

Conflict Transformation Papers

Volume 4

Ex. Prisoners and Conflict Transformation

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Conflict Transformation Papers

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It is our intention to publish a series of papers on conflict transformation and peace building by academics and practitioners both from Northern Ireland and other world conflict zones.

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Introduction

The early release of paramilitary prisoners has been important in enabling Loyalist and Republican groups to participate positively in both the political process and the community peace process. The Northern Ireland Voluntary Trust in their interim report on *politically motivated ex-prisoners self-help projects* (1999) highlights the enormous growth in self-help organisations and projects for and by politically motivated ex-prisoners. In spite of the valuable contribution that many ex. prisoners have made, and continue to make, in the sphere of conflict transformation and community development, far too many political and civic leaders remain antagonistic to the ex. prisoner community. This antagonism is more evident within the wider unionist community where 'self-righteousness' is a common disease.

The early release of paramilitary prisoners has also created important questions about how to reintegrate ex-prisoners into the community, particularly when they face particular difficulties, including direct discrimination, in the labour market. Even where there isn't direct discrimination, ex-prisoners can find it difficult to demonstrate relevant work experience and skills to a prospective employer. Despite the improved economy in Northern Ireland since the ceasefire(s) in 1994, the working class areas that many of ex-prisoners come from continue to suffer high degrees of social and economic disadvantage.

An important question for those committed to peace-building in Northern Ireland is "How can society assist ex-prisoners find legitimate ways of expressing their identity and voice, deal with conflicts within and between communities, and become, and feel, a valued part of the community without the use of violence?"

A Guatemalan ex-guerrilla commander - Carolina Enriquez said - "People in the end really want peace, but they need to be able to make the connection between peace and their own principles and experience of struggle. If people view peace-building as another form of struggle - but one that uses non-violent, creative approaches - then I think we can move forward".

Ex. Prisoners and other former combatants in Northern Ireland are bringing their own principles and experiences of the past conflict to the task of conflict transformation. Those principles and experiences cannot be written out of the 'peace process'. Rather, they need to be acknowledged, understood, validated and used to develop what Carolina Enriquez refers to as creative approaches to peace-building. The articles contained in this issue of Conflict Transformation Papers have been written by representatives of ex. prisoner groups from both the republican and the loyalist community and will, we trust, assist the wider public in understanding the principles and experiences of those ex. prisoners who are committed to authentic peace-building.

Billy Mitchell
September 2003

Acts of Completion?

Tom Roberts
Ex Prisoners Interpretative Centre

It is now five years since the Good Friday Agreement was signed and all of us are acutely aware of the difficulties that have thwarted its full implementation. The in phrase at the moment is “acts of completion”. However in relation to addressing issues relating to politically motivated ex-prisoners and their families the question “When do we begin?” seems more appropriate.

Paragraph 5 of the Prisoners section in the Good Friday Agreement states:

“The Governments continue to recognise the importance of measures to facilitate the reintegration of prisoners into the community by providing support both prior to and after release, including assistance directed towards availing of employment opportunities, re-training and/or re-skilling, and further education.”

Both the British and Irish Governments have failed to address the legislative barriers that prevent former prisoners resuming full citizenship. What is the point in “re-training and/or re-skilling” former prisoners when the present discriminatory legislation prevents the utilisation of these skills?

The situation has become even more absurd since the Good Friday Agreement. We have ex-prisoners serving the public in District Councils, the Northern Ireland Legislative Assembly and elected to Westminster; an ex-prisoner is considered suitable to head a Northern Ireland Government department, yet other ex-prisoners are deemed, under current legislation, unsuitable to drive a taxi.

Employment is only one area where discrimination against former prisoners exists. The Compensation Agency, under the current legislation, denies former prisoners compensation in respect of Criminal Injuries and Criminal Damage. The following are just two typical examples of the discriminatory practices that exist and were brought to the attention of EPIC:

- An ex-prisoner whose best avenue for employment was in the road haulage industry applied for a Road Freight Operator’s Licence and was refused because he was considered not to be of “good repute” because of his “conviction”.
- EPIC’s new premises in Craven Street, Shankill Road were seriously damaged by an arson attack carried out by a paramilitary organisation. Despite being awarded a Chief Constable’s Certificate in respect of this, the Compensation Agency refused compensation on the grounds that one of the trustees of the building is an ex-prisoner. It is also worth noting that this particular ex-prisoner is a public representative and an

MLA - yet another illustration of the ludicrous situation that exists in relation to ex-prisoners!

Those were just two of a host of discriminatory practices that have been brought to the attention of EPIC. Other examples of institutional barriers preventing former prisoners resuming full citizenship exist in the following areas:

- Pension Restrictions
- Ineligibility for employment in many sectors including the Civil Service. In relation to the security forces this can even be extended to include children and relatives.
- Difficulties in respect of loans from Banks and Building Societies
- Restrictions on International Travel
- Accessing PSV Licenses
- Ineligibility of ex-prisoners and their partners to adopt or foster children

This list of discriminatory practices is by no means exhaustive and EPIC is constantly being consulted for advice in relation to these and other issues.

EPIC, since its inception in 1995, have consistently worked on addressing the issues that prevent politically motivated ex-prisoners resuming full citizenship. Unfortunately, the major barriers requiring legislative change still remain and show no sign of being seriously addressed.

In recent months governments and some political parties have been calling for the disbandment of paramilitary groupings. If the peace were consolidated to the point where paramilitary groupings no longer felt the need to exist this call could be taken seriously. Those of us who work at the cutting edge of conflict transformation know that the reality is somewhat different. With the political institutions down, the tensions on the interfaces and the resulting instability communities will feel the need to retain the capacity to defend themselves for the foreseeable future. One could even argue that if the retention of paramilitaries, albeit in a mode of non-aggression, contributes to stability within communities it would be no bad thing. However, we should all aspire to a society where paramilitarism is consigned to history but at the same time approach the issue with a sense of pragmatism and realism.

It is a fact that considerable numbers of paramilitary activists, most likely the majority, have served prison sentences. If these activists are to be prevented by the discriminatory practices previously outlined from resuming full citizenship then the conflict transformation process in relation to paramilitary groupings is made that much more difficult. Former paramilitary activists should be given the opportunity to play full and meaningful roles in all aspects of society, free from the prohibitive discrimination that presently exists. It is also ironic that those most vociferous in calling for the disbandment of paramilitary groupings are also the most strident in their opposition to the legislative change necessary to facilitate this transformation.

It is estimated that upwards of twelve thousand Loyalists have been imprisoned over the course of the conflict. If their immediate and extended families are taken into account then it is evident that a considerable section of our society is affected by the discriminatory practices that currently exist. Clearly, this situation needs addressed if we are serious in building a just and peaceful future for all of our people.

EPIC would advocate that the necessary mechanisms be put in place to examine the relevant legislation with a view to change, facilitating the implementation of the following measures:

- The scrapping of the requirement that life sentence prisoners remain on licence for the remainder of their natural lives. This should also be extended to include determinate sentenced prisoners who are also on licence for the duration of the remitted portion of their sentence.
- Released prisoners should immediately have their full citizenship rights restored.
- Ex-prisoners should have their “criminal” records expunged and intelligence records in relation to themselves and their families destroyed.
- The requirement that previous convictions be declared in relation to applications for employment should be abolished and the rights of politically motivated ex-prisoners enshrined in fair employment legislation that guarantees their equality of opportunity in relation to employment.
- Ex-prisoners should be afforded their normal old age pension entitlement, which was restricted by their inability to continue their National Insurance contributions.
- The practice of the Compensation Agency denying compensation to ex-prisoners in relation to Criminal Injuries and Criminal Damage should cease.
- Impediments in relation to ex-prisoners setting up their own businesses should be removed i.e. access to loans from banks and government agencies, insurance requirements, etc.
- Both the British and Irish Governments should in consultation with relevant countries abolish restrictions on visa applications discriminating against politically motivated ex-prisoners. They should be afforded the same travel entitlements as any other citizen.

There is a widespread perception within the ex-prisoner population that their legitimate concerns are no longer being taken seriously. Many former prisoners who made a positive contribution to the peace process have the view that they have outlived their usefulness. Indeed, the wider population in working class loyalist districts, from where the majority of ex-prisoners originate, have the view that the Good Friday Agreement has had no significant impact on the quality of their lives. It is now viewed as a middle class agreement.

It is imperative that government address the legitimate concerns of ex-prisoners and their communities of origin if widespread disenfranchisement is to be avoided. Let's have an "act of completion" in respect of this.

Maghaberry Prison

Over the last year staff at EPIC have increasingly been made aware of significant problems concerning Loyalists in Maghaberry Prison. The majority of these problems arise as a consequence of two aspects of prison policy:

- a) The enforced integration of Protestant/Unionist/Loyalist prisoners with Catholic/Nationalist/Republican prisoners
- b) The use of "passive drug dogs" to screen visitors in respect of drug trafficking

The enforced integration of Protestant/Unionist/Loyalist prisoners with Catholic/Nationalist/Republican prisoners

EPIC, while understanding the desirability of an integrated prison system, contend that it is unrealistic to enforce such a system in the context of Northern Ireland. It is a fact that the majority of the population in Northern Ireland choose to live in areas that almost exclusively reflect their religious and political beliefs. Indeed the government erects "peace walls" to facilitate that division. We contend that it should be the right of prisoners to have a similar choice. The Prison Authorities should essentially give the prisoners the option of sharing accommodation with their co-religionists or, for those who desire it, the opportunity to mix.

We are not suggesting segregation on the grounds of allegiances to any paramilitary grouping or any form of political status, just simply that prisons reflect the reality of life in Northern Ireland. It is fine to aspire to a time when the population of Northern Ireland feel confident and secure enough to fully integrate. Unfortunately, we have a long way yet to travel.

If the present policy of forced integration is persisted with, the inevitability of clashes of a sectarian nature is clearly evident. Consequently the prison routine is disrupted, visits and privileges curtailed, and staff, prisoner alike, suffer.

Another consequence of the enforced integration policy is that it is providing dissident republicans with a platform for publicity disproportionate to the mandate for their nefarious activity. They should be given the opportunity to serve their sentences in the obscurity that befits their status. Those of us who are familiar with the prison system here remember too well how, when it was mishandled in the seventies and eighties, a new impetus was given to republican terrorism.

The use of "passive drug dogs"

EPIC is fully supportive of the efforts of all agencies in the eradication of drugs from society, including the prison system. Indeed the leadership of the UVF, whose former prisoners'

interests we represent, would share that view. However, we have grave reservations about the degree of error inherent in the “passive drug dog” method of detection. Individuals, well known to us for their implacable opposition to drugs have had to endure the embarrassment of being singled out by dogs while visiting Maghaberry. They have no recourse to proving their innocence and are then subject to the “no smoke without fire” syndrome by observers.

We have made previous representations to the prison authorities in respect of this concern and appreciate the difficulty they have in addressing it. However, we would advocate that it is revisited and solutions found. It has reached the stage that totally innocent individuals are reluctant to visit the prison lest they fall foul of a “passive drug dog”.

The Politically Motivated Ex. Prisoner in Society

Gerry Ruddy
Teach Na Failte

I remember talking to an old Republican in the Seventies who had been interned in the fifties, sixties and seventies. He contrasted the way he had been treated when released in the early sixties with his release from internment in the seventies. In the fifties when released he had been all but ostracised by his own community. There was no welcome mat except from other equally marginalised republicans. It was difficult to get a job except on building sites and the respectable members of his community kept well out of his way.

In the seventies his community held a street party on his release. People shook his hand bought him drinks and brought him into their homes. Strangers greeted him on the street and he was feted as a hero. Havelock Ellis, a criminologist, divided crime into four phases, the political, the passional, the insane, and the occasional. The “political criminal” was defined as the victim of an attempt of a more or less despotic government to preserve its own stability. He /she is not necessarily guilty of an unsocial offence; he /she simply tries to overturn a certain political order which may itself be anti-social.

This truth the British Government failed to recognise when it attempted to criminalise politically motivated prisoners. The result was that in the struggle around the issue of political status, which began almost as soon as the ‘troubles’ themselves began, the self-esteem and feeling of self worth of the prisoners was high. They had a purpose, a cause, outside support and affirmation and felt part of something that was bigger than them-selves.

Consequently as Havelock Ellis predicted the “*political criminal*” of our time or place became a hero, a martyr, and a saint. Lombroso called the “*political criminal*” the true precursor of the progressive movement of humanity. At least that was how Republican ex-prisoners were regarded by the communities from which they came. The experience of loyalist ex-prisoners was markedly different.

However on release the heroic status rapidly disappears when adjustments have to make to the cold realities of everyday life. The emergence into civil society after what may be years of institutionalisation can be and is a very traumatic experience. Much will have changed. Parents partners and children will have aged, developed an independence and have their own lives. Society will have changed and the social habits of the day will be difficult to adjust to the longer the ex-prisoner has spent inside. But interestingly enough many ex-politically-motivated prisoners have not only adjusted remarkably well but have begun to put a lot back into society.

Perhaps if he had lived that old Republican he would now be taking training courses in conflict management, mingling with barons and ministers and maybe even become a councillor. He was, however, a man who didn’t need training in community relations for on his release in the seventies he went off for a drink with a member of the loyal orders. He practised tolerance and understanding all the days of his life. For him and like many of his

generation that was an integral part of their republicanism. Like many other ex-prisoners he became a role model for many in his community.

Today with the many social problems in working class communities' ex-prisoners and ex-prisoner groups are playing a hugely influential role within their communities. Of course not all ex-prisoners have the inclination, skills or ability to contribute back to the community. A few unfortunately succumb to alcoholism and its related problems. Some concentrate on raising their families, earning a living or what ever. Ex-prisoners are like the rest of the population except that the overwhelming majority come from a working class background.

However many others have used their time in jail to think study and observe how society functions. Some may regret their part in the conflict. Others may not. But regret or not they want to put something back into society.

Take the peace process itself and the various cease-fires of the armed organisations. All those organisations involved had to bring their prisoners on board to support moves towards ending the conflict. It was ex-prisoners who went in and brought the arguments to the prisoners and won their support. That was no mean feat for the prisoners were incarcerated for their part in the war and believed that what they had done was justified. To halt the struggle outside could be construed as demeaning their actions and undermining their morale. To their credit the ex-prisoners were able to convince the prisoners to take a bold step and give support to either the peace process or to cease-fires. By their action they created the conditions for most working class communities to be freed from the fear of violence.

But of course that was not the only positive contribution that ex-prisoners have made. A quick overview of the activities of ex-prisoner organisations surely should convince anyone of the bona fides of the organisations and the strong commitment of many ex-prisoners to their communities.

Ex prisoner groups whether from a loyalist or republican background have been involved in providing a range of services and help that is impressive. Much of that motivation has been because of their own experiences of the poor services available for prisoner and their families on release.

The ex-politically-motivated prisoner him/herself had readjustments to make both externally and internally. Externally there were issues of personal security, police/army surveillance, and dealing with state agencies on issues of housing welfare etc. This can cause feeling of inadequacy, an inability to cope with everyday living and a desire to close out the external world. It is not unusual to hear ex-prisoners speak nostalgically about their time inside but with a strong hint that they miss the camaraderie of those days.

There are also the emotional problems of re-establishing intimate relationships with partners. Their way of life is changed. Another person is now in the home, unsure of how to cope with all the pressures. There can be a long period of walking on eggshells as each partner tries to re-establish a working relationship within the home. This can eventually lead to marital breakdowns separations and an inability to form long term relationships.

Then there may be the readjusting to the role of father with offspring who in some cases never knew the father except as a distant figure met once a week for a short period in Long Kesh. Suddenly there is another authority figure in the home and while children may well have loved that authority figure while in jail now it is not so easy. All is changed. The children themselves can resent the new figure in their mother's life and feelings of jealousy, resentment and anger can cause severe problems for the children. When the children are in their teens the re-establishing of relationships may well be impossible. Some prisoners have come out to find their children completely out of control and indulging in glue sniffing, drinking and taking drugs. Also the role of the Father figure has been greatly reduced and diminished by the gradual erosion of the family unit in many working class districts.

Ex politically motivated prisoner groups have tapped into the wealth of experience of ex-prisoners. We know there are both psychological and social problems associated in particular with long term imprisonment. So ex-prisoners have received accredited training in counselling and gone on to work with families and groups of ex-prisoners. Drop in centres have been established, sometimes by accident as more and more ex-prisoners find the confidence to call into ex-prisoner projects, sit around and then begin cautiously at first to unburden themselves. This helped the development of a network of support for ex-prisoners and their families. In the informal situations in drop-in centres there have been raised many of the issues that caused conflict in the first place. This questioning has led to a desire for education and training in a wide range of subjects including research itself. Research has been conducted into a wide range of issues including the social history of the prisons, the experience of long term prisoners on release, re-integration into an Interface area community, punishment beatings and alternative informal justice systems.

Training has included courses in counselling which has involved a relatively large number of ex-prisoners. On top of that there is a great emphasis placed by all groups on the personal development of ex-prisoners. Personal development, vocational training, further education and the creation of employment opportunities have all been part of what the groups do. The development of work skills and the acquisition of educational qualifications can go a long way to help raise the self-esteem of the ex-prisoner and his immediate family.

Work has been carried out in encouraging young people to take part in political as opposed to paramilitary activities. Classes have been held by ex-prisoners that involved anti-sectarian training for young people, political education, explorations of different traditions in Ireland and also the cost of anti social behaviour. Many have also explored different methods and approaches to working with young people. It should be acknowledged that working in particular with young people at risk is a particularly difficult task and yet some ex-prisoner groups have risen magnificently to the task. They have developed imaginative schemes that not only take into account the victims of anti-social behaviour but also assist in the turning round the behaviour of those at risk.

Ex-prisoner groups have also examined the regeneration and development of local communities. The shock many experienced, when released, at the degeneration of the physical and social fabric of the communities they came from acted as a spur to develop

schemes to regenerate their own communities. Community based projects with a strong element of mutual aid have been developed. Self- build projects and the development of small businesses have become part of economic regeneration schemes. While these may only contribute in a small way there is no doubt that in the areas where ex-prisoner groups are active there has been a noticeable improvement in the self-respect of communities.

Finally many ex-prisoners have taken part in conflict resolution training and mediation training. There is no doubt that such training has been hugely beneficial. At the personal level they have learned how to deal with conflict within the family setting and are much better equipped to resolve difficult situations. At the community and political level they are equipped to understand and respect the point of view of others while not necessarily endorsing such views. The existence of ex-prisoner groups has facilitated cross community contacts and enabled better communications between republicans and loyalists. Both official and unofficial networks have been set up that have been used to defuse conflict. The benefits that working class communities derive from such contacts are immeasurable.

In the state we live in, such positive attributes held by former combatants can only be for the good of us all. Ex-prisoners have made a huge positive contribution to our society. An even greater contribution can be made if there is a long-term view taken for after 30 years of conflict surely no one thinks that sort-termism is an answer. The case for sustained development of the ex-politically-motivated prisoner community is unanswerable.

PEACE BUILDING
The role of ex-prisoners and Ex-Combatants
Harry Donaghy

An-Eochair Ex-Prisoners Support Group

As Official Republicans we were the first group to declare a ceasefire in the present conflict. Like all ceasefires it was not perfect. We believed at that time that a general ceasefire and political compromise were the only rational outcomes to our age-old conflict and we have worked for that end ever since. In spite of this we were as unprepared as everyone else for the complexities of compromise and of the new terms ‘peace building’, ‘peace process’ and ‘conflict resolution’. When general ceasefires are declared, situations change utterly.

For a long time previous to the Belfast Agreement, we naively believed that with the onset of Peace we could better expound our views to a more receptive audience. We were blissfully unaware of what is now termed ‘political sectarianism’. We were a classic case of “Naïve Realism”(Ross & Ward 1996).

Our view was that once the true economic aspects of society were debated thoroughly the majority of people in Northern Ireland would abandon their outdated and delinquent forms of British and Irish Nationalisms, become a united working class and follow the red brick road to Socialism. We thought this could be achieved within a reasonable amount of time. What would happen in the meantime, we had not given much thought to. It is now evident that one of the greatest impediments to compromise is that when major political change and upheaval takes place, it leads to confusion and the tendency for each community to close ranks in the safety of ‘our own people’ against ‘the other crowd’.

Those to the forefront of peace building have recognised and realised that no side can get what it wants without the other sides co-operation. Peace building is not built on the premise that communities ‘like each other’, but that they need each other in order to advance their own community interests. This is not to say that other types of peace building including those built on virtuous religious beliefs do not have a role to play also.

A prerequisite for peace building must be the acceptance by all involved that the British and Irish identities are of equal validity, the will of the majority is respected and that political violence is a thing of the past.

This naturally takes us to the very relevant 3 points of a recent “Community Dialogue” discussion paper:

1. What do you want?
2. Why do you want it?
3. What can you live with, given that others disagree?

The misconception by the majority of mainstream parties *“that all our troubles would end if only Nationalists could be convinced to behave like Unionists and vice versa”*. This must lead us to question the old certainties of a United Ireland and a United Kingdom e.g.

- What is the feasibility of a totally Independent United Ireland in the new and more integrated Europe?
- How can Northern Ireland be as “British as Finchley” in a United Kingdom that is becoming more Devolved and Regionalised?

The two Governments must adopt a more honest and transparent attitude to these conflicting hypotheses, so that realistic peace building can flourish. We must all begin to consider scenarios that in the past were unthinkable.

In order for genuine and lasting peace to flourish, it is imperative that sectarianism be continuously challenged throughout all levels of our society.

When we formed An Eochair as an Ex-Prisoners Support Group we realised that the ultimate welfare of our members, their families and especially their children, would be best served by helping to build true peace through ongoing constructive dialogue. In order to bring those on the margins of society to where they can play a meaningful role it is imperative to create the necessary structures to that end. These structures cannot be built without dialogue and compromise between communities, ultimately leading to the commencement of confronting our own sectarian attitudes. We realise this is no easy task as sectarianism has been embedded in our everyday lives. If only we can at least reach the realisation that the greatest injustice we would be responsible for is to pass on our inherited sectarian attitudes to the next generation.

During the years since our ceasefire we made real and genuine attempts at negotiating compromise across the sectarian divide. Beginning in the early 1970’s, discussions took place both in Long Kesh and outside with Loyalist Paramilitaries and others. These endeavours bore some political benefits and more importantly saved lives on the ground. These contacts have continued intermittently from then until the present day.

A wide range of people would recognise that we are neither Nationalist nor Unionist in outlook. We believe we are in a sound position to play a distinctive role in cross-community peace building. Having no party political baggage, we can go where it is not politically feasible for others yet to go.

We believe that Ex-Prisoners and Ex-Combatants have a vital role to play in conflict resolution and genuine peace building. Not only for the obvious reason that they could return to armed conflict, on the contrary, there is an enthusiasm amongst many such groups to create a better society (though not all I may add). They have an important role in acting as persuaders in their communities to show that compromise is a progressive and worthwhile goal that does not involve surrender.

If they are not given a secure position in community peace building, two major problems will arise. Firstly, the progressives could just fade away as activists, only to be replaced by “Truer

Nationalists” and “Truer Loyalists” who would revive the old mythologies and enmities. This scenario would slow the inevitable process of compromise and cause further loss of life. Secondly, if the progressives leave the Ex-Prisoner and Ex-Combatant constituencies and move to where they will get a political voice and input, there exists the danger of the remnants turning to full blown criminality. This would have devastating effects on our society through organised crime, drugs etc. Most dangerous of all, some of these groups will have a strong Fascist tendency.

Continuing meetings across the Ex-Prisoner and Ex-Combatant groups can cause a ‘trickle-up’ effect to the main party political discussions, showing that genuine dialogue is possible. This process of dialogue can help belie the “Our Side Won” syndrome, expounded by the main parties. These scenarios can make them less afraid of the grass roots or the lowest denominators in the sectarian camps and can help to induce realism into the Agreement so that the main parties can talk genuine compromise. This could help end the ridiculous situation where on the one hand Unionists claim that the Union is safe until “Gabriel blows his horn” and on the other Nationalists claim that we will have “a United Ireland the next good summer we get”.

Many former prisoners and former combatants became involved in the conflict to change society for the better as they saw it. The long term role that they can play in building a genuinely better society cannot be underestimated. A society where tolerance, pluralism, equality and social justice are the basic rights of all citizens.

Supporting Former Prisoners

John Nixon

Ex Prisoners Assistance Committee

The Ex. Prisoners Assistance Committee (Expac) was set up to provide an independent, quality support service for all ex-prisoners and their families, and to campaign for changes which facilitate their full participation in community and economic life.

Launched as a Company Limited by Guarantee in 1997, Expac was in fact the formalisation of a loose network of former republican prisoners and their family members, who had come together to provide mutual assistance and support to each other. Thanks to grant aid from the EU Special Support Programme for Peace and Reconciliation Expac became formally established and set up office in the border town of Monaghan. This was the first political ex-prisoner group to do so in the Republic. Thus Expac being user led, was staffed by workers who not only knew the sector from the bottom up but literally from 'inside out'.

Based on lengthy experience of prison and post-release difficulties, along with a profound understanding and empathy with the needs of its client base, Expac adopted a number of ground rules. Despite having its origins within a constituency of people who had been incarcerated directly as a result of the northern conflict, Expac has operated an 'open door' policy and provided advice and assistance to all former prisoners who come to its office. Expac's Director, Chairperson and both development workers have between them spent over 60 of the past 25 years in prison.

A further and unique distinguishing feature of the group is its willingness to cross boundaries and work, mainly on a cross border basis with loyalist ex-prisoners.

Expac has always believed and maintained that the re-settlement and re-integration of ex-prisoners is a complex matter. This position was clearly validated by a recent groundbreaking report into the effects of long-term imprisonment amongst republican ex-prisoners titled '*No Sense of an Ending*'. The report which was the culmination of over two years of research and analysis and mentored by highly qualified academics in the field provides deep and probing insights of the difficulties that many republican ex-prisoners and their families encounter after prolonged incarceration.

In terms of service provision Expac does not attempt to replace, or for that matter duplicate, existing services or provisions already adequately provided for within the statutory sector. However, the Expac experience is that where adequate facilities for ex-prisoners and/or their families exist, many people prefer or opt to consult with the more familiar faces in Expac.

The group thereafter directs inquiries and queries toward more relevant and competent agencies when or wherever possible and where such services already exist. To do this

adequately Expac has established and maintains good working relation with the widest possible number of representatives of statutory agencies.

There are however specific areas of needs and requirements that statutory agencies or bodies have difficulties coping with. These are the more problematic fields such as finding employees who are willing to employ ex-prisoners; certain types of help with educational/training development and access to accommodation, and accessing confidential counselling. Expac does not have the capacity to address these needs from within its own budget but does respond by activating its broad network of contacts, membership and supporters to help find a solution or remedy to an individual's or family's needs.

So as to maximise its role in provision of advice, advocacy and services, Expac is aware of the need to play a part in influencing legislative change, social policy and to encourage society as a whole to more aware and open minded of the various difficulties that ex-prisoners and their families encounter. This integral part of Expac's work warrants substantial input of time and effort.

Expac is involved in several other projects which have a national as well as a cross-border/cross community dimension. The *Other View* magazine which addresses many of the issues which lie at the heart of the conflict in the north is the result of an agreement between LINC, Belfast and the Carrickfergus Mediation Centre. The magazine which is produced on a quarterly basis is now in its 14th edition. Articles contributed deal with many facets and aspects of social, cultural, and political life both north and south. The *Other View* constitutes a forum for open and honest debate and discussion and invites contributions from everyone who has a valid and meaningful view or comment to offer. The *Other View* makes a real and positive contribution to peace building.

NEVA, the Network of Ex-Prisoner Voluntary Agencies was established in 2002. Expac played an instrumental role in bringing together groups and individuals who work with ex-prisoners throughout the Republic of Ireland. This has proved to be a successful development and its merit was recently acknowledged and endorsed when delegates from statutory, community and voluntary groups and key personnel from Ireland, Britain and Canada who work with ex-prisoners participated in an international conference organised by NEVA.

Expac continues to play an important role in forging and promoting links with the community and voluntary sector. This is important especially when it comes to addressing misconceptions regarding political ex-prisoners within this sector and to this end Expac has formulated a training awareness package which addresses legislative and attitudinal impediments that discriminate against ex-prisoners and their families.

As part of this overall process Expac has developed and honed its networking processes both north and south and has built up liaisons and relationships with numerous groups and individuals who contribute to making society more inclusive and progressive.

NO SENSE OF AN ENDING

A Report into the Effects of Long Term Imprisonment amongst
Republican Prisoners and Their Families
By Ruth Jamieson & Adrian Grounds

Review by Marion Green

This report is a study into the effects of long-term imprisonment amongst a group of republican ex-prisoners and their families with an emphasis on the psychological repercussions facing those who have recently returned to their families and communities. The research is based on in depth interviews, but also draws on previous prison studies on the impact of long-term imprisonment. The report highlights parallels with other research literature such as the adjustment difficulties facing war veterans, for example Vietnam War veterans whose prisoner of war experiences had damaging effects on their capability to integrate back into society. Having worked with EPIC, a reintegration programme for loyalist ex-prisoners, I was particularly struck by the similarity of the findings of this piece of research with the experiences of Loyalist ex-prisoners. If you remove the political ideologies the themes and issues are exactly the same. A lot of the accounts of the prison experience were almost identical in nature to those expressed by Loyalist ex-prisoners from psychological torture during interrogation and the coping mechanisms employed to deal with the intense pressures of prison life.

The psychological issues surrounding the release of a long-term prisoner are well documented in the report. It is described as a 'crossing over' into a different world and having to adjust to a totally different culture as the world that was once familiar no longer exists. Coming from long-term imprisonment the increased sensory bombardment in civilian life can be overwhelming compared to the regimented, structured prison experience where everything is grey and dull. Family and friends of the prisoners expect them to be glad they are out but in fact it can be demanding and bewildering and there are feelings of profound sadness and guilt about leaving behind very close friends and comrades. The prison experience changes people dramatically and they can seem like strangers and this adds to the difficulties and pressures of readjustment not just for the prisoner but also for the families and friends.

The report also highlights the fact that the major obstacle to successful resettlement for ex-prisoners is attempting to find and keep meaningful employment. The findings indicate that there are three major factors involved namely, discontinuity of employment through imprisonment, restricted access to employment and finally, the psychological effects of long-term imprisonment.

The ex-prisoners who participated in this research were very open and honest in sharing their experiences especially in the psychological problems associated with long-term imprisonment. In Northern Ireland we have a culture that mitigates against the recognition of

emotional trauma which often manifests itself in depression and alcohol or drug abuse. Although the psychological results of traumatic experiences are a normal reaction to extraordinary events, they are viewed as abnormal and 'crazy' within the macho culture of the communities to which ex-prisoners belong.

It is seen as a sign of weakness to look for help or to admit that there are psychological problems. There have been numerous studies and research carried out in post-conflict societies throughout the world that have shown that post-traumatic stress related disorders are common to ex-combatants and ex-prisoners who have survived violent conflicts. It would be very unusual if those involved with violent conflict in Northern Ireland did not experience psychological repercussions.

This report proves that further research is needed into exploring the difficulties of adjustment faced by ex-prisoners and particularly in relation to their partners and children. One of the recommendations of the report is the development of appropriate services to address the psychological difficulties of ex-prisoners and their families as well as better preparation for release to ensure increased understanding of the adjustment and interpersonal problems that may be experienced. "The experience of ex-prisoners is an essential part of the experience of the community as a whole. It must be interpreted, valued and helped to contribute to a resolution of the broader conflict."

(Reprinted with acknowledgements to "The Other View" magazine)

UNHEARD VOICES

The Experiences and Needs of the Children of Loyalist Political Ex-Prisoners

Published by EPIC, £4.99, P 84

By Louise Spence

Reviewed by John Nixon

Amidst the cacophony of victims voices there has been a noticeable absence of one voice that now, more than at any time must be heard above all the clamour, the voice of the most vulnerable group; the children.

Louise Spence in her report Unheard Voices has ensured that the voice of one group, the children of loyalist ex-prisoners is being raised. This report would not have differed greatly had it been conducted among the children of republican ex-prisoners. It is all grist to the same mill and it is a timely piece of work.

The report examines the needs and experiences of children who have been through the mill. One has only to look at the media portrayal of North Belfast to see how children whose communities and families have been at the interface of the conflict have been affected by the legacies of the troubles.

Within my own community there are people in their late twenties never mind young people who have never met with people from the other community. Within both communities there are also incorrigible elements that are determined to exploit this and ensure that polarisation and deep-seated hatred is fostered and maintained. Their agendas are clear.

Unheard Voices is about problems that won't go away unless the powers that be recognise and react to its findings and understand that support for these innocent victims is simply an investment for future peace and stability. It is estimated that over 100,000 children were affected by the incarceration of a parent.

They represent a substantial constituency given that the vast majority of them are from communities that have borne the brunt of the Troubles. *'Lack of accurate statistics about a victimised and stigmatised group is often an indication that the group is low status and is unlikely to be anybody's priority. This certainly seems to be the case of prisoners' families.'*

Their families were torn apart. Their voices are now being heard outside the relative privacy of their homes and the remnants of family units. *'Only by increasing public awareness, and therefore consequently greater understanding of their past and present difficulties, will these children be viewed with the same compassion and understanding as the many other children around Northern Ireland who have also suffered...healing is an individual journey, one that is chosen, not inflicted.'* The sanctimonious apologists for elitist victim groups should listen

to these voices. And perhaps acknowledge that the sins of the fathers cannot be visited on the heads of the sons and daughters.

‘What my da done in the past has nothin’ to do with me. But people would say the blood on his hands would be transferred to his child so the blood’s on my hands. So I’ve to take whatever shite they throw at me.’

Their stories suggest there is a deep well of hurt, pain and trauma within this community that has yet to be acknowledged by wider society...

‘the hurt caused to the children is often compounded by the prejudicial behaviour of some adults and by the callous indifference of the state to their plight.’

The fact that children of loyalist ex-prisoners vent their hatred and hurt on the state that their incarcerated parent claimed to be defending is no longer seen by the other community as a paradox; if anything it evokes immense empathy understanding and maybe most importantly, affinity.

Talking about their own trauma, indeed, even acknowledging that prison has taken a heavy toll on them has been a taboo subject amongst political ex-prisoners for a long time. For their families it must be difficult and disturbing: *‘psychological disturbance might be interpreted as a sign of weakness, making the victim of the trauma reluctant to seek help or to discuss how they been affected.’*

This report and others recently published examining the impact of long term imprisonment on politically motivated ex-prisoners and their families provide unique and revealing insights on how division, conflict, and hatred have permeated our lives and determined our perceptions.

Unheard Voices is about children’s way and means of making some sense of it all. It is about a deep sense of loss and of courage in facing their pain. *‘War and conflict are perceived to be predominantly adult concerns we have not in the past done enough to understand the rage and depth of the consequences for children.’*

It would be wrong and even dangerous to dismiss their contents. Unheard Voices must not be ignored. Children should be heard if not seen. Its findings and recommendations provide keys to unlocking doors that may hold panaceas for our future.

(Reprinted with acknowledgements to “The Other View magazine”

Ex Prisoners & Organised Crime

Billy Mitchell

On Thursday 4th September the BBC reported that, according to the PSNI, the number of former prisoners running extortion rackets in Northern Ireland has increased dramatically since the signing of the Belfast Agreement. In a presentation to the Policing Board a Detective Chief Inspector is reported to have said that "Demands have been made usually on behalf of prisoner welfare groups". The Chief Inspector went on to say that "The organisations get roughly 30% and the individuals themselves cream off about 70% to fund their fat lifestyles."

Two suggestions flow from this report. One is that substantial numbers of prisoners released early under the Belfast Agreement are involved in racketeering. Is there a wee hint of anti-agreement propoganda here? One needs to ask, "How many prisoners released under the Belfast Agreement have had their licences revoked for involvement in extortion and other forms of organised crime"? This question is important since individuals released under the Belfast Agreement can be returned to prison without trial if they are suspected of being engaged in criminal activity. The revoking of a license does not require a trial or the same degree of evidence that is necessary for a person to be brought to trial. Therefore the number of individuals who have had their licenses revoked for involvement in organised crime would be a fair indication as to the credibility or otherwise of the Chief Inspector's statement.

The second suggestion is that ex prisoners are engaged in extortion on behalf of prisoner welfare groups who take about 30% of the proceeds. That is a very serious allegation indeed as it casts aspersions upon the honesty and integrity both the management and staff of welfare organisations, as well as on their accountants and auditors. Again, one needs to ask, "How many allegations have been made against bona fide prisoner support groups. What investigations have been carried out in the light of such allegations and, more importantly, what has been the result of those investigations"?

Racketeering, and other forms of organised crime, is a social evil that must be condemned and eradicated from our communities. It is an issue that needs to be addressed, not just by the police and the Organised Crime Task Force, but by the whole of society. Blaming prisoner welfare groups, and by extension, the ex prisoner community for the increase in racketeering is not the way to address the issue. As a charity trustee of one organisation that supports ex-prisoners and their families I repudiate any suggestion that we are involved either directly or indirectly in such activities, and I am quite sure that other bone fide prisoner welfare groups across the loyalist-republican divide can say the same.

The ex. prisoner constituency with which I am involved believes that organised crime is having an adverse effect on the quality of life for individuals, families and whole communities, including the ex prisoner community. We believe that it undermines the tireless and selfless work of community activists, residents' associations, local traders and some councillors. It has a damaging effect on the local economy and frustrates government and

community endeavours to combat poverty and social exclusion. The cost of organised crime is something that the government and the business community does not absorb by themselves. It is met by all of us. Essential finances that should be channelled into developing more effective and efficient public services are re-directed towards crime prevention, crime detection, legal proceedings and compensation. Every pound that ends up in the coffers of the criminal is one less pound circulating through the local economy. It is one less pound that the business community can reinvest in local business. It is one less pound that employers can use to create new jobs and increase wages. But it is not just a pound here and a pound there - the cost of organised crime amounts to millions of pounds here and millions of pounds there.

Organised crime is not simply an attack on the business community or the government; it is an attack on the whole community. It is as damaging to the people of Northern Ireland as the violence of the bloody conflict from which we are emerging, and it deserves the same response. Former loyalist prisoners, many of whom were released early under the Belfast Agreement, are involved in the development of programmes aimed at empowering local people to address criminality within their communities. They are to be congratulated for their endeavours and their work ought to be validated.

We believe that political ideology and organised crime are incompatible. There can be no political motive for poisoning the children of your neighbours with drugs or for forcing them to sell their bodies to pay for the habit that you helped them to develop. There can be no political motive for undermining the local economy upon which the community depends for its quality of life. There can be no political motive for bleeding the local shopkeeper or publican of his hard-earned money until he feels that it is not worth the bother carrying on. There can be no political motive for putting personal selfish greed above the social, economic and cultural well-being of the wider community. Principled loyalism is wholly incompatible with organised crime. Organised crime contravenes the cherished principles of civil liberty, it is incompatible with the principles of equal citizenship and it violates the golden rule that we should do unto others as we would have them do unto us.

Organised crime needs to be addressed, and the sooner we move away from the process of damning by innuendo and get down to the real job of identifying and marginalizing those responsible, the sooner we will rid our communities of the curse of organised crime and racketeering.

Political Ex-prisoners: The Policy Context

By Mike Ritchie

Coiste na n-Iarchimi

Coiste na n-Iarchimí is the national network for republican ex-prisoners. Our network involves 15 local groups with a number of other non-funded ex-prisoner associations. We have secured funding from the EU Programme for Peace and Reconciliation to employ over 60 people who provide support services to the ex-prisoner community (i.e. ex-prisoners and their families) and the community in general.

The Good Friday Agreement contained the following commitment:

“The governments continue to recognise the importance of measures to facilitate the re-integration of prisoners into the community by providing support both prior to and after release, including assistance towards availing of employment opportunities, re-training and/or re-skilling, and further education.” (Good Friday Agreement, section on prisoners at paragraph 5)

This commitment was made in the context of release arrangements which clearly recognised the political character of the prisoners concerned. Moreover, those prisoners released under the terms of the Good Friday Agreement – and by implication those political ex-prisoners released previously – have:

- by referenda across the island;
- by legislation in both the Dáil and Westminster; and
- by early release mechanisms in both Irish jurisdictions been recognised as distinctive from others in possession of “criminal” records.

Through these legislative and constitutional developments, both the Irish and British governments, and the Irish people as a whole, have recognised the distinctiveness of political prisoners and ex-prisoners.

We note that our perspective on the requirement of integration has recently been endorsed in the courts by reference to the status of the Good Friday Agreement and subsequent legislation. (See Kerr J., *In the matter of an application by Damien McComb for Judicial Review* in the High Court in Belfast on Monday 7th July 2003, appended to this document.) In this case, the judge said that there is a positive duty on public authorities to take account of early release arrangements and their consequence for “re-integration” in their guidelines and policies.

In the Mc Comb case the Department of the Environment – which issues PSV licences for taxi drivers – was the respondent in the judicial review. This department has consistently fought for the right to claim that political ex-prisoners are not “fit and proper persons” to drive taxis until it judges that they have behaved themselves.

A similar approach is evident from correspondence we have had with another public service employer - the NI Ambulance Service. We wrote to them concerning their recruitment guidelines with regard to political ex-prisoners. The Director of Human Resources wrote back saying that political ex-prisoners “would not be considered suitable for appointment in a public service such as ours”.

It is attitudes such as this which lead to the following continuing difficulties for political ex-prisoners. They:

- experience consistently high levels of long term unemployment; 87% in parts of West Belfast; 60% in North Belfast; 82% in Co Monaghan;
- are barred from applying for many areas of employment either through explicit discrimination or general prejudice. An example of general prejudice was evident in the hostile debate over whether ex-prisoners should be allowed to serve on District Policing Partnerships. New legislation pending “acts of completion” will modify the current prohibition. In our view this should be automatic;
- cannot access employment outside of their own areas for fears over personal security. Many have been told that their details are in the hands of loyalists;
- face explicit legal blocks such as s. 2(4) of the *Fair Employment and Treatment (NI) Order* which is being used by employers to justify discrimination or the bar on ex-prisoners becoming police officers;
- still have difficulties applying for taxi licences as the judicial review mentioned above indicates;
- face constant hurdles regarding the requirement to disclose possession of “criminal” convictions and dealing with the prejudices of those carrying out recruitment.
- have difficulty accessing finance for setting up self-employment opportunities;
- have difficulty accessing insurance or mortgage facilities. All forms request “criminal” conviction information;
- cannot adopt children. Health Boards bar those convicted of violent offences from eligibility for adoption;
- cannot access compensation when they are themselves victims of attacks on their person or their property;
- face difficulties travelling because their records appear on security checks leading to harassment at ports. In addition, there are countries – such as the USA, Canada and Australia – which refuse to issue visas to political ex-prisoners.

We note – in contrast – the willingness of the British authorities to make provision for former soldiers convicted of conflict-related offences. The two Scots Guards convicted of the murder of Peter McBride in North Belfast have been re-admitted back into their regiments – indeed one has been promoted. No “decontamination” or “rehabilitation” period was deemed necessary. The same happened with Lee Clegg convicted for the murder of Karen Reilly. There have, of course, been very few British soldiers or RUC personnel convicted of offences. By way of a variety of investigative, legal and administrative arrangements (recently found in breach of Article 2 of the *European Convention on Human Rights* in the cases of Shanaghan, Jordan, McKerr and Kelly v. UK) British combatants have enjoyed immunity. Indeed, through the Samuel Devenny case (Samuel Devenney was killed by RUC

officers in Derry in 1969) investigated by the Police Ombudsman, it has become clear that a secret amnesty was instituted for offences committed by RUC personnel in 1968 and 1969. The result has been that the British government has operated a policy of practical immunity and actual amnesty for one set of combatants during the conflict. The contrast is most stark when one considers that 15,000 republicans have spent 100,000 years in jail whereas 4 British soldiers and no RUC officers have spent a mere 25 despite the fact that they have been responsible for over 300 killings, many in disputed circumstances.

These are issues which we have been working on since Coiste na n-Iarchimí was established in 1998. In our view, there is a growing consensus across the island that the inequality of political ex-prisoners needs to be addressed.

In response to the discrimination and barriers facing our constituency – which also affect loyalist ex-prisoners – we have developed a straightforward policy platform:

- Discrimination against political ex-prisoners should be made illegal;
- “Criminal” convictions attached to political ex-prisoners should be expunged; and
- A policy initiative should take place in both jurisdictions on the island to implement the commitment with regard to ex-prisoners contained in the Good Friday Agreement.

We have, since our establishment in 1998, made representations to the NIO, the Dublin Government and the Stormont Executive on a number of occasions concerning the commitment to “measures to facilitate the re-integration” of political ex-prisoners. For example, we met with then minister Adam Ingram in 2000, we have met with representatives of the Taoiseach’s office, we have written to all ministers in the Stormont Executive and have met with senior advisors of two Ministers for Employment and Learning. We have also lobbied the Equality Authority, the Equality Commission, the Human Rights Commission and the National Economic and Social Forum on these issues. All these organisations have made policy proposals regarding either legislative and/or administrative mechanisms to address the achievement of full and equal citizenship for political ex-prisoners. These are:

- Coiste na n-Iarchimí has pressed for some time that the situation of ex-prisoners should be addressed in anti-discrimination provisions, whether in the Bill of Rights to be drawn up by the Human Rights Commission or in equality legislation, north and south. We have had success in the draft Bill of Rights and in relation to proposals to widen legislation in the 26 counties by the Equality Authority. The northern Human Rights Commission has proposed that the ground of possession of a “criminal” conviction should be included in any non-discrimination clause in a Bill of Rights. The Equality Authority in the south of Ireland has made important recommendations to its government to extend the non-discrimination grounds in the Employment Equality Act 1998. This currently outlaws discrimination in relation to employment on nine grounds: gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of the Travelling community.
- With regard to both the Equality Authority proposals and the 6 county Bill of Rights, however, no distinction was made to recognise the political motivation, which led to political prisoners’ “criminal” conviction. The proposals simply include “possession of

a criminal conviction” as a non-discrimination ground. It was particularly disappointing that the 6 county Human Rights Commission explicitly said that it felt making a distinction between political and criminal ex-prisoners would be to create an hierarchy of ex-prisoners. This is simply not recognising the reality of life in the north.

- The Equality Commission has taken the wording further in a helpful contribution. The Commission’s position is that “possession of an *irrelevant* criminal conviction” should be included as a non-discrimination ground. This is the formulation used in the Anti-Discrimination Act 1996 of the Northern Territories, Australia. This would be a better approach than the one adopted by the Human Rights Commission and the Equality Authority as conflict related convictions are clearly irrelevant to all intents and purposes.
- The National Economic and Social Forum in the south of Ireland carried out a review of arrangements for the Re-integration of Prisoners (Report 22, January 2002). It affirmed the Equality Authority proposal regarding protection against discrimination. It recommended that the bar on employment in the civil and public services should be lifted. Finally, it further proposed that some mechanism should be established through which “criminal” records could be expunged. An Taoiseach, Bertie Ahern, when launching the report said that this recommendation in particular is “close to my heart”. To date, it remains unclear what the Dublin government intends to do in response to the NESF recommendations.

At a meeting between Adam Ingram and a range of political ex-prisoner groups on 8th May 2001, the minister described his government as being “a willing participant” in discussions around the measures required to implement the relevant commitment to re-integration in the Good Friday Agreement. We have seen little evidence of this. Indeed, at a meeting in April 2000, the same minister said that this was a matter for the Stormont Executive.

The closest to a serious attempt to address – in a comprehensive way – the legal and administrative barriers facing ex-prisoners was a proposal from the Minister of Employment and Learning in the Stormont Executive. Carmel Hanna proposed the establishment of an Inter-Departmental Working Group which would examine what needed to be done across all northern departments and the NIO to facilitate re-integration for political ex-prisoners. By the time the Executive collapsed, there was disagreement over the crucial question of whether the Working Group should concentrate on political ex-prisoners or address all ex-prisoners.

This means that, despite the commitment in the Good Friday Agreement to developing an explicit programme of work to support the re-integration of ex-prisoners, no comprehensive and strategic attempt to address ex-prisoner concerns has yet been undertaken either north or south.

Our conclusion is that our issues receive low priority because the debate on the morality of the conflict still continues. In wider society, ex-prisoners are seen as the people responsible for the war. In republican communities, it was the policies of Unionist and British governments which brought conflict. This is not an argument which will be resolved quickly.

It is not right, however, that involvement in the conflict should mean a life of poverty and second-class citizenship. Our constituency deserve full and equal citizenship across Ireland. We will continue to seek to hold the British and Irish governments to the responsibilities they undertook as part of the Good Friday Agreement.

It is often said that one can judge the quality of a society by the way it treats its prisoners. In similar vein, one can judge the quality of a peace process by the way prisoners and ex-prisoners are treated. On this criterion, it is easy to see why many ex-prisoners are critical of the British and Irish governments' failures to implement Agreement commitments in this area.

Five years after the Good Friday Agreement referenda, it is surely time for these issues to be addressed.

Mike Ritchie is Director of Coiste na n-Iarchimí, the national network for republican ex-prisoners. Coiste advocates the full and equal citizenship of former POWs in the context of political transformation. It is also engaged in a programme of dialogue and debate with other sectors in Irish society.