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CC PS/Dr Mawhinney (L&B) B

PS/PUS (L&B) B

PS/Sir K Bloomfield B

Mr Burns B

Mr A W Stephens B

Mr Chesterton B

Mr Miles B

Miss Pease B

Mr Innes B

Mr P Bell B

Mr Coston

Mr Jackson

Mr J McConnell B

Mr McMullan

Mr McVeigh

Mr Daniell

Mr Wood B

Mr Ginn

Miss L Jackson B

1. PS/Minister of State (L&B) BLIS
2. PS/Secretary of State (L&B) BLIS

## CLOSURE OF COMPOUNDS AT MAZE

1. PS/Secretary of State's minute of 25 April recorded Ministers' agreement in principle to the closure of the Compounds and the transfer of the remaining prisoners to H-Block accommodation, where they should be allowed to retain their special category status and privileges. This submission invites Ministers' agreement, if possible by 13 May, to more detailed proposals on:

- (i) timing;
- (ii) regime;
- (iii) life sentence reviews; and
- (iv) consultation with Cabinet colleagues.

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### Timing

2. One aim of closing the Compounds is to use some of the Compound staff to relieve the pressure on the rest of the system during the summer leave season and so avoid significant regime cuts. The leave season effectively begins on 15 May, which is now too close to enable us to complete the closure exercise by then. We still, however, want to achieve our objective as soon as possible after 15 May. A Sunday is the best day for a transfer, since there will be few distractions such as visits etc to disrupt the process. Some minor works need to be done both to prepare the H-Block accommodation for special category prisoners, and to open the second house at Maghaberry prison to take those prisoners displaced from the H-Blocks. Staff who are to be transferred need to be given sufficient notice. Accordingly, we have agreed with the Governors of Maze and Maghaberry that the earliest realistic date is Sunday, 5 June. To achieve this date, preparatory work will have to begin on 16 May so requiring a Ministerial decision by 13 May. Obviously the operation could be postponed thereafter, if some unforeseen circumstance arose, but we are anxious not to let the date slip beyond 5 June.

### Regime

3. The Secretary of State asked for a special category regime to be drawn up to be adopted in the relevant H-Blocks and we have now agreed a set of proposals with the Governor of Maze. Our aim has been to reproduce, as far as practicable, the regime currently operating in the Compounds. The key elements of the proposed regime are:

- (i) each Compound to occupy 2 opposing wings of an H-Block; currently 27 life sentence or 2082 special category prisoners, 24 Republicans and 21 Loyalist. 11 are at the consultation stage of

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- (ii) prisoners to have free access to cells, ablutions and dining rooms on both wings, but not exercise yards, during nighttime lock-up;
- (iii) prisoners to have free access to both exercise yards, and to the area between them, during daytime unlock;
- (iv) daytime unlock to last from 07.30 to 21.00, but with headcounts at 07.30, 12.30, 16.30 and 21.00;
- (v) although space may dictate some reduction, prisoners in principle to be allowed to retain possessions already held in the Compounds - in particular the birds owned by prisoners in each Compound will be moved into part of the H-Blocks' exercise yards;
- (vi) prisoners to use the visits, gym, football, library, etc on the cellular side of the prison.

4. The Governor is confident that the prisoners will accept this regime which mirrors, for example, their free access in the Compounds between cubicles and recreation areas. It should be emphasised that, notwithstanding the degree of free movement, the arrangements will be a good deal more secure than the existing Compound accommodation.

#### Life Sentence Reviews

5. In paragraph 16 of his submission of 22 March, PUS discussed the merits of giving an undertaking that the cases of all life sentence special category prisoners would be the subject of a special review within say 6 months of the closure of the Compounds. There are currently 87 life sentence or SOSP special category prisoners, 26 Republican and 61 Loyalist. 11 are at the consultation stage or

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have been recommended for consultation. Any special review would therefore cover 76 prisoners, but 28 of these are due in any case to have their cases reviewed in the second half of this year. A special review would therefore mean an extra look at an additional 48 prisoners.

6. The Governor's advice is that a special review would be essential to securing the prisoners' co-operation. It is also justified on its merits. We have always said that the lack of staff contact with prisoners in the Compounds has made reviews very difficult. The move to the H-Blocks will put staff in closer contact with prisoners and so allow better assessments to be produced. It would have to be clear that a special review carried no promises of earlier release dates; but on current policy we would expect that such a review would be able to recommend release dates to sufficient prisoners to give it credibility. We are therefore agreed that it is a worthwhile gesture to make.

#### Consultation with Cabinet Colleagues

7. I attach a draft minute for the Secretary of State to send to the Prime Minister informing her and colleagues of the decision. We do not think a formal H-Committee Memorandum is necessary. We shall in due course forward defensive press briefing to Ministers for approval, as well as advice on the method and timing of informing the Irish Government.

#### Consequential Issues

8. There are a number of other issues associated with the closure of the Compounds which officials are currently addressing. We have already identified and agreed the necessary minor security adaptations to the H-Blocks to cope with the proposed regime. The

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selection of prisoners to be transferred from Maze prison to open the second house at Maghaberry will be undertaken by Headquarters in consultation with the two Governors. We plan to select long-term prisoners, including some lifers, who will fit in with the positive regime which we are trying to develop at Maghaberry and whose arrival will not put at risk our policy of running a fully integrated prison there. Staff suitable for transfer will also need to be identified. The logistics of the move itself will be complicated and are already being planned; all the prisoners will be moved within a single day.

#### Conclusion

9. I invite Ministers to agree:

- (i) Sunday, 5 June as the target date for the closure of Compounds;
- (ii) the special category regime for the H-Blocks as outlined in paragraph 3;
- (iii) that special category life sentence and SOSP prisoners should be told that their cases will be the subject of a special review to be undertaken within six months of the Compounds' closure; and
- (iv) a minute to Cabinet colleagues as drafted.

  
J M STEELE

6 May 1988

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DRAFT

PRIME MINISTER

### CLOSURE OF MAZE PRISON COMPOUNDS

1. I think I should let you know that I have decided to close the remaining Compounds at Maze prison and to re-house the dwindling remnant of special category prisoners in 2 H-Blocks at Maze. All the signs are that the prisoners are expecting and will co-operate with the move, but it may attract some publicity because of the echoes of the old protests over the phasing out of special category status.

#### Background

2. The decision to phase out special category status in 1976 did not remove it from those to whom it had already been granted. These remaining special category prisoners have continued to be housed in separate compounds of nissen huts, divided according to paramilitary affiliation, at Maze prison. They have a number of privileges, including a high degree of free movement within their compounds; staff patrols are, by and large, limited to the perimeter of each

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compound. Since special category status is no longer granted, their numbers have dwindled over the years - mainly as a result of the release of prisoners on the expiry of their sentences - from over 1500 to 93 and will continue to decline. All except 6 of the remaining prisoners are serving life sentences; they rarely present any disciplinary problems and are regarded by staff as very much "yesterday's men", out of contact with the current paramilitary leaderships.

#### Reasons for Closure

3. The decline in numbers has made the Compounds uneconomic. Because of the nature of the accommodation there are few savings as prisoner numbers reduce. In 1987/88 they cost approximately £8 million to run, giving an average cost per prisoner of £80,000 despite efficiency measures which were instituted during the course of the year. While the Compounds remain in use and tie up disproportionate numbers of staff, the newly-built prison at Maghaberry has to be under-used. If the Compounds remain open, then staff shortages in the rest of the system would force us to contemplate regime cuts, with the risk of prisoner unrest, over the summer leave season. I have therefore set 5 June as the date for closure and the transfer of the prisoners to H-Block accommodation at Maze.

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Future of Special Category Status

4. The Governor of the Maze prison believes the prisoners recognise that, as their numbers fall, the Compounds cannot remain open much longer. He is confident they would accept and co-operate with a transfer to H-Block accommodation, providing their special category status and most of their privileges were unaffected. Nevertheless I have considered whether, with the numbers so low, we should use this opportunity to end special category status, disperse the remaining prisoners and remove their privileges. That, however, would put at risk the savings and increased efficiency which are the prime reason for closing the Compounds; the prisoners would not co-operate and might well embark on protest action. Since the ending of the hunger strikes, special category status has not been an issue in Northern Ireland; finishing it now in such a dramatic manner might well revive it and hand the paramilitaries a powerful propaganda issue. The remaining special category prisoners are largely forgotten by the community and it is best that special category fades gradually away with them.

5. I have therefore agreed that the prisoners should retain special category status and that the Governor should reproduce, as far as practicable, their current regime in the H-Block accommodation to

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which they will move. Although this will give them greater freedom of movement than other prisoners, they will be a good deal more secure than in the Compounds, which were never intended as permanent accommodation. The move to the H-Blocks will also make possible better staff reporting on the prisoners, particularly for the purpose of considering the release of those who are serving life sentences. Accordingly, officials will be reviewing the case of each such prisoner within six months of their transfer; this does not of course imply that release will necessarily follow.

#### Conclusion

6. The Compounds have become uneconomic and are tying up resources that could be better used elsewhere within the prison estate. My objective therefore in closing the Compounds is to secure better value for money. Allowing the prisoners to retain special category status in H-Block accommodation will achieve this objective with the minimum of publicity and virtually no risk of significant prisoner or public reaction. However, because of the special sensitivities associated with the history of the issue, I thought that you and colleagues would wish to know in advance. I shall also be informing the Irish Government of the move shortly before it takes place.

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7. Copies of this minute go to the Lord Chancellor, the Lord President of the Council, the Foreign, Home, Defence and Scottish Secretaries, the Attorney General, the Chief Secretary to the Treasury and Sir Robin Butler.

FOR STEPHEN

CLOSURE OF COMPOUND

Attach a draft submission and draft minute to the Prime Minister. Since you wish Ministers to receive this in their weekend boxes, I suggest that any comments should be with you by 12.00 on Friday 5 May. Mr Jackson has seen the drafts and is content. I would be grateful if Mr Lindsay would complete the blanks in para 3 of the draft minute to the Prime Minister.

TOM KING

JONATHAN STEPHENS

5 May 1988

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