

E.R.

NOTE FOR THE RECORD

Miss Simpson }
Mr Truesdale } You may wish to take copies for your own use;

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27 JUL 1981
MUFAX ROOM
STORMONT HOUSE ANNEX

- cc: PS/Secretary of State (L&B) - M
- PS/Mr Alison (B) - M
- PS/PBS (L&B) - M
- Mr Blelloch - M
- M. Marshall
- Mr Wyatt - M
- Mr Doyne-Ditmas - M
- Mr Palmer - M
- Mr Buxton - M
- Mr Moriarty
- Mr Jackson - M
- Mr Blatherwick - M
- Mr Harrington
- Mr Gilliland - M
- Mr Corbett
- Dr Weir - M

I have one and do not want this copy back.

J. Jackson
28.7.81

THE MEETING WITH INTERNATIONAL COMMITTEE OF RED CROSS - THURSDAY 23 JULY

Mr Alison met representatives of the International Committee of the Red Cross at 11am on Thursday 23 July in Stormont Castle, prior to their departure from Northern Ireland. Those present at the meeting were:

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|-------------|-----------------------|
| Mr Alison | Mr Schmidt |
| Mr Blelloch | Mr Grand-d'Hauteville |
| Mr Jackson | Dr Russbach |
| Dr Weir | |
| Miss Wright | |

Mr Schmidt described briefly the activities of the ICRC since their arrival in Northern Ireland. They had spent their first two days mainly sounding out whether they could play any useful role in trying to settle the hunger strike issue. Their reason for doing this was that the hunger strike created tense conditions which they could not ignore, and since it was an issue of great importance to the prisoners they felt they must discuss it. However, they had quickly concluded that a situation of total conflict existed and that they could not contribute anything in terms of negotiation. However, they were prepared, on humanitarian grounds, to "enter the fray" again. They had concentrated for the rest of their visit on prison conditions. Their visits to prisons had been as follows:

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16-19 July - Maze (H-blocks and compounds)
 20 July - Crumlin Road
 21 July - Armagh
 22 July - Magilligan

They had visited over 2000 prisoners. Throughout their visits they had received excellent co-operation from the prison authorities, who had given them all the facilities they required and - an important point for them - had left them free to talk to prisoners without witnesses. The ICRC delegation planned to return to Geneva that day and to write their report. They emphasised that it would be an objective report. Their task was not to try to compare prison conditions in different parts of the world; such comparisons could not realistically be made.

Mr Schmidt went on to deal with some specific points arising from the ICRC's visits to prisons: some were points which he just wished to mention, while on others he had queries.

1. Non-conforming blocks

Mr Schmidt acknowledged that many deprivations in the non-conforming blocks were self-inflicted. The prisoners here had refused to talk to the ICRC. They had maintained that the hunger strike was the overriding issue and that their detention conditions were irrelevant. The ICRC had not therefore been able to take account of the views of the prisoners in making their assessment.

2. Overcrowding in the H-blocks

The ICRC thought that having two prisoners per cell in the H-blocks caused some problems in the recreation rooms, because there was insufficient space. This was not to say that the prisoners objected to sharing their cells.

3. Segregation

The ICRC had been struck by the number of requests for segregation, for reasons of personal security. They felt that Loyalist prisoners were really afraid of being in the minority when the hunger strike ended. The pleas for segregation came particularly from Protestants, but ^{also} ~~they~~ were also raised by Republicans. It had scarcely arisen at Armagh. The ICRC accepted the political importance of the question of segregation and the importance of maintaining control, but wondered if, from a humanitarian point of view, integration was really a good thing. Mr Blallock asked if the ICRC had formed the impression that the prisoners wanted segregation at all times,

or just when they were in their wings. The ICRC thought the general desire was for as thorough segregation as possible. There was a fear that conflict could arise at any time. At Crumlin Road, prisoners were not enjoying recreation every day because Loyalists and Republicans chose not to mix. They preferred to stay in their cells and take recreation on alternative days with their own group. Mr Blelloch pointed out that although the prisoners claimed that their reason for wanting segregation was fear, in fact this might be an excuse for trying to maintain a paramilitary 'command' structure. However there were administrative as well as political difficulties - for example the question of duplicating facilities.

4. Complaints procedure

The ICRC had had many approaches about this. Prisoners were afraid of bringing complaints for fear of being charged with making false allegations.

5. Prison rules

The ICRC thought that prisoners should have readily available to them copies of rules and regulations. They understood from some Governors that an extract was being prepared for the prisoners, and they hoped that this could be hastened.

6. Compassionate leave

The ICRC said that they had been astonished to find that life sentence prisoners could not have leave. They had heard many comments during their visit about the criteria for deciding on whether or not it should be allowed and on the length of the period involved. In particular there were some life-sentence prisoners in D-wing of Belfast prison who were fully conforming, and claimed they had renounced all claims for political status. Mr Alison explained that normally a prisoner on compassionate home leave would be escorted by a prison officer, but in many cases a prison officer could not go to the prisoner's locality because he would be exposed to a serious risk of assassination. Therefore such prisoners had to be allowed out on trust. For a life sentence prisoner the temptation to abscond must be enormous, and too much strain would be placed on the trust involved. Although abuse of compassionate home leave was rare (partly because of the discipline imposed by the paramilitary organisations) any cases of abuse would put the fairly liberal regime at risk because of the pressures of public opinion. But there was no intention to be dogmatic about this issue; there was a need for balance and judgment. Mr Jackson pointed out that on CHL the Northern Ireland regime was far more generous than in Great Britain and it was

necessary to be conscious of this. The Government had for a long time grappled with the anomaly of life sentence prisoners not being allowed leave, and the decision must be arbitrary up to a point. Reasons for refusing leave could not be given, and by refusing one case and allowing another the authorities were liable to be accused of unfairness on sectarian grounds. It had to be remembered that life sentences were imposed for the most horrific crimes and there would be a political risk in allowing such prisoners leave. However, the point made by the ICRC had already been given a great deal of thought.

7. Visits by ex-prisoners

The ICRC asked about the rule which prevented ex-prisoners from visiting prisoners, and asked if there could be some flexibility in the case of close relatives or friends. Mr Jackson thought that in such cases the rule probably did not operate in any case. Mr Alison explained that the need for this rule was not based on a fundamental principle but on practical security considerations. Mr Blelloch pointed out that accusations of discrimination could arise in cases where visits had to be refused because of certain information received; allegations of unfairness could be made which would be impossible to counter because the information could not be revealed. There would be grave difficulties about admitting to the prison ex-prisoners with terrorist affiliations. The ICRC appreciated this and were grateful to hear the "other side of the coin".

8. Earnings for prison work

The ICRC said that they had received many approaches about increasing the amount paid for prison work, as it was related to how much a prisoner could spend. Mr Jackson said that this point had been examined - on a UK-wide basis by the May Committee, and that Northern Ireland had to follow Great Britain practice. There was no possibility of ever reaching a realistic wage level, and difficulties arose over, for example, social security payments, but the matter was still being looked into.

9. Medical provision

Dr Russbach said that medical provision in the prisons was very good and generally speaking he had no complaint. There were occasional problems of administration and particular cases in each prison had been discussed with the doctor in charge. The problems had been small ones and had been dealt with. The ICRC would be keeping a record of particular patients and would like to see them again when they visited Northern Ireland at a future date.

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Most of these cases were people with medical problems which would also be difficult to deal with outside prison. There had been a complaint about one individual doctor's attitude, but Dr Sloan had said that he would follow this up. Dr Weir said that he would welcome any suggestions which the ICRC might have for changes in running the prison medical service, and Mr Alison encouraged them to come back and follow up specific cases.

Dr Schmidt said that the ICRC would hope to be able to hand over their report to the Government in a month's time. They had already explained the position on publication, ie that the report would be confidential but would become the property of HM Prison Service who would be entitled to publish it if they wished. The ICRC would wish to be consulted about publication and would want publication to be in full. On the question of publicity for their visit to Northern Ireland, there would be a mention in the monthly ICRC bulletin, simply giving dates of visits and numbers of prisoners seen. Depending on the amount of pressure in Geneva, there might be a short factual ad hoc press communiqué straight away.

Mr Alison thanked the three representatives of the ICRC for having come to Northern Ireland, and for their succinct report on their visit. He hoped it would not be amiss to ask one question. Obviously there was great concern over the hunger strike and he wondered if the ICRC had formed an impression of the hunger strikers thinking - were they really concerned with marginal technical changes in the regime or were their minds geared to more sweeping ambitions? Mr Schmidt said that it was difficult to answer this because those most closely implicated, ie those on the protest, would not speak to the ICRC and it was not possible to know if the view of the hunger strikers themselves was representative. The hunger strikers (and Mr McFarlane) were not interested in beginning to talk about actual conditions until the mode of discussion with the Government had been agreed. When they were shown the Government's summary their reaction was that they had heard it all before, and that this was a dilution of their demands as in the case of the ICJP exercise.

Mr Blelloch said that the prospect of further visits by the ICRC was welcome. Mr Schmidt replied that, as a general rule, their visits only started to become useful on ^{subsequent} visits. They envisaged returning after about six months, but this might be affected by any developments on the hunger strike issue. Although Governments did not often reply to their reports, they would encourage them to do so.

Mr Jackson expressed concern that if the ICRC criticised overcrowding in the Maze, colleagues in Great Britain, where the problem was out of all comparison with

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Northern Ireland, might be embarrassed. Mr Schmidt said that this point would not feature very prominently in their report.

In conclusion, Mr Schmidt said that, without wishing to prejudice the report, the ICRC felt that there were few problems in Northern Ireland prisons of a physical or material nature, and there were some superb facilities (eg the workshops at Magilligan). But there were tremendous problems of a psychological and political nature, leading to a sense of tension and struggle. These were aspects of detentio conditions which were difficult to define and about which it was difficult to make specific recommendations. Mr Alison pointed out that the prison scene in Northern Ireland was very young (not just in terms of the age of the majority of the prisoners). The 'troubles' had made it necessary over a decade to expand the prison system roughly five-fold, and there was still a lot to learn.

J M Wright

J M WRIGHT (MISS)

PS/Mr Alison

27 July 1981