



# Northern Ireland Information Service

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STATEMENT BY THE SECRETARY OF STATE FOR NORTHERN IRELAND, RT HON HUMPHREY ATKINS MP, ON THREATENED HUNGER STRIKE AT HM PRISON, MAZE

A threat has been made by those claiming to speak for certain prisoners serving sentences in Maze Prison that they will begin a hunger strike from 27 October in support of a demand for what they call "political status". The Government wishes to set out quite clearly its carefully considered position in relation to this threat.

The demand for "political status" requires the Government to concede the principle that those who have killed and wounded and destroyed property for what they claim are "political" motives are not culpable in the way that murderers, arsonists and other violent men and women are ordinarily regarded as culpable by society.

The Government will not and cannot make any concessions whatever on the principle of political status for prisoners who claim a political motive for their crimes. All have been convicted of criminal acts by due process of law. The European Commission of Human Rights has found as recently as June this year in its ruling on an application by four prisoners in Maze prison that the right to a preferential status for a certain category of prisoners is not amongst the rights guaranteed by the Convention, and has observed that the prisoners who took their complaints to it are not entitled to the status of political prisoner under national law, or under the Convention, or under the existing norms of international law.

In 1972 the Government was faced with civil disorder on a very large scale in Northern Ireland.

Prisoners convicted at that time were accommodated under a regime which was and remains different from that in prisons generally. In 1975 a Committee of Enquiry under Lord Gardiner recommended that the earliest practicable opportunity should be taken to phase out this regime. Prisoners sentenced for crimes committed after 1 March 1976 have accordingly all been treated the same way. On 26 March 1980 the Government announced that this would also apply to any prisoners charged after 1 April 1980 for crimes whenever committed.

Since 1976 a number of prisoners have been engaged in an escalating campaign of non co-operation against the prison authorities. This campaign is in support of demands that they be permitted to wear their own clothes, to refrain from prison work and to associate together as they feel inclined as well as enjoying normal remission of sentence and whatever privileges are given to the rest of the prison population. The total number of prisoners involved has remained fairly constant at about 350 out of a total convicted prison population of about 2,000, though the individuals involved have not always been the same. The protestors first refused to work or wear prison clothing. For the past two and a half years they have also refused to wash or use the toilet facilities, smearing their cells with excrement and food.

It is by their own decision that the protesting prisoners go on living in conditions which must be offensive to all civilised people. Nevertheless the Government has always recognised a responsibility to minimise the risks to the prisoners' health resulting from their own actions. In pursuance of their objective and acknowledging the ECHR's injunction that the requirement on the Government to exercise their custodial authority to safeguard the health and well-being of all prisoners, including protestors, makes it necessary for the prison authorities to keep under constant review their reaction to recalcitrant prisoners engaged in a developing and protracted protest, the Government has in the course of this year taken the following steps but with until very recently little or no response from these prisoners.

- (i) On 26 March the protesting prisoners who by their failure to conform with prison rules have forfeited the privileges afforded to conforming prisoners were nevertheless offered exercise in sports gear, 3 letters in and out each month in addition to their statutory monthly letter, and 2 visits a month instead of 1.
- (ii) Since the late summer the protesting prisoners have been offered:
  - (a) an hour's physical exercise a week;
  - (b) one evening association a week in prison uniform;

- (c) access to books and newspapers (which are available in the cell blocks but not taken) in the rooms where masses are held on Sundays;
  - (d) "closed" visits (ie in which the prisoner is physically separated from his visitor) as an alternative to a body search;
  - (e) compassionate home leave on the same basis as conforming prisoners.
- (iii) The cells are steam cleaned by prison staff every few days and repainted regularly.
- (iv) The protesting prisoners have never been denied their daily hour's exercise nor have they ever been denied access to toilets.

Since the protest started 19 prison officers have been murdered by criminals outside the prison claiming to act in support of the prisoners' protest.

The Government is anxious to ensure that conditions for all prisoners in Northern Ireland prisons are enlightened and humane. Modern prisons including the H-blocks have been built with facilities as good as any in the world. Indeed the May Committee of enquiry into the UK prison services acknowledge that the Northern Ireland prison accommodation was probably the best in the United Kingdom. So far as the prison regime is concerned, prisoners conforming with its rules are allowed three hours of "association" each evening during which they may meet and talk, watch television, read or pursue leisure activities. At the weekends, there is in addition leisure time at intervals during the morning and afternoon. Prisoners are required to work but "work" for this purpose includes an opportunity for vocational training as well as orderly duties and occupation in prison industry. These arrangements compare favourably with prison regimes elsewhere.

There cannot be one regime for those who claim a political motive for their crimes and another for those who do not. All aspects of prisoners living and working conditions within a common regime will however continue to be kept under review, guided by a humane and responsive approach. In this context the Government has been considering for some time the requirement to wear prison uniform in Northern Ireland. Prisoners conforming with the rules may at present as a privilege wear their own clothing, subject to approval by the prison authorities, for visits and at evening and weekend association - though they do not always do so. Prison uniform is issued for use at other times. The Government have decided to abolish this prison uniform as such, and to substitute civilian-type clothing.

Conforming prisoners will also still retain the privilege of retaining their own clothing for recreation and visits. This change will be introduced over the

coming months as quickly as the necessary arrangements can be completed and it will apply to all male prisoners throughout the Northern Ireland prison service.

The Government's position on hunger strikes in prison generally was made clear in 1974 and has not changed. Where a prisoner refuses nourishment and is considered by a medical officer as capable of forming an unimpaired and rational judgement concerning the consequences of such a voluntary refusal, he or she shall not be fed artificially. The prisoner's capacity to form such a judgement will be confirmed by another independent consultant. The prisoner will then be plainly and categorically warned that the consequent and inevitable deterioration in his health may be allowed to continue without medical intervention unless he specifically requests it. If therefore prisoners choose to try to starve themselves to death they may well die.

NOTE: This message was transmitted to Belfast Offices last night.