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PRIME MINISTER

From: EDWARD OAKDEN

Date: 20 September 1996

cc: MR HOLMES
MR HASLAM
MRS CLEAVER

REPATRIATION OF TERRORIST PRISONERS TO DUBLIN

You may remember the debate earlier this year about the conditions under which we should agree - under the relevant European Convention - to the repatriation of Irish terrorist prisoners to the Republic. The Home Secretary was particularly concerned that, as a result of any such transfer, a prisoner should not serve less long in the Republic than he/she would have done in the UK.

After several rounds with the Irish, the Home Secretary received in June what he regarded as satisfactory assurances on this score. Two terrorist prisoners were subsequently transferred. This provoked considerable press interest in Dublin, but very little in the UK.

The purpose of this note is to alert you that the Home Secretary agreed this afternoon to the repatriation of a further three prisoners. Once they are informed of this, the need to complete the relevant preparations will mean that it is about six weeks until the transfer actually happens. But news of it will leak straight away (from the prisoners or their solicitors).

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Against the background of the Hume letter and discussion at NI yesterday, the Home Secretary asked for our views on timing. Would it be better to tell the prisoners straightaway (today); or to leave it up to a maximum of up to three or four days (beyond which the Government would risk Judicial Review for undue delay, although we are being threatened with this even now)?

Paddy Mayhew and we both took the view that it would be best to get on with this: there is nothing to be gained by such a short delay. I asked the Home Office to ensure, however, that relevant press briefing is ready, to emphasise that this is simply part of a continuing process, and has no wider significance. Similarly, the NIO are briefing the UUP in low key, so that Trimble and co are not taken by surprise.

There are 14 other outstanding terrorist repatriation applications, which will be processed in due course on a case by case basis.

If the news breaks over the weekend, this is the background.

Edward

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