

E. I.

Mr J A Stephens  
PRB1

POINTS AT ISSUE: ARE THERE ANY POLITICAL PRISONERS IN NORTHERN IRELAND

The Information Department of the FCO are revising the NI Points at Issue pamphlets and have asked if we are content with the editorial changes to the attached paper.

I should be grateful for any comments you may have (by telephone if you wish) by the end of December.

Mrs F. Regan

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SIL

Ext 6494

17 December 1987

~~JAS~~  
Mrs Pritchard

Pl. deal with this. On a quick read-through, 2 points strike me:

(i) it majors too much on special car.

(ii) cd we include statistics on what crimes ~~are~~ prisoners have committed, to emphasise the point that they are a violent lot?

J735

JAS 21/12.

I wd disregard the deadline.

Ty  
29/12

Northern Ireland:  
Points at Issue

**17. ARE THERE ANY POLITICAL PRISONERS IN NORTHERN IRELAND?**

There are no political prisoners in Northern Ireland: no-one is imprisoned without due process of law and no prisoners are detained under executive detention or internment. All prisoners have been committed to prison by open courts either on remand, awaiting trial or to serve sentence. No-one is imprisoned for religious or political beliefs.

The concept of political prisoner is often confused with special category status, which has not been granted to any new prisoner since 1980. In June 1972 in the face of a hunger strike involving a number of prisoners, the Government introduced special category status for prisoners involved with paramilitary organisations, who had been sentenced to more than 9 months' imprisonment for offences related to the civil disturbances in Northern Ireland. These prisoners were not required to work, could wear their own clothes and were allowed additional privileges including extra visits and food parcels. Due to a shortage of cellular accommodation the prisoners were housed in compounds of nissen huts, with separate compounds for the different paramilitary factions. At the end of February 1976 there were more than 1500 special category prisoners. However, following the decision in November 1975 to phase out special category status and the release of prisoners on completion of their sentences, this number had dropped to 99 out of a total prison population of 1,800 by the end of 1987.

The majority of prisoners in Northern Ireland are serving sentences for serious offences in connection with terrorist incidents. In 1987, of the total sentenced population, 53% had been convicted of murder, attempted murder, violence against the person or explosive offences. These prisoners are serving sentences for their serious crimes of violence against the community. They are treated on the basis of their criminal conviction, rather than any real or alleged motivation. Violence within Northern Ireland prisons is comparatively low. No prisoner has ever been killed by a prison officer. Prison staff do not carry firearms in prison establishments. In stark contrast no less than 26 prison staff have been killed by terrorists.

LD PR1B/407

Northern Ireland:  
Points at Issue

(No 1st)

17. ARE THERE ANY POLITICAL PRISONERS IN NORTHERN IRELAND?

There are no political prisoners in Northern Ireland. Those in prison have either been sentenced under due process of law, after being found guilty by the courts of criminal offences, or are held on remand, at the direction of the courts, until such time as their cases can be disposed of. None has been designated ~~by any responsible body, eg Amnesty International, a "prisoner of conscience"~~.

In June 1972 a special category status was introduced for certain prisoners as an emergency measure to cope with a sudden increase in the prison population. Such prisoners were not required to work, could wear their own clothes and were permitted additional privileges. But the then Secretary of State for Northern Ireland, Mr William Whitelaw, ~~made it clear that these they inmates were not regarded as political prisoners,~~ he told the House of Commons on 6 July 1972: "I have made it perfectly clear that the status of political prisoners is not being granted".

In 1975, the Gardiner Committee recommended the abolition of this special category status:

"we can see no justification for granting privileges to a large number of criminals convicted of very serious crimes, in many cases murder, merely because they claim political motivation. It supports their own view, which society must reject, that their political motivation in some way justifies their crime."

Accordingly, in December 1975, the Secretary of State for Northern Ireland of the time, Mr Merlyn Rees, decided to phase out special status and, in September 1976, in protest, some newly convicted republican prisoners refused to work or to wear prison clothing. These prisoners were said to be "on the blanket". The protesters' declared aim was to secure the restoration of special treatment - in their view, "political status" - that would set them apart from other prisoners. ~~The underlying motive was the belief that, if the Government agreed to restore special status,~~

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it would also grant an amnesty to such prisoners at the end of their campaign of violence, which would have helped to boost recruitment to the Provisional IRA. However, the Government has made it clear that there will be no amnesty for convicted terrorists.

After March 1978, in what became known as "the dirty protest", the protesters began to damage and foul their cells and refused to wash. Everything possible was done to minimise the effect of the protest: ~~cells were steam washed every few days; special measures were taken to deal with the public health aspects,~~ and a full range of medical services was always available. The protesters retained their statutory right to, amongst other things, one monthly visit and one letter in and out a month, one hour's daily exercise, normal meals, full medical facilities, use of toilets and washing facilities, and access to reading material. Many refused to avail themselves of these rights. The Governor and his staff acted with restraint in the face of the prolonged protest, one aim of which was clearly to harass prison officers. In the course of the campaign 19 prison staff were murdered.

cut?

In June 1980, the European Commission of Human Rights published its ruling on the admissibility of complaints lodged in 1978 by four republican prisoners who had claimed that their treatment by the authorities had breached the European Convention on Human Rights. All complaints relating directly to the protest were rejected by the Commission, which also ruled that the protesters' disgusting living conditions were "self-imposed ... as part of their protest for 'special category status'" and said:

"the applicants are seeking to achieve a status of political prisoner which they are not entitled to under national law or under the Convention ... or which can be derived from existing norms of international law".

In October 1980, a number of republican prisoners intensified their protest by going on hunger strike. In mid-December they called off their action when one of them was close to death, and when they realised that the Government would not concede their demands. In March the next year there followed a second hunger strike, during which 10 prisoners starved themselves to death. (One was Robert Sands, who had meanwhile been elected MP for Fermanagh and South Tyrone.) The "dirty protest" was suspended to focus attention on the hunger strikes. Eventually, faced by the

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Government's determination not to grant special status, and after pressure from strikers' families and the intervention of certain Roman Catholic priests, the Provisional IRA and Irish National Liberation Army (INLA) abandoned the hunger strikes on 3 October 1981.

*were abandoned*

There are no political prisoners or "prisoners of conscience" in Northern Ireland; all sentenced prisoners have been convicted in open court of criminal offences. Attempts to secure a special status for terrorist prisoners reflect a desire to undermine the prison system and the system of justice, and to continue the terrorist ~~prisoners reflect a desire to undermine the prison system and the system of justice, and to continue the terrorist~~ campaign from within prison.

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January 8  
November 1987

