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Northern Ireland Office
Dundonald House

Pa - Way forward file
28 ~~*11/18*~~
112/84
Mr. Mitchell
PA on way forward
Mushkeverant *12/5/84*



PS/Mr Scott (B&L) - M

JCT
9.3.84

NOTE FOR MEETING WITH MR PETER ROBINSON, THREE ASSEMBLYMEN AND REPRESENTATIVES OF THE COMMITTEE FOR LOYALIST PRISONERS' RIGHTS (CLPR), 1630 HOURS FRIDAY 9 MARCH 1984

The delegation is to consist of the following:-

- | | | |
|-----------------------|---|-----------------------------------|
| Mr Peter Robinson MP | | |
| Mr John Carson | - | Official Unionist Assembly Member |
| Mr Jack McKee |) | DUP Assembly Members |
| Mr George Seawright |) | |
| Mr Peter Martin |) | CLPR |
| Mr Alister Black |) | |
| Councillor Hugh Smyth |) | |
| The Rev Roy Magee |) | |

2. The CLPR had wanted Mr Jim McDonald included in the delegation, but we advised against the Minister seeing him as he is at present on bail for explosives offences (he has been included in previous delegations; he has close UVF connections and is the subject of an order excluding him from Great Britain). We understand that PAB have provided personality notes on the members of the delegation.

3. Mr Robinson asked for the meeting in a telephone call on 22 February, the day that the 119 Loyalist protesters said that they were ending their protest and would henceforth be prepared to accept accommodation and work as directed by the Governor. There were, in addition, 32 prisoners in the Loyalist protest wings who were employed as orderlies and were therefore treated as conforming prisoners.

4. The ending of the Loyalist protest was mentioned in the House on 23 February when the Minister said that he had seen statements

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about the ending of the protest, but added "whether prisoners are on protest is judged by behaviour rather than by statements."

5. Full privileges were restored to all 119 Loyalists following their statement that the protest was over. The Minister will recall that with the Secretary of State's approval 10 Loyalist ex-protesters and 10 Republicans were moved to an empty wing, so creating a new mixed wing. This move took place on 28 February. 1 Republican refused to transfer; 2 Loyalists assaulted Republicans on arrival in the new wing, 1 threatened to throw boiling water over a Republican and on the first night in the new wing 3 Loyalists threw liquid under the doors of cells occupied by Republican prisoners. The Loyalists were moved to await adjudication. In the circumstances the Governor felt obliged to move the prisoners out of the new mixed wing, and the present position is that the prisoners who were selected to take part in the abortive "mixing" exercise are now accommodated in separate wings in H1 (3 of the Loyalists are in the punishment cells for the time being).

6. We have had discussions with the Governor about the possible way forward, but have not as yet come to any conclusions about the course which should be recommended to Ministers as the next step. The Governor's present view is that it is not a viable policy to continue to put the 2 factions together, and we have invited him to put forward proposals which in broad terms would amount to an acknowledgement by the authorities that certain prisoners would not mix, but that in the circumstances they should be made subject to a more restricted regime which would be defended on the grounds of security and good order.

7. Before putting forward a proposal of this nature - which would amount to an acknowledgement that we were having to accept a segregated system with fully conforming prisoners accommodated separately - we would wish to consider fully with other Governors and to consider in more detail both the nature of the restricted regime and the basis of our public justification for it. We shall need to be fully satisfied that the restricted regime is soundly based in legal terms.

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8. The deputation are likely to make 2 main points:-

- (i) they will seek a commitment that no further attempts will be made to "force" the prisoners to mix;
- (ii) they will press for an immediate decision to restore lost remission to the ex-protesters after a period of conformity.

Line to take (i) Further mixing

9. The Minister will wish to listen to the points made by the deputation, but to avoid saying anything which could be interpreted as an undertaking that the prisoners will not be mixed. He might say that he regards it as crucial that the allocation of prisoners should remain a matter for the prison authorities and should not be allowed to slip into the hands of the prisoners and the para-military leadership.

10. (ii) Restoration of lost remission

When this was discussed with a previous delegation from the CLPR last summer the Minister carefully avoided going beyond saying that the question of lost remission would be considered if the protest ended. It should be noted that of the 119 Loyalists who ended their protest action on 22 February, 73 - over 60% - are lifers who are not subject to loss of remission. We recommend that at this meeting the Minister should not be drawn beyond (i) repeating that he welcomes the end of the protest (ii) adding that he has not yet come to a decision on the restoration of lost remission. He might say that he must, naturally, take into account what occurred when the move was made on 28 February; and remind the delegation that Republican prisoners did not have remission restored in

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respect of the period from 1 November 1981 to early November 1982 when their "no work" protest finally ended.

11. Mr Palmer and I will be available to attend the meeting and the pre-briefing at 1600 hrs.

SCJ

S C JACKSON

8 March 1984

cc: PS/Secretary of State (B&L) - M
PS/PUS (B&L) - M
Mr Bourn
Mr Palmer
Mr Gilliland
Mr Merifield
Mr Boys Smith - M
Mr Kerr
Mr Edis
Mr Reeve
Mr Beattie

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