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Major differences between ICJP and Minister of State
Mr. Alison

1. Commitment of British to send in an N.I.O. official
to clarify document and allay suspicions

The ICJP make clear in their statement that Mr. Alison suggested on the night of 6 July in response to the urging of the ICJP that one of his officials be sent with the governor of the Maze prison to the hunger-strikers by mid-morning at the latest on Tuesday 7 July as it was essential that clarification of the Government position be made so that there could be no doubts in the minds of the prisoners.

The British in the document of 9 July handed over to the Irish authorities claim that while accepting the obligation to clarify their position they did not accept the method nor the timing suggested by the ICJP.

The ICJP version is borne out by the fact that:

(a) in view of the assurance given by Mr. Alison at the meeting on Monday night (6 July) that an official would go in on Tuesday morning the ICJP postponed publication of their document

*With positive assent
of British*

(b) the ICJP telephoned the prison Chaplain at 10.15 p.m. on Monday 6 July from Stormont Castle to say they would not be going to the prison that night but that an NIO official would be going to the prison in the morning. The Chaplain so informed the prisoners on Monday night.

*Timing - man
would go in day and
morning on Tuesday morning*

(c) Mr. Logue at his meeting with the Taoiseach on Thursday 9 July quoted Mr. Alison as saying at the Monday 6 July meeting that as "clarification is of the essence" we will send in an official. Furthermore, the ICJP suggested that the official should be one of the people involved in all the discussions and who knew the mood and spirit of the process. This was accepted by Mr. Alison at the Monday night meeting, according to Mr. Logue.

./...

(d) The ICJP were asked by the NIO at 11.40 a.m. on Tuesday 7 July to come to Stormont Castle. They refused to do so when they ascertained that no official had yet gone to the prison. The ICJP threatened to hold a press conference and release their statement unless reassured that an official would go to the prison immediately. Just before 1.00 p.m. on Tuesday when the press conference was about to begin the NIO told the ICJP that an official would go in that afternoon. The press conference was cancelled. Several further promises were made on the evening of Tuesday 7 July by Mr. Alison and the NIO to the effect that an official would go in to the prison that night.

*8.50 message in
10.00 not message
in all manner*

(e) At the late night meeting at Stormont on Tuesday 7 July between Alison plus Blelloch and Bishop O'Mahony plus Hugh Logue, Mr. Alison was asked why he had gone back on his promise to send in an official. He had responded that he was "not a sufficient plenipotentiary".

(f) The Taoiseach and Mr. Nally contacted the British authorities ^{in the} on Tuesday afternoon and were given assurances that an official would go in. (I do not have the precise details of these exchanges).

it was implied on Tuesday

2. Question of British acceptance of the ICJP document containing its understanding of the areas of agreement reached

The ICJP said in its statement of 8 July that it showed its statement of understanding to the Mr. Alison on Monday 6 July and that he accepted that the statement reflected a true picture of what Mr. Alison had indicated to be the position of the British Government except for two aspects:

(a) Mr. Alison suggested that the phrase "in the considered view of ICJP the British Government would be under a moral obligation" be substituted for "the British Government would be under a moral obligation". The ICJP accepted this amendment to their text.

(b) Mr. Alison stated that apart from the clothing reform which he accepted as an absolute commitment, his understanding was that the specific details of the other reforms were meant to be illustrative only. The ICJP reject this understanding and stand over their statement in full except for the amendment at (a) above.

Relevant Factors

Clothes

Mr. Alison gave an absolute commitment on own clothes at all times, at the meeting of 6 July. Yet the Secretary of State's statement which was given to the prisoners on the morning of 8 July did "not rule out the possibility of further development" on the clothes issue. Why did the British authorities change their position on this? In the document given to the Irish authorities by the British on 9 July, the British say that the prime issue for them was to find a very precise form of words which would reflect the movement which they were prepared to make, after the hunger strike ended, on association, work and "by implication own clothes". According to Mr. Logue, the ICJP was told at Stormont by Mr. Alison on Saturday 4 July after he had consulted London that the own clothes change was fully accepted. Mr. Alison also indicated according to Mr. Logue that even if the blanket protest continued, the own clothes concession stood once the hunger-strikers began to eat again.

Association

If the ICJP understanding of the agreement on association was "illustrative" only why did the Secretary of State in his statement to the prisoners say simply that "it would take time to arrange the necessary physical facilities for this" (i.e. the ICJP proposal). The clear implication is that the British had agreed to the ICJP proposal on this issue.

Work

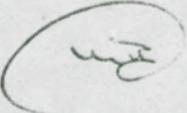
There is a clear difference of approach on this aspect between the British authorities and the ICJP. The ICJP feel that the British had agreed to a range of measures which would maximise the choice and congeniality of "useful activities" which the prisoners could undertake excluding work which can be regarded as demeaning in particular circumstances. The ICJP make the point that a prisoner who fails to find accommodation within the new choices provided" may in the last analysis be required to do remunerative work". The British start off from the position that "no one will be excluded as of Right from the liability to work in prison workshops". The Secretary of State also makes clear in his statement to the prisoners that while he will consider the "examples" given by the ICJP, it will "at the end of the day" be for the prison authorities to decide what jobs a prisoner does. The British see the degree of choice

and congeniality in a much more restrictive light than that proposed by the ICJP *(to which however Alison had assented)*

3. Remission

The Secretary of State in his statement to the prisoners rigidly repeated that one fifth of remission was restored to protesting prisoners who subsequently behaved normally. On the other hand the British have said to the ICJP (in writing to Bishop O'Mahony last December) that if the protest ends they will be "imaginative" and "dramatic" on this matter. In addition the Secretary of State in his letter of 30 June 1981 to the ICJP said that the British Government would be "generous" subject to continuing good conduct "but it would be wrong to imagine that restoration would immediately be total". Why was this aspect of the dispute presented in such a negative fashion to the hunger-strikers on 8 July when the British Government has something much more generous to offer?

4. The change in tactics and behaviour outlined above clearly support the ICJP assessment in its statement of 8 July that they could not regard the statement (one given to hunger-strikers) as a serious attempt to seek a resolution (of the hunger-strike) in the light of the discussions they had and of the position clarified to them by the Minister.


Martin Burke
10 July 1981.