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cc Mr. MacField
Mr. Keeler.

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Northern Ireland Office J. Blaney
DUNDONALD HOUSE

PR81 DIV
EXT H/P.
17/85

PS/SECRETARY OF STATE (B&L)

BRIEFING FOR SECRETARY OF STATE'S MEETING WITH FATHER FAUL AT 4.00 PM
ON MONDAY 8 JULY 1985 TO DISCUSS VARIOUS PRISON AND SECURITY ISSUES

The Secretary of State has agreed to meet Father Denis Faul to discuss a number of prisons and general security issues. Father Faul will be accompanied by Father Raymond Murray and Councillor James Canning.

Personality Notes

2. Father Faul Principal of St Patrick's Academy, Dungannon; for more than ten years he has gone into Maze prison on Sundays as one of several priests who act as assistants to the appointed Roman Catholic chaplain. He upset the Republican prisoners by his actions and attitude during the later stages of the 1981 hunger strike.

Father Murray A curate in Armagh parish; he has been Roman Catholic chaplain at Armagh prison since 1967. He has been a consistent critic of Government policy in the security and political fields,

He will leave the prisons scene, fortunately, when Maghaberry (which is in Bishop Cahal Daly's diocese) opens.

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Councillor Canning

An independent nationalist member of Dungannon District Council; is said to be active in attempting to promote industrial development projects in his area.

3. All three men are active members of an umbrella organisation "Help the Prisoners Committee" set up in August 1981, which had Cardinal O Fiaich as its nominal chairman. The Committee had a meeting with Lord Gowrie in October 1982, when the Cardinal was present; a further meeting arranged for late in 1983 did not in the event go ahead, and various matters were subsequently dealt with by correspondence. The declared aims of the Committee, of which we have heard very little recently, were to assist prisoners and their families cope with their sentences. They have shown a particular interest in prisoners sentenced for terrorist-type offences, and have argued that the prisons offer an area in which Government could if it wished act effectively both to turn young people away from terrorism and to produce a sympathetic reaction among their families and the Nationalist community generally. Fathers Faul and Murray have been highly critical of NIO Ministers for not taking up their proposals, eg for the phased release of prisoners.

Prisons issues likely to be raised

4. Over the years, and again in correspondence with Mr Hurd commencing last November, Father Faul and his associates have raised a number of individual cases and have put forward a wide range of proposals on the prisons front. It is difficult to anticipate precisely all the topics likely to be raised, but the probable issues are as follows:-

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- (i) the phased release of prisoners generally;
- (ii) the speedier release of those serving life and "pleasure" sentences;
- (iii) strip-searching of women prisoners, and possibly a plea for the early release of women prisoners serving long sentences;
- (iv) the use of Irish in prisons; and
- (v) a particular problem which has arisen recently over the defacing of Irish bibles in Maze Cellular prison.

5. Background notes and suggested lines to take on these points are attached. Mr Palmer and I will attend the pre-meeting with the Secretary of State at 3.45 pm on Monday (it should perhaps be noted that Father Faul said in a letter written in February 1985 that "he detested Jackson and Palmer").

C.J. Harvey

PA. S C JACKSON

4 July 1985

CC Mr Buxton
Mr Palmer
Mr Coulson
Mr Radcliffe

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"Phased releases" of prisoners serving sentences for terrorist-type offences

Father Faul may repeat the suggestion which he has made more than once in correspondence: that the phased release of prisoners - say ten a month - would significantly diminish support for the Provisional IRA and generally contribute to peace. Father Faul may have in mind the phased release of internees/detainees in the early 70s, and possibly the release of some sentenced prisoners following the ending of the 1956-62 IRA campaign.

Line to take

Indeterminate sentences, ie life imprisonment and detention during pleasure, are being considered under the procedures described in some detail in the explanatory leaflet issued in January. These releases have to be handled in a measured way, with a reasonable balance being struck between considerations of retribution/deterrence and the interests of the prisoners - many of whom committed their offences when young and impressionable. The risk of further crimes of violence must be kept in mind. Fixed terms of imprisonment are imposed by the courts on the basis that they will be served in full, subject to remission, but if cases arise where there are genuine and exceptional reasons for considering exercising the Royal Prerogative these will be carefully and sympathetically considered.

LIFE SENTENCE PRISONERS AND PRISONERS SENTENCED TO BE DETAINED DURING THE
PLEASURE OF THE SECRETARY OF STATE

BACKGROUND NOTE

1. There are currently 377 persons serving sentences of life imprisonment and 62 persons detained during the pleasure of the Secretary of State. These figures include those mentioned at paragraph 4 of the LINE TO TAKE.
2. In all, 4 life sentence prisoners and 13 'pleasure' prisoners have been given dates for release in 1985 and up to the early summer of 1986. At the May and June 1985 meetings of the Life Sentence Review Board a further 3 life sentence prisoners and 4 'pleasure' prisoners were thought suitable for release. All 7 cases are currently going through the processes of consultation.
3. As recently as April 1985, Father Faul has asked for the release on compassionate grounds of Thomas Morgan, a 'pleasure' prisoner and Gerald Fearon a life sentence prisoner; both were involved in the murder of Captain Nairac. Morgan's case is one of the 4 'pleasure' cases thought suitable for release. Fearon's case will not be considered by the Life Sentence Review Board until 1987 when he will have served 10 years in prison.

LIFE SENTENCE PRISONERS AND PRISONERS SENTENCED TO BE DETAINED DURING THE
PLEASURE OF THE SECRETARY OF STATE

LINE TO TAKE

1. All life sentence and 'pleasure' cases are reviewed at regular intervals in order to determine when it would be appropriate to recommend to the Secretary of State that a date should be set for release on licence. The review machinery was revised and upgraded two years ago and the Review Board which examines all cases at an appropriate stage in the sentence is chaired by the Permanent Under Secretary of the Department. An explanatory leaflet entitled 'Life Sentence Prisoners in Northern Ireland' has been made widely available to prisoners and to those enquiring on their behalf. The leaflet explains the procedures for review of cases and outlines the considerations which are taken into account during these reviews. Two new procedures have been introduced - notification to prisoners of the dates of review and an invitation to make their own written representations to the Review Board.
2. Ministers are particularly concerned about prisoners serving 'pleasure' sentences who were caught up in violence at an early age. In all cases the particular circumstances of Northern Ireland are taken fully into account and age at the date of the crime is an important factor which is given full weight.
3. All those serving detention during 'pleasure' have been convicted of murder however, and before releasing a prisoner on licence the Secretary of State must be satisfied that not only has a period been served which marks the seriousness of the offence but that the public will not be put at risk by the release of such a prisoner back into the community.
4. Since the beginning of 1984 3 life sentence prisoners and 7 'pleasure' prisoners have been given provisional dates for release in 1985. A further 7 prisoners ie 6 'pleasure' prisoners and one life sentence prisoner have been given dates for release in 1986. During the past 6 months 2 life sentence prisoners have been released on medical grounds.

STRIP-SEARCHINGBACKGROUND NOTE

1. Prisoners admitted to Armagh Prison for the first time have always undergone a full reception search, which includes a brief visual check of the body. However, in 1982, after 2 women prisoners returning from the local courthouse were found to have smuggled some keys into the prison, it was decided to implement the full reception search of all admissions to and discharges from the prison, including attendance at court hearings.
2. Since March 1983 women prisoners have been strip searched only on admission to and discharge from the prison, when going and returning from home leave, and when going on inter-prison visits. Prisoners attending court for remand hearings or for trial are strip searched on a random basis only.
3. The present procedures are used because there is no practical alternative: metal detectors are used during ordinary rub-down searches and equipment for detecting explosives is also available to the Prison Service. However the operational assessment is that the effectiveness of these machines is not such that an acceptable level of security can be achieved by their use alone: drugs and other illicit items which would not necessarily be detected by this equipment have been found in prisoners' clothing during the searches - 47 tablets were found in the clothing of a young offender committed on conviction to Armagh on 28 June 1985.
4. The booklet, "Strip Searching; The Facts" has been widely distributed in the United Kingdom and abroad. On the question of statistics, there has been increase on the 1984 figures; 355 searches during 1984, against 314

searches during January/June 1985. One of the factors inflating the figures is the regular movement in and out of prison (approx 50 per month) of life sentence prisoner, Lorraine Halpenny, under the pre-release programme. The prisoner was offered accommodation in a separate self-contained unit which would have eliminated the need for her to undergo the full search procedure but she preferred to remain located with the other prisoners. The number of random searches on women remand prisoners continues to be very low; 12 in total during the last 6 months - 4 of which were on prisoners attending the courthouse in Armagh.

STRIP-SEARCHING AT ARMAGH

LINE TO TAKE

1. Practices in Northern Ireland are similar to those in Great Britain and other countries.
2. The frequency has already been scaled down to the minimum level consistent with legitimate security requirements. It is less than a quarter, pro rata of what it is in Scotland.
3. Other countries evidently believe that this form of searching is a necessary security precaution. It would be odd if Northern Ireland, with a much higher proportion of prisoners sentenced for - or charged with - very serious offences were the one jurisdiction to abandon the practice.
4. The incidence of strip-searching of remand prisoners attending Armagh Courthouse is already relatively low; 4 searches of remand prisoners in the six months from January to June 1985.
5. Male officers are never present. Searches are carried out sensitively although we recognise that the procedures are unpleasant.
6. The prisoner does not have to stand about naked; she has the option of either wearing the prison-made top and skirt or a fresh laundered sheet.
7. We are satisfied that the use of metal detectors and equipment for detecting explosives is not a satisfactory alternative.

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BACKGROUND NOTE ON IRISH BIBLES

1. In August 1981 it was decided that prisoners would be permitted to have a personal copy of the Bible in Irish sent to them by family or friends through the prison chaplain. Earlier this year the Search Teams at Maze (Cellular) Prison began to confiscate Bibles in which prisoners had allowed, or invited, numerous prisoners in the Republican grouping to write their names and in most cases sentences and home areas on the fly leaves. This was not just one or two prisoners' signatures but, as shown by the attached example, some 117 names etc.
2. The reasons for confiscation were that these prisoners had misused their Bibles but more particularly -
 - (i) Security implications, in that a prison officer's name and address could be slipped in with the names of prisoners and the Bible passed out of the prison.
 - (ii) Propaganda and fund raising potential, in that "Autographed" Bibles would be highly prized in certain circles, such as NORAILD.
3. The propaganda element is probably true but in itself hardly sufficient reason for confiscating the Bibles. However, the security concerns could not be dismissed. It was decided that if a prisoner was willing to neatly remove the pages bearing the signatures then the Bible could be sent out of the prison. If a prisoner refused to remove the offending pages the Bible would remain confiscated. If, as was the case with some Bibles, the

signatures were written in the reverse side of a page of text and could not be removed then the Bible was simply confiscated. Prisoners who petitioned about the confiscation of their Bibles were informed that they could be provided with another Bible in accordance with Prison Rules. They were also informed that they could have another Irish Bible (but not the same type as that confiscated) sent to them by family or friends via the prison chaplain.

4. The RC Chaplain, Fr Murphy, was advised of what prisoners were doing to their Bibles and what steps were being taken. Father Murphy's reaction was non-committal.

Mr Coulson

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cc: PS/Secretary of State (L&B)
Mr Buxton
Mr Radcliffe
Mr Jackson

MEETING WITH FATHER FAUL

Your minute of 25 June to the Secretary of State's private secretary refers.

2. Apart from prisons, Fr Faul's main interests on the security side are the disbandment of the UDR and complaints against members of the security forces. Both subjects will need to be covered in some detail and I am therefore copying this minute to Mr Radcliffe, in case he has not been notified of the proposed meeting.

3. On prisons, we have heard a number of recent complaints about the withdrawal of Irish Bibles from inmates at HMP Maze. Mr Jackson may wish to note that this issue is very likely to be raised.

S Hewitt
S G HEWITT
Political Affairs Division
27 June 1985

27 JUN 1985

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