



CONFIDENTIAL - POLICY

Prime Minister

LIAM McCOTTER AND GILBERT (DANNY) McNAMEE

You will wish to be aware that I intend to give my consent to the temporary transfer to Northern Ireland of Gilbert (Danny) McNamee and Liam McCotter. McNamee and McCotter are serving 25 years and 17 years respectively for conspiracy to cause explosions. Details of the prisoners offences are given at Annex A.

2 The transfer of prisoners between United Kingdom jurisdictions is governed by the Criminal Justice Act 1961 and criteria announced to Parliament in November 1992. The two prisoners meet the criteria for transfer and it is on this basis that I am giving my consent.

3 McCotter and McNamee are particularly high profile terrorist prisoners, not least because of their involvement in the attempted escape from Whitemoor prison in September 1994 and the subsequent collapse of two trials arising out of this incident due to prejudicial media coverage. McNamee is also the focus of a campaign to secure the referral of his conviction back to the Court of Appeal. It is likely therefore, that media and Parliamentary interest in the transfers will be significant.

4 Sensitivities also surround the location of the prisoners following transfer. Initially, and following past practice, the prisoners will be located at Maghaberry prison, but the Northern Ireland Prison Service has indicated that they are likely to move the prisoners to the Maze which also houses other terrorist prisoners temporarily transferred. Given the recent difficulties at the Maze (the discovery of a tunnel under a Republican Block and the damage caused by a loyalist demonstration in response to increased security measures) and the history of these two prisoners in trying to escape, locating McNamee and McCotter there may attract criticism. However, this is an operational matter for the receiving jurisdiction and I am content to leave it to them.

① cc Press office  
(Peter Williams  
interviewed orally) CC JB

② Agreed orally that  
this should be done  
today - NIO + Home  
Office informed.  
cc [unclear] File  
John  
20/5.

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5 I have discussed the transfer of the two prisoners with Mo Mowlam who believes that there is considerable merit in an early decision. Subject to your views, therefore, I intend to have my decision communicated to the prisoners and their representatives on Wednesday 21 May. It is likely that the decision will be welcomed, particularly by moderate nationalist opinion in both Northern Ireland and the Republic. However, given the sensitivities surrounding the prisoners, notification of the decisions and subsequent media interest will need careful handling. We do not intend to make a formal announcement, but in the event of media interest, lines to take, which have been cleared with NIO, are attached at Annex B.

6 I am copying this minute to Mo Mowlam.

J.S.

19<sup>th</sup> May 1997

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