

## **Response to Conditions Document criticism**

Recent media attention<sup>1</sup> surrounding the situation for Republican Political Prisoners (RPPs) in Maghaberry Jail focused on a document we produced setting out our expectations regarding our living conditions within the jail. This document is called the Conditions Document and was designed, not as a list of demands, but as an attempt to progress our conditions and reduce tensions and conflict within the jail. The document itself is wide ranging and covers a number of areas including freedom of movement on the Republican wing and the provision of adequate space and materials for useful activity.

We feel it appropriate and indeed necessary, because of deliberate misinformation and unauthorised leaking of the document by the POA to right wing anti-Republican DUP justice spokesman, Paul Givan, to elaborate on this in an effort to explain the proper context in which all this should be viewed.

The first set of issues raised in the media was under the banner of, 'Prisoners' Proposals: Security Issues'. The conditions set out under this section are not security issues per se. It is our belief and the belief of many independent organisations such as CJINI<sup>2</sup> that the changes outlined would not impact on the Jail Administration's 'security' needs. The issues raised in this section of the report were:

1. No restriction on movement
2. Day and night time lock ups should end
3. An end to Strip-Searching

### **1. No restriction on Movement**

This relates to an issue at the heart of conflict within Maghaberry jail, namely Controlled Movement. This issue was central to, and was dealt with in, the August 2010 Agreement. Countless organisations and individuals over the past decade, including CJINI and HMIP<sup>3</sup> and successive Prisoner Ombudsmen have criticised this policy and called for a relaxation of the Controlled Movement policy. Despite the calls by independent organisations plus the fact that the Jail Administration agreed to end this policy in 2010, Controlled Movement remains in place.

### **2. Day and night time lock ups should end**

The Jail Administration has been unwilling or unable to provide their rationale for the continued practice of 'lock ups' at certain periods during the day and night except to assert some vague notion of 'Security'. The reality is that there are no substantial 'security' reasons for these lockups and the experience of non-political prisoners in Martin House, who have keys to their own cells and are not locked until much later than other prisoners, will show this. Any concerns that may exist are made redundant by the ever increasing presence of CCTV and other technological security measures currently in place in Maghaberry.

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<sup>1</sup> BBC Newsline report by Vincent Kearney, broadcast on 25/9/14 on BBC One.

<sup>2</sup> Criminal Justice Inspectorate Northern Ireland.

<sup>3</sup> Her Majesty's Inspectorate of Prisons.

### **3. An End to Strip-Searching**

Strip-Searching has been identified for a number of years now as a source of conflict within the jail. In August 2010, following protest action by RPPs, an agreement was reached with the Jail Administration whereby they agreed to the complete ending of this archaic, degrading and humiliating practice. Unfortunately, the Jail Administration immediately reneged on this Agreement and to this day continues with the use of forced Strip-Searching of RPPs.

In another section of the news report, under the heading 'Prisoners' Proposals: Family Visits', some of the progressive changes we identified were highlighted. Again these are not intended as a threat or ultimatum but simply an attempt to outline the way forward, in our view, for the creation of progressive jail conditions. The value of adequate visits, and other family contact facilities, cannot be understated and are given significant priority by us. The improvements for visits raised in the report were:

1. New cubicle layout to maximise privacy
2. End to fingerprinting and photographing children
3. Play-park
4. Space to hold activities marking special occasions
5. Drug detection dogs

#### **1. New cubicle layout to maximise privacy**

In recent times the Jail Administration has launched an assault on our already derisory visiting conditions. An attempt was made to reduce the space in which our visits take place and eliminate any semblance of privacy by removing the current cubicles. This would have meant that even the limited intimacy one can have with their loved ones would have been reduced again by the new exposed layout. The increasing amount of technology and CCTV in and around the visits area means that contrary to the reductions in privacy, there is the potential for more privacy (if we ignore the presence of cameras) and thus the reason for our proposal of a new cubicle layout that would enhance and maximise privacy.

#### **2. End to fingerprinting and photographing children**

It is our view and indeed the view of many others that it is inappropriate and quite simply wrong for any arm of the state to be taking the photograph and/or fingerprints of children. This view was recently vindicated by a British High Court judgement that disavowed the practice and ordered that it be discontinued. This could be seen as evidence that what we have proposed in our Conditions Document is reasonable and achievable.

#### **3. Play-park**

Children are central to family visits. They are the ones who suffer the most at having lost a parent. For this reason it is essential that a jail environment does not dominate or shape the nature of the relationship between child and parent. For this reason a semblance of normality must be maintained and sometimes it is the small things that matter the most.

#### **4. Space to hold activities marking special occasions**

Christmas, a child's birthday, or a First Holy Communion are key events in a child's life. These are the times when a parent's absence is felt most sorely. Thus, a separate space where a child can celebrate these key moments with their complete family would go a long way in addressing this.

#### **5. Drug detection dogs**

In the past the Jail Administration, the POA and other right-wing reactionaries have used visits and the disruption of them as a way to attack RPPs and our families. The drugs dog in particular has been a potent weapon with many of our families being sent away from the jail and denied their visit because of it. It must be made clear that this dog is not used for its officially stated purpose; when dealing with Republicans it is solely used in an attempt to frustrate and demoralise RPPs and our families. The Jail Administration and other organisations such as the Prisoner Ombudsman have accepted and acknowledged that the Republican Wing is a drug-free area and they have no concerns in this regard. For this reason the continued use of the drug dog is illogical and merely serves as an extra punitive measure for our families.

We hope that our Conditions Document can be seen in the context of our aspiration for the creation of a Conflict-Free Environment within the prison. The conditions outlined in the document, we believe, are central to moving forward and creating a more enhanced and modern environment for all within the jail. Progressive conditions are not a threat to the Jail Administration's security.

From the acceptance in the 'Steele Report' of the need for 'separate' accommodation for Republicans, the Jail Administration and British security services (MI5) have endeavoured to 'dissuade' Republicans from entering or remaining on the Republican wing. Methods used have ranged from disrupting family life and relationships through cancelled visits due to deliberate misuse of the 'drugs dogs' (Republicans do not accept the Jail offer of 'closed visits as an alternative), to extreme Isolation as is still continuing for Gavin Coyle who is approaching his fourth year 'on the boards'.

We, the Republican community in Roe House, are the creators of this Conditions Document; it is we who are best placed to properly extrapolate on its content. Mischievous or backward-looking enemies of Republicans should not be allowed to block progressive and modern twenty first century basic jail conditions.

Republican Political Prisoners, Roe House

Maghaberry gaol