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Tel. Belfast 41044/5/6

Mr. Hennessey,

Copy of letter given
to me by Mr. Reid

to-day.

W. 16.8

Clonard Monastery,

Clonard Gardens,

Belfast,

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25.7.1978

Dear Mr. Concannon,

Thank you for your letter of July 4th to Mr. Gerry Pitt M.P., in which you reply to suggestions I made regarding the situation in the Maze Prison.

These suggestions centered on the provision of facilities for communication and consultation for the prisoners who are on protest.

I suggested that these facilities be provided for the prisoners themselves because I believe it will be very difficult to resolve the situation in the prison if the prisoners cannot consult properly among themselves. I appreciate that the authorities are not prepared to recognise any prisoner as a spokesman for any group but I think the results of such consultations could be communicated to the authorities in some way that would not violate any rule or compromise any principle.

I also suggested that these facilities be given to one or two people from outside who are concerned about prisoners' welfare and the anxieties of relatives. This could be arranged by giving permission for a special welfare visit to one or two people who would speak on behalf of relatives to two or three prisoners. The good faith of such people can be guaranteed in any way that the authorities might think necessary. I believe that such a visit could have a helpful and moderating influence on the situation.

While I realise that you understand the situation

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in the prison, I should like in this letter to give my own impression of it in the hope that it will throw some extra light on the problem.

About 300 prisoners are refusing to accept the present prison discipline because they believe it is designed to categorise them as common criminals. They absolutely refuse to think of themselves as common criminals and therefore reject the policy which, as they see it, seeks to treat them as such.

To them, a common criminal is a person who was motivated by considerations that were private and personal to himself when he committed the offence for which he was sentenced.

The offences for which they themselves were sentenced were, to their way of thinking, motivated not by private but by political considerations. Their offences, they would maintain, arose directly from the political situation in Northern Ireland, and should not, therefore, be classified as common crimes. In support of this contention, they quote the nature and the circumstances of their offences, and also the legislation under which they were arrested, interrogated, tried, convicted and sentenced. This legislation is special to Northern Ireland and was enacted because of the political situation here.

The conviction that they are not common criminals runs very deep and gives rise to a determination that they will not submit to being treated as such, no matter what happens. The evidence of this determination is their willingness to endure and to go on enduring the appalling conditions which they have created for themselves by refusing to co-operate in such elementary matters as wearing clothes, washing themselves, slopping out their cells etc. The danger in this determination is that it will lead to further extremes in which many of the prisoners may refuse even to eat. If this happens

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the consequent escalation of tensions inside and outside the prison will lead inevitably to further violence, suffering and tragedy.

The position of the prisoners then, as I see it, is not that they refuse to accept their sentences or are unwilling to submit to prison discipline but that they refuse to submit to a discipline which, as they see and experience it, categorises and treats them as common criminals.

The position of the authorities, on the other hand, is that they are not prepared to make a distinction between prisoners on the basis of the motivation of their offences. If a person is sent to prison for breaking the law, he must submit to prison discipline. This discipline, in their view, is both enlightened and compassionate and provides, at great cost, facilities and amenities for the prisoners which compare favourably with similar facilities and amenities elsewhere.

Looking at the position of the authorities, it seems to me that they are prepared to treat prisoners in Northern Ireland in a way that is significantly different from the way prisoners are treated in the rest of the United Kingdom. This difference in treatment, involving, for example, more generous arrangements for the wearing of ordinary clothes, visits, letters, food parcels, and remission of sentences, implies that a different situation, recognised by the authorities, exists in Northern Ireland. It also indicates a certain flexibility in the approach of the authorities to the prison situation in Northern Ireland. This flexibility could, I believe, be the key to solving the problem.

Taking into account the willingness of the authorities

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to treat prisoners in Northern Ireland in this different and more generous way, it may be stated as a reasonable interpretation of their policy that they are prepared, in principle, to adapt the treatment they give to prisoners in Northern Ireland to the situation that obtains here.

I hope that I am not overstating the case, but it seems to me that, on the evidence of prison arrangements to date, the principle of flexibility or adaptability is an underlying principle of prison policy in Northern Ireland as indeed I presume it is of any good and sensible prison policy.

While I realise that this principle of flexibility does not mean that the authorities are prepared to deviate from their policy of phasing out special category treatment or that they would be willing to give special treatment to any group of prisoners, it does imply an openness to dialogue and a willingness to adapt which without compromising any principle could open the door to a solution of our present problem.

Here I would like to make some suggestions which may prove helpful and which, if the principle of flexibility is applied, may lead to a solution. These suggestions are personal. I am not speaking on anyone's behalf but as an outsider who has tried to keep contact with the situation. I should also like to make it clear that these suggestions refer and apply to all prisoners in Northern Ireland and not to any group of them.

The refusal of the prisoners to submit to prison discipline means first of all that they refuse to wear prison uniform or to do prison work. To them, these are the most important and the most practical issues.

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First, the refusal to wear prison uniform; this, I believe, is the crunch issue because to the prisoners who are on protest the prison uniform symbolises what I shall call here, 'the status of the common criminal'. I am satisfied that if this issue were sorted out, the other issues would be more easily resolved.

My suggestion here would be that permission be given to all prisoners in Northern Ireland to wear, if they so wish, working overalls during working hours. There is good reason to believe that if this permission were granted, it would go a long way towards solving the problem.

Next, the issue of prison work. In so far as this work pertains to the cleaning and the maintenance of the prison blocks and areas where the prisoners live, the preparation of food, vocational training courses and educational courses, there would, I believe, be no great difficulty. My impression is that, with a little flexibility, this issue could be resolved.

The issue of freedom of association may also present difficulties but if the problems of the prison uniform and prison work were solved, this and other issues would tend to solve themselves.

Like the other priests who attend at the Maze Prison, I am deeply concerned about the situation there because of the suffering it involves especially for relatives and also because of the tensions it engenders in the community. As you know, these kind of tensions tend to bring about violence and bloodshed and it is this danger that gives the main cause for concern.

I am not suggesting that the authorities should in any way bow to the threat of violence but when one thinks of what

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violence means in personal terms to those who are the victims of it, one feels impelled to do everything possible to defuse any situation that has the potential of violence.

Looking at the situation in the Maze Prison, realising its potential for violence, remembering what violence means in personal terms, I am convinced that what is called for now is the kind of expertise that enables those in authority to combine firmness about principles with flexibility about their application. This is the point which most of all I wish to make in this letter.

The example of the Government of the Republic of Ireland may be helpful here. As you know, they do not, in principle, recognise political status for prisoners or give any special status to any prisoner, but they so manage the affairs of their prisons that they are able to avoid the kind of confrontation we are experiencing here. Portlaoise Prison is an example of this. The approach of the authorities in the Republic and the way they have managed to handle their prison problems are worthy, I believe, of serious and detailed examination because they may give helpful guidelines.

I trust that you will give due consideration to the observations and the suggestions I have made in this letter and that you will comment on them as soon as possible. If, at the end of the day, we have managed to save even one person from tragedy, our efforts will have been more than worthwhile.

Mr. Pitt has kindly agreed to give you this letter. I shall also give him a letter for Mr. Callaghan in which I shall mention this letter and my reason for writing it.

Yours sincerely,

PA. Reid C.Ss.R.