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Home Secretary

BALCOMBE STREET GANG TARIFF SETTING

I have seen your minute to the Prime Minister of 19 November.

I cannot comment properly on the tariff being set in individual cases, particularly as I have not seen the detailed case papers. However you are quite right to point out that the setting of whole life tariffs would attract considerable criticism, particularly in the context of the continuing IRA cease-fire and the need for confidence building on all sides. It would contrast sharply with our statements that we are prepared to be flexible about prisons matters, including releases. The timing of any public statement about this will need to be carefully considered from the point of view of its impact on the Talks Process and I would therefore be grateful if you would consult further with me before this happens.

Once tariffs are set, the best outcome would be speedy repatriation to the Republic of Ireland. However, although the Irish authorities have given assurances about the continued enforcement of sentences, I am not certain whether these can or will extend to the enforcement of natural life tariffs. It may be that the Irish would find it easier to guarantee the enforcement of a fixed tariff.

Clearly from a Northern Ireland perspective I would prefer to see shorter rather than longer tariffs. However, whatever decision is taken, it is critically important that any appeal against the decision and the repatriation request are dealt with as quickly as possible.

Like you, I am sending a copy of this to the Prime Minister.

A handwritten signature in dark ink, appearing to read 'Marjorie Mowlam'.

MARJORIE MOWLAM

25 November 1997

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SOF5/BALCOMBE/BB

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