

① Mr Bell  
 ② POL  
 436/3

CC PS/Mr Alison (B&L)  
 PS/PUS (B&L)  
 PS/Mr Bell ✓  
 Mr Blelloch  
 Mr Marshall  
 Mr Moriarty  
 Mr Ranson  
 Mr Wyatt  
 Mr Burns  
 Mr Gilliland  
 Mr Blatherwick  
 Mr Barry  
 Mr Jackson  
 Mr McKay

PS/Secretary of State (B&L)

ROBERT SANDS - ELECTION CANDIDATE - IMPLICATIONS

I refer to my earlier minute of today's date recording the acceptance of ROBERT SANDS as a candidate in the Fermanagh/S Tyrone election on 9 April.

2. There are a number of foreseeable problems for the Secretary of State and the Prison Authorities which arise from Sands becoming an election candidate. These issues arise under the generic title of "access" but can be sub-divided into three -

- (a) access to Sands by his election agent;
- (b) correspondence with Sands in connection with the election;
- (c) access to Sands by representatives of the media.

3. Different issues arise should Sands be elected but these need not concern us at this stage.

4. Sands and his Election Agent

There is no specific provision in Prison Rules on this point. It is therefore a matter for the discretion of the Governor. As refusal of reasonable access will produce parliamentary criticism it is recommended that access to Sands by his election agent should be as free as possible consistent with the prison's capacity to handle such visits without undue disruption and also subject to any medical advice in connection with Sands' condition.

E. R.

5. Correspondence with Sands

There is likely to be pressure for greater correspondence both to and from Sands in connection with the election. It is also likely that the request would include a provision for no censorship. No relaxation in the present rules about correspondence is suggested though it may be that we will have to give special consideration to Sands' election address which will qualify for free distribution by the Post Office.

6. Access to Sands by representatives of the media

There is likely to be early pressure for journalists, TV and others to have access to Sands to enable him to present his election case. In the case of the BBC the issue of fair and equal treatment of all candidates will be raised. No relaxation of the present arrangements for access to Sands is proposed. In answer to the BBC "fair treatment" point, our line should be that this is the BBC's problem not ours. This may well result in no television coverage for either of the election candidates.

7. We are at present unaware of any English precedents of convicted prisoners running for election. There are Northern Ireland precedents in 1955 when Mitchell and Clarke fought and won two seats. The papers in these cases are being consulted and may indicate other likely problems in these circumstances, or precedents which should be taken into account

8. Summary

subject to taking into account any precedents  
The Secretary of State is asked to agree/that our line in respect of requests for access to Sands as an election candidate should be as follows-

- (a) as free and flexible as possible between Sands and his election agent;
- (b) no concessions at this time on correspondence;
- (c) no concessions at this time on access by the media.



B D PALMER

30 March 1981