

# Ulster Democratic Party

28-11-97

## Political Prisoners

### Submission to Liaison Sub-Committee on Confidence Building Measures

#### Introduction

An essential element in any process of conflict transformation is the release and resettlement of political prisoners. This is as true of the Northern Ireland situation as it is elsewhere.

Of course a major difficulty in any such process is balancing the sensitivity of the victims of political violence with the necessity for realistic movement towards prisoner release. The U.D.P. is acutely aware of this aspect of conflict transformation and it is with a view to such sensitivity that we advocate a phased programme of release as opposed to general amnesty. However - and without in any way seeking to diminish or detract from the pain and sense of loss felt by others - the U.D.P. believe political prisoners, their families and friends are also victims of the political conflict and must be considered as such.

An added difficulty within Northern Ireland has been the failure of government - and some political parties - to acknowledge the existence of political prisoners. To date, the preferred option has been to seek to criminalise and demonize political prisoners in order to avoid actually dealing with the issue.

The reality is, of course, whilst the government have consistently argued that Northern Ireland does not have political prisoners they have always treated such prisoners in a different manner from so-called ordinary prisoners. This contradictory approach has, until recently, even extended to the application of different rates of remission for political prisoners and so-called ordinary prisoners.

If we are to be successful in transforming the situation within Northern Ireland then we must all be prepared to accept the realities of our situation. One stark reality is that Northern Ireland has a relatively high number of political prisoners whose interests must be addressed during the formation of any settlement.

The following submission contains U.D.P. recommendations on both substantive and non-substantive measures, which, if acted upon, can accelerate the movement towards a peaceful and democratic transformation of the conflict in Northern Ireland.

## Recommended Substantive Measures

### Life Sentence Prisoners

The re-introduction of 50% remission for determinate sentence prisoners, minimalist as it was, had no positive impact on the situation of Life Sentence prisoners. If anything it had a negative impact in that it can be interpreted as an exclusive confidence building measure directed at only one section of the political prisoner population.

We call for the immediate release of all Life Sentence political prisoners who have served ten years or more.

The U.D.P. strongly advocates an immediate review of all Life Sentence political prisoners who have served five years or more.

During this review the Life Sentence Review Board should be directed to take positive cognizance of the duration of any cease-fire announced by the prisoner's parent organization. The Life Sentence Review Board should also be directed to take positive cognizance of the role being played within the process of conflict resolution by those political parties most closely affiliated with the interests of a prisoner's particular prison grouping.

The Secretary of State should closely monitor decisions arrived at by the L.S.R.B.; indicate a willingness to overturn decisions; and be more receptive to lobbying on behalf of any particular prisoner or group of prisoners.

### Determinate Sentence Prisoners

The re-introduction of a 50% remission rate for determinate sentence prisoners can only be viewed as a minimalist first step in the process of phased release of all political prisoners. (The fact that, until December 1995, politically motivated prisoners did not enjoy as generous a remission rate as so-called "ordinary decent criminals" - i.e. rapists, muggers, child molesters etc. - gives a lie to government claims regarding the non-existence of political prisoners in Northern Ireland).

A second step by government in the process of phased release is long overdue!

A remission rate of 66% should be introduced immediately for determinate sentence political prisoners with the eventual introduction of a 75% rate of remission.

Government must indicate a commitment to the release of political prisoners and, moreover, display the political courage necessary, if we are to move swiftly and genuinely towards political transformation.

## Recommended Non-Substantive Measures

### The Working-Out Scheme

The Working-Out Scheme for life-sentence prisoners should be abolished, as it does not fulfill the function for which it was originally intended.

This scheme was designed to aid the gradual re-settlement of long-term prisoners back into society. However, the reality is that by the time a Life Sentence prisoner is eligible for this scheme he/she has already had many periods of home leave and this has served the purpose of re-settlement. In these circumstances, the Working-Out Scheme serves only to extend the prisoner's period of incarceration.

### Home Leave

Non-ambulant home leave should be introduced for all prisoners irrespective of the length of sentence they are serving and should be extended to include the extended family.

### Parole in Lieu of Visits

Parole should be given every second weekend in lieu of family visits during the last six months of a prisoner's sentence.

N.B. This already applies to so-called "Ordinary Decent Criminals".

### Compassionate Parole

Compassionate parole should be widened to include the prisoner's extended family. The most distressing time for a prisoner is when a close family member is seriously ill or passes away. The extra pressure and anxiety is compounded by the lack of opportunity for the prisoner and the family to support each other in their shared grief.

The present Compassionate Home Leave Scheme is inadequate and insensitive in that it only includes immediate family and should be extended to include in-laws etc.

### Leave Allowance

Leave Allowance, which was increased from seven to ten days on September 12 1997, for prisoners who have served more than eleven years should be made available to all prisoners who meet the criteria for Home Leave.

### Medical Leave

Prisoners who require Medical Leave should be permitted unescorted attendance at hospitals etc.

### Family Visiting Rights

Arrangements should be made for the provision of family visits to allow for the whole family to meet in a modicum of privacy and as a family unit.

Such arrangements would be of enormous benefit to the children of a prisoner and would be helpful in retaining and solidifying the family as a separate unit.