

Jackie  
PA with the person Padraig O'Malley's book - I think  
we opened a file. Debbie. P.M.

28 APR 87

3747



PUS/ 751

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16 FEB 1987

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N.I.O. LONDON

Mr A W Stephens

M. Parker: I find  
this can best be held  
in your office.  
J

2nd PUS/235/153/87

12 February 1987

29/4.

Sir Robert Andrew KCB  
Permanent Under Secretary of State  
Northern Ireland Office  
Whitehall  
London  
NW1 2AZ

Mr Jackson  
B27/+

Enclosure

In my letter of 25 September 1986 I gave you an account of my conversation with Professor O'Malley and said that I would let you see the transcript when it arrived. It has only just done so: he has apparently been ill. But his secretary's letter to me said that he hoped to return to Northern Ireland "in the near future" and that he would also contact me. If he does I will keep you in touch.

In the meantime here is a copy of the transcript. I shudder a bit at the inelegance of some of the language but I don't think that any of the substance will give you difficulty. I certainly hope not. There are one or two corrections of fact which I have indicated with an asterisk in the margins of the text and these I will register with Professor O'Malley together with anything else that you feel I ought to say. Keep the transcript for your NIO papers if you want to: I have a copy of my own.

Enclosure

Mr J Stephens

I think that Mr Blelloch did an absolutely first-rate job here: he gets the balance just right. The papers should be carefully filed.

JLJ

27 APR 87. 29.4.87  
48

Enc

Mrs Pritchard AP  
Fascinating. Pl. file.

JAS  
29/4

Talking with John B. at the Ministry of Defence on 24th September 1986

POM Mr. B. perhaps you could begin first by just giving some general background of the role as a Civil Servant that you played in Northern Ireland.

JB I was seconded immediately before the announcement of the first hunger strike in 1980 from the Ministry of Defence to that part of the Northern Ireland Office that was located in Belfast. As a Deputy Secretary, I was one of two who answered to the Permanent Secretary of the day. The other Deputy Secretary was in charge of the London office of the NIO. I was in charge of the Belfast office and had in my charge three ~~named~~ divisions. The division that was responsible for security policy in Belfast, the prisons department and the criminal justice department, each of them headed up by an administrative Under-Secretary, and it was obviously because of my responsibility for the prisons department in particular but to some extent also for law and order department and the criminal justice as well that clearly the hunger strike as an issue came my way. Of course, the DOS here in London was also involved, but much more at the political and international level of managing the issue, the crisis if you like. I was responsible for advising on its handling really within the Northern Ireland domain but the two responsibilities clearly overlapped a lot. I mean what we did in Northern Ireland was clearly of importance in terms of presentation internationally and what might or might not have been desirable by way of presentation internationally was extremely important to me in Belfast.

POM Now there were, a fact which you mentioned earlier, two sets of hunger strikes. The first beginning at the end of October in 1980 and terminating on the 19th of December and the second beginning on the 1st March 1981 and going on until September. Could you tell me a bit about the role you played in the first one, particularly in relation to the talks between Mr. Atkins and Cardinal O'Fiaich and

Bishop Edward Daly?

JB

Well I think ~~by~~, my role on that was simply that of any civil servant tendering advice to a Minister. I mean I would be doing no more and no less in respect of the issues that came up in discussions with the Cardinal and with the Bishop than any other civil servant would have been in tendering advice to them than if they were discussing something else. There was nothing ~~in a sense~~ special about my role except in the sense that the Cardinal and the Bishop had decided to take an interest in the hunger strike, <sup>and</sup> had conducted a series of meetings both with Humphrey Atkins and with my ~~successor~~ <sup>successor</sup> in the period leading up to the announcement of the first hunger strike, ~~really I think aimed at seeing whether, particularly in the light of~~ the judgment of the European Court ~~I think it was~~ earlier that year, ~~that there were no grounds for appeal to them on the basis of the conditions in the Maze.~~ I think that the Cardinal and the Bishop were both concerned to see whether, ~~against that background,~~ there was any scope for an amelioration of prison conditions which would give the then dirty protestors reasonable grounds for coming off their protest. As I say, I don't think I have anything very special to say about my role except that I was the Minister's principal advisor at the time.

POM

I suppose what I would like to get at in our talk is the nature of the decision-making process and what assumptions were brought to bear by different constituencies and their behaviour. For example, maybe I'll start in the middle, was there an assumption on the government's side that the hunger strikes were about the five demands or was there an assumption that they were about something else?

JB

I think that I would have to answer that by saying ~~(it)~~ what I remember about the position because after all it's now six years ~~in fact long years ago now~~ and what my assessment of the position was. It seemed to me at the time and has seemed ever since (POM - this is in 1980?) In 1980. It seemed to me at the time and has seemed to me ever since that the hunger strike was all about an objective on the

part of the people in the Maze prison (and I'm for the moment just drawing a little bit of a distinction between the people in the Maze prison and the high command of Provisional IRA outside it,) ~~it was to do with a concern on the part of the Republican prisoners in the Maze~~ to set aside that complex of government decisions which had the effect of ending special category status and instead treating everybody convicted of crimes in the same way in terms of the prison regime. Not of course in the same way in terms of sentence imposed, but the same way in terms of the conditions in which they were then imprisoned. So, the five demands as they were expressed, in my view were a shorthand way of expressing the differences between a conventional prison regime of the kind that we operated in the Maze for everybody on the one hand and the regime that operated for the special category status prisoners who had been sentenced but then dealt with as special category prisoners under the regime prevailing before that. Hence the influence and the importance in the five demands ~~for~~ what I think came to be called free association but which simply meant that prisoners could move around within the confines of their hut or their compound virtually at will with prison staff simply limited to keeping supervision from the perimeter. So, to get back to the basics of this, I think the key assumption here was that the hunger strike was the culmination of a process of protest about the application of the government's policy ~~about~~ dealing with terrorist crime which goes all the way back to the first man imprisoned after the ending of special category status who refused to wear prison clothes. In other words, in my view, there's a straight continuum from the blanket, via the dirty, to the hunger strike as a determination on the part of the prisoners inside the Maze to set aside that decision of government about how crime or how acts, be they acts of murder or wounding or whatever, should be dealt with in terms of the prison regime and ~~a decision~~ that those acts should be prosecuted as crimes before the law so that murder remained murder regardless of motive; a determination to set that aside and return to

the old special category status. Secondly, the determination to set that aside seemed to me to go very very much deeper than simply a view that special category status was something rather more comfortable than the normal prison regime although that is certainly true. It goes much wider than another thing that I know worried the prison authorities and I suppose worried me quite a bit, <sup>which</sup> was that special category status made it very easy indeed for the chain of command outside the prisons to be extended to within it. If you in effect push your prison guards to the periphery, it then becomes very much easier for a highly determined paramilitary command structure outside then to get its way with perpetuating that command structure inside. But above all, I think what lay behind this was a concern that the activity of the IRA and the Provisional IRA should by all means possible be seen as a kind of war, a just war in which the forces of militant Republicanism were engaged with the security forces of the British and the RUC, a war which ultimately would be won and at the end of which prisoners of war would be released. There was that element of hope in that situation. There was always that element of, if you like, justification for what was being done by having it regarded as war rather than as crime. And I'm sure at the time you would find many many references in An Phoblacht and others to the criminalisation policy of the British and I, if I were a senior commander of the Provisionals, would not like that because it would seem to be saying rather a lot about how what they were doing was viewed as it is, crime. So getting back to what you said about assumptions, I in a sense, had it as a pretty firm assumption that that was where the springs of the increasing level of protest came from and because that's where they came from, the demands could not be met. I mean it was clear. I also happen to believe, though obviously I cannot know, I also happen to believe that senior people in the IRA and elsewhere understood that very clearly as well. Earlier on I drew a distinction between those people in the prison and those outside it. Again, I don't know this, but I've always

suspected that the command structure outside the prisons did not want a hunger strike because the protest that was already going on was, from their point of view, an extremely effective propaganda platform. The dirty protest was an appalling thing. It was fairly easy to represent it as if it were the fault of the British authorities and to arouse very understandable sympathy about the conditions <sup>"in"</sup> within which these prisoners were being expected to live. I'm bound to say it seemed to me likely that the IRA authorities would have been happy to have seen a continuation of that situation almost indefinitely because that would have provided them with that kind of platform almost indefinitely and that by going to a hunger strike, while of course there must I suppose to some have appeared the possibility that it would be successful, that is to say, that the government would actually concede a return to special category status, the possibility must always have been present that it would not be, in which case there was no other level of protest in the prisons left. Now, of course, the hunger strike having been declared, there could be no question then that the whole apparatus of the Provisional IRA and the INLA was then swung in behind to support the hunger strikers and that's how it emerged.

POM So, the assumption would have been that at the time of the first hunger strike, it was a hunger strike initiated by the prisoners themselves...?

JB Yes, <sup>"in"</sup> that certainly was my own view that the thrust for the first hunger strike and subsequently the second came decisively from inside the prison. As I say, it's my own assumption. I don't know this because I've not talked to the people concerned about it, but my assumption certainly would have been that the wellsprings for this came from inside the prison. It's very easy to understand why it should have, because after all it was they who were having to support these conditions, it was they who could see that over a period of years it wasn't actually getting anywhere in terms of satisfaction of the demands and one could quite see why from within the prisons there

1981 & present

should have been a mood which said that we must raise this L and bring it to an end. It also seems to me quite possible for the prisoners inside the Maze to have misjudged how the British government might react. It is conceivable that they were deliberately misled on that though I don't know, but I can certainly see how it would be easier for them to have misjudged it and so...

POM In terms of the first hunger strike there was a forewarning. I mean, again Cardinal O'Fiaich's three weeks and Bishop Daly had said that the prisoners were planning to go on a hunger strike and my understanding from talking with them and reading newspaper accounts of the time that they were of the view after talking with the prisoners, those on the dirty protest at that point, that had the demand to wear their own clothes been met, that the situation would have been defused.

JB Yes, I'm well aware of that view, of both those views. As to the first that a hunger strike was coming, it was not of course the first time in the history of the dirty protest that hunger strikes had been threatened. In this particular case the Cardinal and the Bishop were right. I had only, as I say, literally been there about two or three weeks by the time this broke and therefore I don't know that my opinion as to whether or not a different judgment should have been taken by the NIO, I don't think it's worth anything, but all I would say, however, is that I myself would not have been surprised if the view had been held that a hunger strike was unlikely for precisely the reasons I've given you. That it was a final throw which of course carried with it the possibility that it might win, but clearly also carried with it the possibility that it might not and that the consequences - I don't like talking about winning and not winning in these circumstances so forgive that, but I mean the possibility was clearly there that that form of extreme pressure would be resisted and the consequences for the IRA and INLA of that happening were in fact quite serious and therefore it always seemed to me a wholly rational view to take that a hunger strike would

constantly be threatened but never actually be put into effect. Now, in fact it was put into effect very shortly after I arrived so that raises a second question. Would the whole thing have been avoided if the British government had conceded the wearing of own clothes? I have to say that on that I simply disagree with the Cardinal and the Bishop because I feel myself that while the wearing of own clothes had enormous symbolic importance~~s~~ in all this, it was one but only one and arguably by no means the most important of the five demands, and I personally would rate the demand for free association as being in the calibre of what was much higher, and therefore I believe that if the British government had said alright at the time the hunger strike was being threatened, "you may have your own clothes, against the background when the case for amelioration of prison conditions had been quite decisively thrown out by the European Court, there were no humanitarian grounds for this change whatsoever, but for the British government to have conceded own clothes in those circumstances would, in my view, not only not have brought a final end to the prison protest (because I believe that the prisoners would have still wanted free association and the other appurtenances of special category status) I believe myself that the prisoners might well have been encouraged to believe that by threatening further hunger strikes they would have got the remaining demands. So my own judgment would be that at the very most, the granting of own clothes would have only postponed the final confrontation and it would have, on the whole, encouraged the prisoners to believe that their confrontation would be successful and that in the meantime, it would have run the risk in the rest of the Northern Ireland community that confronted with this sort of threat, British governments will always back down which would then encourage other people to make the same kind of threat. Now, I'm putting my judgment against those of the Cardinal and the Bishop and that is a presumption because, you know, they know the province, but that would be my answer, and those would be my reasons for giving it.

POM

From the moment the hunger strikes began, this is in 1980 from October 1980 until December 1980, were there any attempts to, like, negotiate - I'm using that word very loosely - a settlement?

JB

No, there were not. There were a number of opportunities taken if you like, or even created, to remind the prisoners and everybody else who might be interested as to what the prison conditions were that were available to them should they come off the protest. And I can think of at least one very extensive handout that was made available to the press and to the prisoners and to everybody spelling out in very great detail what the regime in the Maze was and what would happen, what the position would be if they came off. But negotiation in terms of sitting down with the prisoners or anybody else for that matter and saying, well if you do this we will do that, no. Because it wasn't, and I think this is also quite important, a negotiating situation in the sense that say an industrial dispute is a negotiating situation. I certainly did not see it in those terms and I don't think anybody else in a responsible position did either.

POM

Well did the government deal with intermediaries as to, was there any attempt to ascertain what the prisoners might find an acceptable compromise or was it simply accepted that the prisoners would not compromise?

JB

No, I think again two answers to that. I think the government's position was to lay out very clearly what was available which I may say, many of the people on the dirty protest never actually experienced. They'd been on protest from the moment they came in and therefore were subject to various kinds of forfeit of privileges and so on. The government's position was consistently to remind people what the facts were about the conditions in the Maze because there was a great deal of misrepresentation about the H-blocks being a hell-hole. Quite the contrary. The conditions that were available, there are no prisons comfortable, the conditions there compared immensely favourably with prison conditions anywhere else in the UK. There was a major effort made to make sure that

everybody who ought to know and preferably who wanted to know did know what the conditions were like and therefore what was available to prisoners should they come off the protest. Secondly, and perhaps rather more controversially, the government quite deliberately took the position that people of genuine goodwill should have access to the prison, not as negotiators or interlocutors or intermediaries or anything like that, but simply <sup>that</sup> ~~that~~ independent persons of high standing should themselves be aware of what the conditions were like, should themselves have a chance to talk both to us in government and to the prisoners and to that extent therefore, be in a position to represent views of the one to the other, but not to act as negotiators. Now, of course, to the extent that the prisoners talked to whoever it was, the Red Cross or any other body who went in, we would always take a great deal of trouble to be debriefed on what they had to say and we would listen extremely carefully and in particular for any sign that there was anything we could do cosmetically or otherwise to make it easier to bring the hunger strike to an end, ~~but~~ there was I'm afraid no question at all either of direct or indirect negotiations with the prisoners, that wasn't the name of the game.

POM

Let me go back and tell you what some of the prisoners that I've talked to have said. That somebody came from the Northern Ireland Office with a document, even though the document was the same document that was released later by Humphrey Atkins, that assurances were given that once the hunger strike was over that the government would be conciliatory.

JB

Well, I don't know who they're talking to. They're probably talking about me. I went down to the....the only Northern Ireland official, I think that - I'm now trying to remember how many times I did go down there and when - I think the only Northern Ireland Office official that went down to the Maze in the context of the first hunger strike was myself. I went down and saw the seven and I had

with me the text of the document describing really just what I've said to you about the conditions in the prison.....

PC Is this the document that would have been released.....?

JB It's about December isn't it, it's a very long press statement.

(POM - December 19th?) No, it's a very long one. (POM - December 4th?) It's that one I think. (Reading through statement) No I don't think it was funny enough, there were so many. There was I think produced very early in December. I think the one I'm talking about is slightly earlier than this. This is a press statement that was.....I mean it says what it says, that's what was released and it was in fact put into the prisons on the Thursday night which I think actually was the night they called it off. Isn't that right? (POM - that's correct) I think that's right. No the document I'm talking about, I mean I suspect, I can't now remember how that document was got into prison but I think it was just delivered down to the prisons for issue to the prisoners. This is on the night that McKenna...that it was called off. No, I'm talking about an earlier document which I think pre-dates that by a week or ten days. It was freely available and it was published and my memory is that it was a very full statement about the conditions in the prison and how the government would approach a post hunger strike situation. I went down to the prison to talk to the seven prisoners who had had that document for some hours before I arrived and I was there really to say to them, look if you've got any questions about this I'll answer them. To make absolutely sure that there was no question of private assurances, my memory is that the prison governor was present throughout as was one of the warders so there was absolutely no question of my or anybody else from the NIO going into corners to do deals. Of course, I was asked how would the government behave and I said, well it's in there and I am here to try to persuade you to take up this offer. As to the government being conciliatory afterwards, the first thing that of course did happen after the strike was over was that the government implemented a decision which it had been

working on, I mean ever since the announcement was made, actually to get into the hands of the prisoners the civilian type clothing which had been agreed - not that they owned, that we owned - that we should get into the prisoners' hands the civilian type clothing that government had already decided should be introduced and which we had been procuring over the months of the strike. So, I mean in terms of being conciliatory, I mean at least that gesture was made and made very promptly.

POM I suppose what I'm getting at is, there was a period between the 19th of December and the date on which the second hunger strike was announced, that would be the 7th February, when there was uncertainty, some confusion at least on the prisoners' side. I think on the 23rd January a number of relatives handed in like, clothing which was accepted and then, it was on a weekend the prisoners weren't allowed to wear it and those that had become conforming smashed the furniture in their cells and became unconforming again. I suppose my question would - and it was around the issue of clothing specifically - my question would be that since after the second hunger strike, the issue of clothing was conceded, why could the government not have made that gesture after they had effectively won on the first hunger strike? Could the second hunger strike have been avoided?

JB Well, I've given you my answer to that. I think the answer to that is no. The second hunger strike could not have been avoided in my view by anything the government did on clothes. That is my personal judgment because I think the contents of the five demands comprehended a great deal more than that. <sup>that</sup> comment I suppose you would get is well yes but if the government had been generous at that time, then you know public sympathy would have swung behind the government and all the rest of it. It probably would, but I don't think it would have done so permanently. I mean I think that had the government done something more about the issue of civilian type clothing when it did, then I am quite sure that the impact of that

would have been temporary and a hunger strike would then have been mounted, as I think it would, for the remaining five demands, then as I said earlier, we should have been in just as difficult a position as we were in October or arguably more difficult because a concession on one of the five demands having been made, then what are your grounds - moral, practical, whatever - for resisting on the others. As to the difference between January '81 and September '81, again there was a very complicated sequence of events at both periods but my memory is that there was indeed a period of confusion within the prison as to what the precise circumstances were in which the first hunger strike had been brought to an end and I have no doubt that there were those with a very strong vested interest in putting it about that the government had made some kind of ~~sub~~<sup>86</sup> rose deal here which the hunger strike having been ended, they were now reneging on. I mean, I personally find that an extraordinarily implausible position because it's a renege that was so obviously going to be transparent if it had occurred. What instead we found ourselves in, as I recall it, <sup>we</sup> is in a situation in which the first hunger strike had been called off, the government had implemented what it had said it was going to do about the issue of civilian clothes, civilian type clothes, that it was always the position that the wearing of ~~those~~<sup>other</sup> clothes was a sort of privilege and not a right, to be available to prisoners who were conforming with the regime and while people could come off the dirty protest at that stage, they were still not conforming, in particular they were refusing to work. Now, what we tried to do in January and early February was to try to take a series of carefully graduated steps to see whether we could wind the level of protest down and accompany that with relaxations of the level of punishment imposed, mainly to do with relaxing the number of days forfeit. Our objective in this was to try to move the protesting population from a condition of protest to one of conformity by very easy steps. Maybe we were wrong to do that, but that's what we did and we got to the point at which the next move would have been for

the prisoners to conform by agreeing to work on the Monday which would then have entitled them to wear own clothes. Now, what I would like to have done.....

POM To wear their own clothing in the evening?

JB Yes, but the wearing of own clothing in the evening as I recall it, was a privilege not a right and it was a privilege afforded to fully conforming prisoners withdrawn as part of the complex of punishments available. At the stage that we <sup>were</sup> talking, <sup>in my</sup> my memory is that while we had succeeded in winding down the level of protest, we had not wound it down to the point at which the prisoners had agreed to work in particular and therefore become fully conforming. My memory also is that the previous weekend, (the first opportunity when this would have occurred, I think would have been the Monday) and my memory is that on the previous Saturday, fairly well arranged, a number of prisoners' families brought with them their own clothes which were deposited in the prison. But they were not allowed to wear them because they were not conforming prisoners and of course then they did in fact refuse to work. Now at that point, they smashed up the furniture and in effect the protest was fully back on again. The sequence of events in all this again, I don't think you <sup>want</sup> do need to rely on my memory for, because my recollection is that at the time, we put out a series of notices directed mainly at the prisoners, explaining very carefully what was going to happen next and why. But the key element of this was that the wearing of own clothes still remains under the prison regime a privilege not a right and a privilege afforded only to prisoners who are fully conforming. I'm pretty sure that it was a tactic of the prisoners to try to get into a position in which they actually could lay their hands on their own clothes, would then put them on, invite us in fact to remove them by force, but at the same time refuse to work and that was a confrontation that we were very anxious to avoid. It's all a bit complex, but I mean the interesting thing about that January period as I say, is that it was our initiative, not the prisoners', which

POM sought to try to wind down the protest and it failed.

So, on the second hunger strike, were there any differences, again the assumptions made which influenced how policy was made?

JB No, I don't think so. I'm afraid of course that we all I think realised that the second hunger strike was more likely to lead to someone dying, particularly as we read, as I read, Sands' personality. He having been the leader the first time round, volunteered himself for the second. He did so in a way which left him personally very exposed if only because he went on <sup>himself</sup> himself. I don't think that was an accident. I think it's very probable that Sands was determined to put himself in a position in which he did not have to take the decision that somebody else should die which of course was the position that the leader of the first group was in ~~and~~. So when the second bomb was announced, I think most of us felt that Sands personally and maybe some others would go through with it, but the issues I'm afraid seemed to be what they were before. I mean one response to the new situation was that we continued to be, I think, pretty generous in the facilities that we allowed for third parties to go in and see for themselves and talk to the prisoners and, as you've spoken to Michael A., no doubt he's talked to you about the Irish Commission for Justice and Peace which I think was the last major effort by third parties to do something about this. But I think the issues were the same.

POM Let's talk about that. In fact if you wouldn't mind, I might come back to see you again in November sometime because I'll have this typed up and sent on to you in the meantime and it'll allow me to get so far because there'll be some ancillary questions that I'll have. But that period, I think it was from the 3rd to the 11th of July when the Irish Commission for Justice and Peace....

JB I'm sure you've got the dates right. I thought it was slightly earlier than that I must say.

POM There was two rounds of meetings I think. One was in late June.....

JB

Well, I remember four meetings I think altogether. But anyway, the facts can be established.

POM

These were the meetings just before Joe McDonnell died and again I think it was a meeting on a Friday which extended well into a Saturday and then the Irish Commission went to the Maze, met with the prisoners and the relatives, came back and met with Mr. A. again and then according to their version of events, again I think it was you, a senior civil servant was to have been sent to the Maze to talk to the prisoners. That did not happen. Joe McDonnell died and the talks collapsed. There was suggestions at the time that Mr. A. had been overruled by Mrs. Thatcher.

JB

Well, I mean it's difficult for me to comment (POM - that's just suggestions) I mean, again I suppose I should have refreshed my memory but there were indeed a series of meetings that involved myself, well, a team of officials of which I was one, which supported Mr. A. in I think four meetings with the Irish Commission. There was certainly a weekend. (POM - That's correct. There would have been two before that) Yes. Well the first round of meetings were I'm sure summarised in a letter that Michael A. wrote to the Irish Commission for Justice and Peace, an unclassified letter so the Irish Commission have no doubt got it, sometime in June I think. (POM - yes that would have been in June. There were two meetings in June) I think two more and the problem as always was seeing whether we could find some fresh statement of the government's position which respected all our...which abided by our principal objectives which we adhered to throughout the hunger strike but nevertheless constituted some sort of opportunity for the prisoners to come off it. As far as I remember the delay on that was actually getting final agreement to the text of what might be said which was not easy and in the event, McDonnell died before that process could be completed and of course, thereafter it collapsed.

POM

But their belief was that, are they mistaken in their belief that a prison official should have been sent into the gaol by, was it

some time before twelve o'clock the following, I mean there was a time factor involved...?

JB

I think that to answer this kind of detail, and I'm not evading the question except to the extent that to answer at five years removed questions about what actually should or should not have happened at the end of very long periods of work, is actually a little unfair. The facts I've no doubt can be established with the Northern Ireland Office. I know that the Irish Commission at one point were disappointed or professed to be disappointed that at some point when a document was to be taken, yet another of these statements, I suspect they hoped that I might do it and it wasn't me it was done by somebody else. Why they should have thought it was important that I should do it rather than other officials in the prison department I've absolutely no idea, but I am conscious of a memory that there was some disappointment about that. But I think I would like to come back to the fundamentals here. There was absolutely no change in the government's position on why it stood where it was, what was available to the prisoners and, insofar as one could say this in advance, what would happen as the protest ended. That position remained in all material respects, unchanged. Much of this endeavour was ~~to~~, as I say, (B) to go on restating that in as constructive, as truthful a way that you can in the hope that the latest restatement would constitute the grounds which would make it possible for the prisoners to stop it. By the same token, we continued to discuss with people so that they were in our minds and hopefully they were in the prisoners' minds to try and facilitate the chance of the prisoners stopping. I have to say that one in a sense experience that I take away from that process is how impossible it is in that sort of situation for someone to interpose himself between the two parties and remain absolutely in a sense uncommitted and neutral. You are bound, it seems to me, if you are any good at all as a human being, to get caught up in a kind of mediation and of course in that situation it is always a mediation which requires

government as apparently the stronger party to stand down and though I have no doubt that they will deny it, I think that is actually what the Irish Commission progressively began to do. (POM - they became a party to it themselves?) Yes. Maybe unconsciously, maybe unconsciously and in some cases I'm sure unconsciously, I don't think all but I think in some. But I think they'd become in a sense drawn into a position in which they believed they <sup>were</sup> negotiating in a situation which is not really negotiable.

POM They thought they in fact could have arrived at a formula that would, if you wish, became.....

JB I have no doubt they passionately wanted to arrive at a formula and did so for the best of humanitarian reasons, <sup>but</sup> I do also believe that in these situations it is very easy for the wish to become part of the thought and for the wish to be assumed to be practical when it may not be, at any rate on the sort of terms and conditions that they have in mind.

POM Could an accommodation have been reached?

JB Well, what have you got in mind by an accommodation? I mean I'm not sure what your question means.

POM Well, at any point did the government believe that this in fact could be settled other than by the hunger strike being broken or, in fact the hunger strike being broken, that that in fact was the only possible end, that there was no other possible end?

JB I think the government believed with a good deal of justification that the bridge between the so-called five demands and the government's own stated position, that the gulf between those two was one that (a) was wide in substance because it was to do with what I said at the beginning, it was to do with setting back government policy and that (b) the prospectus which the government had laid out really did represent the limits at which it was possible for government to go and that, I suppose if that is saying did I believe that an accommodation was possible, if by that you mean an accommodation which represented government accepting the five demands

POM then I have to say that I think the answer to that is no.

Or that they could find some variation, some formula which might have involved two and a half demands or something?

JB Ah well, we heard a lot about that. I mean at various stages we heard about how we might sort of have a fuzzy kind of free association but my own view is that that would have been a self-deception on our part. It seemed to be quite clear what the prisoners wanted. They wanted the conditions that applied to special category status, in this particular context that includes the freedom to operate within the confines of a compound which was complete freedom and that we would be absolutely kidding ourselves if we thought that that was anything else than what they wanted or that by making a perceptible move towards that, we would do anything other than stimulate pressure to get the whole lot. Now, I believe that to be the position.

POM On the role of the IRA, did the NIO believe that the IRA was coercing or influencing the families not to medically intervene?

JB I'm not sure that I can answer that. I don't really know what the IRA may or may not have been doing. I prefer to talk about things that I did know about. It would seem to me on the whole given the IRA's record in this sort of thing, pretty surprising if the families had not come under a good deal of pressure to, as it were, back up those of their members that were involved in the hunger strike. That said, that is not to say that there were not those in the families who believed passionately that what their members were doing was right and justified, but many of them may well have done so. So I think it would be an oversimplification to suggest that all families' support for the hunger strikes stemmed from IRA or INLA pressure. I think that would be an oversimplification. I find it however, difficult to believe that there was not some pressure applied of that kind to maximize support through the families.

POM Ye, I suppose what I'm asking, did NIO have any direct intelligence estimates of what that level of coercion or whether or

not that kind of coercion was going on?

JB Well if they had, they were not made available to me.

POM Would you see any difference in the decision making process as it unfolded in the second hunger strike and what it was in the first hunger strike?

JB Well I think the short answer to that would be no. I think that of course the pressures plainly were higher because people were dying, I mean, outside the prisons as well as in and therefore the pressures on the decision makers ~~as it were~~ to do something about it were correspondingly greater but the issue was the same.

POM But in effect, there was nothing you could do? (JB - Yes) So, in that sense, I might put words in your mouth if you like, your government too was entrapped by the decision made by the hunger strikers in terms of the options that it had open to it?

JB Yes. I'm not sure that I buy the word entrapped. ~~I mean~~ the government had a very clear and, in my own judgment, a very rational and well-articulated position about why it believed what it did, what it would do in certain circumstances, which incidentally it did do. Now the position the government was put in was one of people saying, I'm sorry but that prospectus is unacceptable and we are going to use extreme methods to try to make you change it. Now, if you say that's entrapment that's your word. I don't think I really saw it as entrapment myself in a sense of being sort of enclosed. ~~I mean~~ it seemed to me that there was here a collision of principles if you like. Certainly a collision of interests and objectives where government had moved as far as it could, had deployed its case as best it could and on which government ultimately simply had to stand. Now I don't actually call that entrapment.

POM Okay, I'll leave it there. Thank you.