reduce the facilities available to conforming prisoners. This aspect will no doubt be considered further in the light of the prisoners' response. We have in mind that these changes should be offered early in September.

4. I should be grateful if you would keep in close touch with us over the introduction of the various changes, any difficulties which arise and the response of the prisoners and the staff.

S C JACKSON

11 August 1980

* This consultation should be left until towards the end of the month.

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