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REPORT OF AN INQUIRY

INTO

THE ESCAPE OF A PRISONER

FROM THE MAZE ON 10 DECEMBER 1997

AND THE

SHOOTING OF A PRISONER

ON 27 DECEMBER 1997

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FOREWORD

The Maze is a uniquely difficult prison. It contains more than 500 paramilitary prisoners, from five different factions, some violently opposed to one another. One cannot do other than admire those who work there. For reasons which this report makes clear the Maze does not and, in our view, cannot be run like other top security prisons in the United Kingdom. This point is not appreciated by much of the media and has led to some damaging publicity. Not infrequently the Maze is caricatured as a holiday camp. It is nothing of the sort. It is a prison which, while tolerating relatively high levels of prisoner freedom on the wings had, until December 1997, and for fourteen years, an enviable security record.

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Introduction

On 11 December 1997 I was asked by the Secretary of State for Northern Ireland to conduct an inquiry into the circumstances surrounding the escape of a prisoner from the Maze on 10 December.

2 During the course of our inquiry a prisoner was shot dead on 27 December. The inquiry was subsequently extended with the following terms of reference:

- "1. To enquire into the circumstances surrounding the escape of a prisoner from HMP Maze on 10 December 1997 and the murder of a prisoner on 27 December 1997.

In particular to:

- examine the procedures used to control the movement of and accounting for prisoners moving outside accommodation blocks within the prison;
 - examine the procedures for the control of visitors to the prison;
 - examine procedures intended to prevent the introduction of illicit material, including firearms, into the prison;
 - examine arrangements for the safety and supervision of prisoners and staff.
2. To examine the relationship between the strategic and wider policy frameworks within which the prison operates and its operational policies.
3. To report and to make recommendations to the Secretary of State."

Methodology

3 I was assisted in my inquiry by four members of staff from the Prison Service of England and Wales, three of whom have wide operational experience working in top security prisons and a fourth who currently has responsibility for category A security policy. The report is the result of a team effort. I am enormously grateful to each of them.

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4 We held formal interviews with 36 officers at the Maze, making it clear to all of them that we were conducting an inquiry and not an investigation under disciplinary procedures. A member of the Prison Officers' Association Committee was present throughout.

5 We also visited key areas of the prison in order to observe procedures and talk to staff in their places of work. These included the Visitors' Centre, Visits, Main Gate, Vehicle Unloading Bay, H Blocks (where we observed a full block search), Security Department, Gymnasium (where we observed a Christmas party), and the Emergency Control Room.

6 We had meetings with the Governor and managers at the Maze and with the Chief Executive of the Northern Ireland Prison Service and other senior civil servants. We met the General Secretary of the Prison Governors' Association, members of the local branch of the Prison Officers' Association who encouraged their members to give us every assistance, and the Board of Visitors to the Maze whose observations we found particularly telling.

7 This inquiry would have been incomplete without receiving the views and observations of prisoners. We met leaders of all factions in the Maze, Loyalist (UDA, LVF, UVF) and Republican (PIRA, INLA), all of whom, with the exception of INLA, provided information, and some of whom also gave us written submissions.

8 Given the wide remit of our inquiry, the Secretary of State invited political parties and other organisations to make representations. We are grateful to the following for finding the time to speak to us:

Alliance Party
Democratic Unionist Party
Irish Government Officials
Labour Party
Northern Ireland Association for the Care and Resettlement of Offenders
Prison Governors' Association
Prison Officers' Association, National Executive Committee
Ulster Democratic Party
Ulster Unionist Party
Women's Coalition

9 This report begins with our observations on the relationship between the strategic and wider policy framework within which the prison operates (part two of our terms of reference). This is followed by chapters on the escape, the shooting, the movement of prisoners, visits, and procedures intended to prevent the introduction of illicit material (part one). Diagrams of a typical H Block (appendix 1), details of the membership of the Inquiry Team (appendix

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2), a glossary of terms (appendix 3) and a full list of recommendations (appendix 4) are at the back of the report. There is no separate chapter on the safety and supervision of prisoners and staff, but these considerations were paramount throughout the Inquiry and our recommendations are intended, in large part, to improve the safety of the Maze for both groups.

MARTIN NAREY
20 February 1998

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Chapter One

Relationship between the strategic and wider policy framework within which the prison operates and its operational policies

1.1 Since the decision in 1975 to end Special Category Status successive Governments have sought to bring the treatment of prisoners convicted of offences related to terrorism into line with the treatment of other prisoners.

1.2 Attempts to treat paramilitary prisoners as ordinary prisoners have been strongly resisted by the prisoners themselves, their paramilitary organisations and their supporters in the community. In particular, attempts to treat all prisoners as individuals (central to normal prisoner management) have been made difficult by the determination of prisoners to be treated as members of paramilitary organisations and to communicate with the prison authorities on any matter of significance only through their representatives, generally known as Officers Commanding.

Prison Service Organisation

1.3 The Maze, as part of the Northern Ireland Prison Service, operates within a policy framework set by Ministers. Objectives for the Prison Service in Northern Ireland are set by the Secretary of State. They are:

- "to keep in custody, with the degree of security and control by staff appropriate to each individual, persons committed to custody by the courts; and to produce or release them as required;
- to provide for all prisoners the necessities of life, including accommodation, food, exercise, healthcare and freedom to practice religion; and to provide the opportunity to engage in constructive activities such as work, education, training, hobbies and sport to fill at least the working day;
- to enable all prisoners to retain links with their families and to assist sentenced prisoners in their preparation for release into the community;
- to treat prisoners as individuals regardless of their religious beliefs or political opinions; and to offer them the opportunity to serve their sentences free from paramilitary influence, and
- to manage the resources allocated to the Prison Service economically and efficiently and, in particular, to enhance the morale and abilities of staff by

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providing the appropriate conditions of service, management structures and training."

1.4 The role of HMP Maze is set out in the Establishment Contract:

"HMP Maze is a "Maximum Security" classification prison with an optimum capacity of 795 places. It holds all Top, High and Medium risk remand and sentenced male prisoners who have indicated that they wish to be held in segregated conditions.

The nature of the segregated prisoner population makes secure containment the over-riding priority for the establishment; consequently the regime is wing-based. This limits the opportunity for constructive activity, resulting in particular emphasis on educational and physical fitness facilities."

1.5 This description of the prison's function in the Establishment Contract does not capture fully a number of vital realities:

- the Northern Ireland Prison Service is responsible for the custody of a higher proportion of sentenced terrorists than any other prison service in the world. The Maze, a prison holding a terrorist population of over 500, is unique, not only in the United Kingdom but, so far as the Inquiry team are aware, the world;
- prison issues attract immediate political attention and have the potential to become the focus for serious civil disturbance; and
- 29 members of staff have been murdered by paramilitaries since the start of the Troubles; many others have been permanently disabled or seriously injured; in 1996/97 alone 50 members of staff had to be put under special protection;

1.6 These realities have, in practice, a very significant effect on the running of the Maze. This can be seen most clearly in the areas of security and safety, community confidence and rehabilitation.

Security and Safety

1.7 The Maze contains more than 500 paramilitary prisoners, from five different factions, some violently opposed to one another, living in segregated conditions, and enjoying the support of significant communities outside the prison. It is staffed by prison officers who live in the same communities. Over

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many years, the prisoners and the paramilitary organisations have engaged simultaneously in the sophisticated conditioning of the staff, and in a frightening campaign of intimidation. 29 members of staff have been murdered by paramilitaries since the start of the Troubles. In 1996/97 122 threats against staff were reported and a further 50 officers were admitted to the Special Protection Scheme. Northern Ireland is a small community and information about where staff live and details about members of their families, such as which schools their children attend, may be accessible to members of paramilitary organisations allowing them to exert pressure on individual members of staff.

1.8 As members of paramilitary organisations, Maze prisoners can take concerted action within prison and, additionally, mobilise significant resources outside prison in order to influence their conditions of imprisonment.

1.9 The small size of the Northern Ireland prison estate makes it impractical to disperse dangerous prisoners around a number of prisons (as is the practice in England and Wales and elsewhere). Indeed, we were surprised that two of the political parties which made representations to us advocated the dispersal of paramilitary prisoners, drawing a comparison with the Spanish Government's imprisonment of Basque terrorists. The comparison is misleading. The Basque terrorist population, while similar in size to the Northern Irish population, is dispersed around 30 prisons while Northern Ireland only has two establishments sufficiently secure to hold the most dangerous prisoners. In reality, the Northern Ireland Prison Service has to concentrate at the Maze all Top, High and Medium risk prisoners, who have sought to live in segregated conditions.

1.10 The decision in 1994 to remove staff from patrolling duties on the residential areas of the wings at the Maze was in part a response to difficult, frightening and sometimes dangerous working conditions for officers. Prior to the withdrawal, staff were effectively little more than hostages, unable to enforce orders against the will of organised prisoner groups, were susceptible to intimidation and conditioning by prisoners and therefore, a potential threat to security. We consider the decision to withdraw staff inevitable and sensible.

1.11 While we support the continued withdrawal of officers from patrolling the residential areas of the wings, it remains vital that officers enter the wings to conduct head counts, to search cells and communal areas and to check the fabric of the residential areas. Had this happened in 1997 the tunnel from H Block 7 would have been discovered earlier. We interviewed the Officers Commanding of all prisoner groups other than the INLA. They all made plain, not surprisingly, their distaste for searching, headcounts and cell checks. But all accepted that this was an inevitable and reasonable consequence of their enjoying a very large measure of freedom within the residential part of the wings.

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Community and international confidence

1.12 The treatment of paramilitary prisoners has for many years been a focus of acute community and international interest. Prison issues are exploited fully by paramilitary groups for propaganda purposes and the significance of individual issues is regularly amplified to secure wider support.

1.13 Opinions about the wider political crisis in Northern Ireland are fuelled in significant part by perceptions about prisoner treatment: the dirty protests and hunger strikes between 1977 and 1981 attracted international sympathy for Republican prisoners. Conversely in recent years, the Service's success in defusing prisoner issues must have contributed significantly to the atmosphere which led to and sustained the cease-fires. In particular, action taken to allow prisoners more contact with their families through making visiting easier, allowing temporary release on a more regular basis, the introduction of children's parties and by giving access to card telephones, has reduced prisoners' sense of grievance at the conditions of imprisonment in the Maze. Prisoners and the Board of Visitors acknowledged the improvements.

1.14 These improvements are not, as the media and some political parties have suggested, evidence that the Maze resembles a holiday camp. Despite recent improvements the facilities and regime available to prisoners compare unfavourably with those available to long term prisoners in England and Wales and elsewhere in Europe (see paragraph 1.16 below).

Rehabilitation

1.15 The Prison Service has a duty to prepare prisoners for release into the community. Elsewhere in the Northern Ireland Prison Service, programmes have been developed with the aim of achieving that. But it is difficult, if not impossible, to promote rehabilitation at the Maze. Irrespective of the nature of their offences, prisoners see themselves as prisoners of war, not recognising any criminality in their offences.

1.16 Although it is not possible to put Maze prisoners through programmes to address offending behaviour (increasingly used in England and Wales and elsewhere), the Northern Ireland Prison Service focuses on the rather more limited aim of reintegration on release. Some prisoner welfare groups and the Probation Service offer programmes to help achieve this and the Service seeks to support and maintain relationships between prisoners and their families and also offers a range of educational programmes. However, it has not been possible to offer work or work training at the Maze (which some prisoners have requested). The regime at the Maze is almost exclusively wing-based and education, hobbies and handicraft activities all take place there. There are very

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sound reasons, in terms of preventing escape and in ensuring prisoner safety, for confining these activities to the wings. But it should be acknowledged that this represents a claustrophobic environment for prisoners.

Prisons in the political process

1.17 Prison regimes and the early release of prisoners have been major issues for many of the parties engaged in the political process, in particular Sinn Fein.

1.18 The Government has responded by making changes to the arrangements for the release of scheduled offenders by introducing automatic conditional release at the 50% point for those serving long sentences and by extending temporary release schemes. In addition, the Government has sought to ensure that disputes concerning arrangements at the Maze are handled as they arise and that requests (for instance, for transfers or repatriation) are considered without unnecessary delay.

1.19 The Government does not accept the assertion made by paramilitary prisoners or their supporters that those who commit terrorist offences are political prisoners. But the Secretary of State has indicated that she is prepared to discuss with the parties what would happen in respect of prisoner releases, in the context of a peaceful and lasting settlement.

1.20 While the Inquiry Team understand the symbolic importance of the recognition of the political status of the prisoners, the debate is, to a very large extent, academic. The reality of the Maze is that the prisoners - whatever their status - have to be treated very differently to non paramilitary prisoners. Their organisation, discipline, community support, ability to intimidate and, most of all, the fact that they at all times act collectively necessitate an alternative approach.

1.21 Our view is that, although we have concerns about security at the Maze, as well as anxieties about the general air of apathy which pervades much of the establishment, the current Governor's approach to managing the prison, which involves a series of monthly consultative meetings with the Officers Commanding each of the five prisoner factions, is founded on an honest recognition of the unique nature of the Maze. There is no point in pretending that it is a normal prison. This pretence has, in large part, been the basis of the very negative publicity about the prison which has followed the escape and the shooting. The differences in the running of the Maze should be publicly acknowledged. This will allow staff to stop feeling ashamed at their perceived failure to run the Maze like a "proper prison" - something which causes many staff considerable distress - and will perhaps allow them to reflect that although it is different, until 10 December 1997 it has, for fourteen years, contained a

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difficult and extremely dangerous population safely and without a single -
escape.

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Chapter Two

Circumstances surrounding the escape

2.1 Children's parties were first introduced at Maghaberry prison to help prisoners maintain family ties. They were subsequently introduced at the Maze in the summer of 1994. Once during the summer and again before Christmas, prisoners' children up to the age of 16 attended one of a series of parties - one per block - in the gymnasium. Children were in the care of Quakers and welfare volunteers. This arrangement continued until the summer of 1996 when UDA prisoners refused to attend unless partners were allowed to accompany children. This privilege was granted

The discovery of the escape

2.2 There were three Provisional IRA parties before Christmas, one for each PIRA H Block. On 10 December it was the turn of prisoners in H Block 8. At 18.00 hours that day two PIRA prisoners, the Officer Commanding and his second-in-charge, approached the Senior Officer on H Block 8 and told him that Liam Averill had escaped from the children's Christmas party.

2.3 The Duty Governor ordered a standing headcount of PIRA H Blocks 4,5 and 8. On H Block 8 the headcount revealed a prisoner missing from D wing, the wing on which Liam Averill was located. The Duty Governor then ordered a full face-to-face identification check of prisoners on all PIRA H Blocks. Prisoners were identified by their photographs held on identification cards, known as 'T-cards'. A check of the cells on D Wing H8 was also made and it was established that Averill was missing. During the course of the inquiry all wings on H blocks were given a thorough search. We consider these searches to be entirely appropriate and would recommend that all blocks be searched regularly, probably monthly. But to ensure that searches are carried out thoroughly but sensitively, with due care being given to prisoners' property, we recommend they be carried out by Maze staff and not by staff drawn from other prisons or by personnel from outside the Prison Service.

The movement of prisoners from H Block 8 to the gymnasium

2.4 Earlier in the day of the escape, at about 09.30, PIRA prisoners had begun to move from H Block 8 to the gymnasium to prepare for the party. Before leaving the blocks, prisoners assembled on the cross member of the H

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Block which, somewhat confusingly, is referred to as the circle. There was unusually high movement of prisoners within the circle that morning.

2.5 Prison officers have described the prisoners coming out of the wings in 'a mass exodus'. Those assembling to attend the party were not all named on the lists provided by welfare volunteers, and there were problems in identifying individuals, not least because prisoners not going to the party were in the circle area at the same time. Prisoners were also passing in and out of the block carrying presents and containers of food. Staff reported to us that given the general turmoil it was difficult to count prisoners and check them against their identification cards.

2.6 Movement from wings (the legs of the H) to the circle is logged in AB and CD wing journals. Movement from the circle through the outer gate to the block forecourt is logged in the block control room journal. Movement of prisoners leaving and returning to the block is also logged in the Principal Officer's Journal. The block control room officer who has possession of the 'identification' or 'T-cards' hands the cards for all prisoners leaving the block to the prisoners' escorting officer.

2.7 We examined the journals. AB journal notes that at 09.30 24 prisoners left the wings for the party. CD journal notes that at 09.43 27 prisoners left for the party. The block control room journal entry records that 51 prisoners went to the gym at 09.45. The Principal Officer's journal also records 51 prisoners. The journals are not routinely signed.

2.8 Prisoners passed through the outer gate onto the block forecourt where they boarded transit vans which ferried them through the outer gate vehicle lock and on to the gymnasium. We are aware that counting difficulties continued at this stage: the gate officer recalled how it was difficult for him to count prisoners who were obscured by containers and parcels; they were moving around and 'trying to make it as difficult as possible for me'.

2.9 Prisoners were ferried to the gymnasium in several batches and unloaded at the gate to the gymnasium compound. The escorting officer handed the identification cards to the gate officer at the gymnasium whose job it was to count and identify prisoners through the gate before confirming numbers. He claimed to have been satisfied that he counted 51 prisoners from H Block 8 and one prisoner from H Block 4 into the gymnasium. He duly transferred the names of all prisoners attending the party to a register kept by the Physical Education Principal Officer. After the final run, the escorting officers stayed to help supervise the party.

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The Arrival of Visitors

2.10 Visitors arrived at the Visitors' Centre outside the prison between 09.15 and 11.25. We have examined the documentation kept by the Emergency Control Room showing numbers of visitors and their time of entry to the prison. In all, 47 adult females and 103 children attended the party. We were told that a child was defined as someone aged 16 years or under but, as many officers pointed out, the distinction between adult and child was sometimes difficult to make in practice. It is clear that a tall child might sometimes have been counted as an adult by one officer but not by another.

2.11 On arrival visitors assembled in the Visitors' Centre from where they were despatched in groups to a marquee temporarily erected for the purpose of searching party visitors. It has been suggested by the media and by some political parties that women and children entered the Maze unsearched. Specifically, it has been alleged that prisoners had reached an agreement with the Governor that visitors attending the party would not be searched. Those allegations are false. We are satisfied that two female civilian searchers carried out rub down searches of adult females and young children, while a male prison officer searched older male children. Articles not normally allowed in the prison (handbags, car keys, medication) were retained by the searchers. But we believe that hand held metal detectors were not used.

2.12 Leaving the search area, visitors were transported into the prison on buses and transit vans. On 10 December, two buses and three transit vans made up the fleet. Each vehicle was staffed by a driver only.

2.13 On entering the main vehicle gate to the prison, drivers reported the numbers of visitors to the vehicle search officer who then checked them before reporting them to the senior officer in charge at the vehicle gate. Numbers were then reported to the Emergency Control Room.

2.14 The vehicles passed from the main gate to another vehicle lock within the prison known as Golf 3. Another officer based at Golf 3 confirmed numbers with the driver, and reported them to the Emergency Control Room. Vehicles were then allowed to pass through yet another vehicle lock, Tango 8, where another check was made before arriving at the gymnasium where the officer controlling the gate counted visitors into the gymnasium and reported numbers to the Emergency Control Room. The gate officer at the gymnasium reported that he had no difficulty in counting visitors because they arrived at intervals in manageable groups.

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The Party

2.15 Averill's movements during the party are a matter of conjecture. But we are satisfied that at some stage towards the end of the party he put on make-up and women's clothes and walked out with the visitors. We know that the prisoner was attending the party as a 'helper' and had attended another PIRA party two days earlier with his own family when he would have had ample opportunity to carry out a reconnaissance and prepare his escape plan.

Visitors leaving the Party

2.16 Visitors had arrived in numbers which made counting manageable but the nature of their departure en masse made counting difficult. Unusually, visitors crowded into the gymnasium forecourt rather than wait inside, possibly to enable Averill to hide amongst them. The visitors pressed at the gate to be allowed through to board the buses and transit vans. They were eager to leave and the gate officer tried to ensure that family groups were allowed on the buses together. But he would have had little knowledge of who belonged together making it possible for Averill to slip through as part of a group.

2.17 Two buses and three vans waited to take the visitors away. We believe Averill boarded the first vehicle, a bus, which left the gymnasium at 15.07. By leaving on the first bus he had the maximum time to effect an escape before the final numbers check might have revealed a discrepancy.

2.18 Vehicles carrying visitors left the prison by the same route they had entered in the morning and with the same security checks involving, theoretically, a count at the gymnasium, at gate Tango 8 and at Golf 3 and then at the main gate. Counting at these gates will have been difficult: the buses have small aisles which were cluttered with pushchairs, children were moving about and fidgeting and officers trying to count may have felt pressurised by visitors who are sometimes uncooperative. But even without these difficulties the counts were unlikely to be effective: those making each of the four separate counts knew the number expected to be on the bus (either from the driver or the Emergency Control Room) and, inevitably, the correct number would often have been confirmed without a new count being made. Those counting should do so without knowing details of the earlier counts.

2.19 The procedure for counting visitors out was fatally flawed: there was a gap of 53 minutes between the departure of the first and last vehicle and by the time the final vehicle was being loaded and counted, the first vehicle was clear of the prison. Even had the final count revealed one more adult visitor leaving than had arrived, Averill would have already escaped. Moreover, the practice of allowing prisoners to stay behind to clear up after the visitors had left was misguided. Prisoners had argued that it was inhumane for their children to see

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them being loaded on vans and ferried off to their cells. This reveals the threat posed by the conditioning of staff. Prisoners should be safely located and accounted for before visitors are allowed to leave. This procedure was adopted for the remainder of the parties.

2.20 There were other weaknesses: with the exception of the Emergency Control Room log we noted the lack of an official, permanent record of visitor numbers; drivers kept their numbers on scraps of paper and no records of counts were kept at the various gates. More fundamentally, there were too many counts. Fewer, properly managed counts would be considerably more reliable and would focus accountability.

Movement of Prisoners from the Gymnasium to H Block 8

2.21 It was suggested to us that 52 prisoners left H Block 8 for the party and not 51, as recorded. Prisoners might well have contrived to smuggle an extra man out so that the numbers would appear to balance on their return, thereby disguising and delaying detection of the escape. Given the difficulties of counting and identifying prisoners, we believe this to be entirely plausible. But it is equally plausible that the number of prisoners leaving for the party was counted correctly and a mistake was made on their return. Indeed, staff interviewed described even greater confusion as prisoners returned to the H Block. When the third vehicle arrived outside the block it waited to let the second empty vehicle out and prisoners got out and walked through the gate on either side of the empty van. The gate officer explained, 'I was not physically able to get a count. With hindsight they were trying to create as much havoc as possible.'

Arrangements for later parties

2.22 Security procedures were improved following the escape. Prisoners were returned to the H Blocks and counted in before visitors were allowed to leave. This arrangement must be rigorously maintained for future parties. A further measure introduced after the escape, and designed to ensure the identification of visitors, was to take Polaroid photographs of family groups in the visitors' marquee. In theory, families could be identified as they left the party. In practice, however, we observed staff fumbling with numerous photographs as visitors pressed forward in large numbers. This procedure should be abandoned. Alternative visitor identification systems are discussed in Chapter 5.

2.23 We have considered the circumstances of the escape and are satisfied that no particular blame should be attached to any individual involved in the supervision of prisoners on that day. Nor are we in any way critical of the principle of the family parties. But there was a general sloppiness in

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procedures which Liam Averill was able to exploit. We believe that the laxity in procedures may, in part, have resulted from a perception amongst staff that there was a tacit agreement with all the factions in the jail that the privilege of the parties would not be abused. A parallel was drawn with Christmas parole from which, once again this year, all prisoners returned. But we are satisfied that this perception was not valid.

2.24 On the day of the escape, prisoner movement on H8 was heavier and more confused than usual and staff were not confident of their ability to count and identify prisoners accurately. Following the escape, the Governor has ordered that no more than six prisoners at any one time should enter the circle area. This order is being maintained but for the time being is restricted to the PIRA H Blocks. We recommend that this practice should continue to be enforced rigorously and extended to all H Blocks.

2.25 On the day of the escape, two vehicles were stationed in the forecourt waiting to transport prisoners to the party. We would recommend that only one vehicle be allowed in the forecourt at any one time in order to ensure a more controlled movement of prisoners and in manageable numbers.

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Chapter Two - Summary of Recommendations

2(a) Since the escape, a programme of block searching has been implemented. Thorough searches should be undertaken on a regular basis, probably monthly (paragraph 2.3).

2(b) Officers counting visitors should carry out the task without fore knowledge of previous counts (paragraph 2.18).

2(c) Prisoners should be safely located on their H Block and accounted for before visitors are allowed to leave the prison (paragraph 2.19).

2(d) Greater reliability and accountability should be achieved by implementing fewer, but properly managed, counts of visitors arriving at, and leaving, parties (paragraph 2.20).

2(e) Attempts to identify party visitors by means of Polaroid photographs should be abandoned (paragraph 2.22).

2(f) The practice of allowing no more than six prisoners in the circle at any one time should continue and be extended to all H Blocks (paragraph 2.24).

2(g) Only one vehicle should be allowed in the block forecourt at any one time in order to ensure a more manageable movement of prisoners (paragraph 2.25).

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Chapter Three

Circumstances surrounding the shooting

3.1 The shooting of Billy Wright, the leader of the Loyalist Volunteer Force, on 27 December 1997, has had far-reaching repercussions in the wider community. It has also raised serious questions about security in the Maze, in particular about the possession of firearms by prisoners, and about the safety of staff and inmates.

3.2 We are conscious that the incident is the subject of an ongoing police investigation and it would be inappropriate for us to comment in detail on the precise circumstances or persons involved. We have therefore confined our inquiry to the background to the shooting and the general issues it raises, particularly the scope for illicit items to be smuggled into the prison (see Chapter 6).

The Incident

3.3 At 09.59 on Saturday 27 December the Emergency Control Room received information from H Block 6 of a shooting incident in the block forecourt. The duty governor was informed and immediately took charge of the Command Post. Another governor grade was despatched to the scene of the incident. By 10.07 the governor in the Command Post had established that Mr Wright had been shot.

3.4 In the minutes that followed it emerged that the victim, having been called to attend a visit, had boarded a transit van on the H Block forecourt along with another LVF prisoner and an escorting officer. As the van was waiting to enter the vehicle lock to leave the forecourt, prisoners jumped down from the roof of A wing (which houses INLA prisoners). One of them opened the side sliding door of the van and discharged a firearm several times hitting Mr Wright in the chest. By 10.07, the prisoners had returned to their wing over the roof.

3.5 Contingency plans, designed to deal with serious incidents such as this, were immediately put into operation. The Immediate Response Force (IRF), a team specially trained and equipped to respond to incidents, arrived on the scene first, followed closely by a governor grade. The H Block was sealed and an ambulance called. Mr Wright was pronounced dead at 10.53.

3.6 Meanwhile, the INLA prisoners on A and B wings asked for the Roman Catholic Chaplain. One of the alleged perpetrators informed a governor grade that an INLA operation had been carried out, that the incident was now over,

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and that staff were not under threat. Two firearms and a pair of bolt cutters were handed over and three prisoners emerged voluntarily from the wing and were removed from the block. By 14.55, all INLA prisoners had been searched and transferred to H Block 3. It has been impossible to establish how the firearms used in the shooting of Billy Wright entered the prison. Chapter 6 of this report, however, explores procedures which may prevent firearms entering the prison in the future.

The Transfer of LVF Prisoners to the Maze

3.7 The shooting has prompted wide media and political interest. One of the most controversial issues, which received considerable publicity, was that relating to the transfer of LVF prisoners to the Maze and their location on the same H Block as INLA prisoners.

3.8 By April 1997 the LVF, led by Billy Wright, had acquired de-facto recognition as a Loyalist paramilitary organisation. Mr Wright at this time was located in the segregation unit at Maghaberry prison on Rule 32, a rule which authorises the segregation of a prisoner from the mainstream prison population for his own protection. Aware of the potential support within the Loyalist prisoner population for the LVF, the authorities considered the possible consequences of keeping Mr Wright at Maghaberry. Mr Wright and his associates were lobbying for segregation (something which would be alien to the regime at Maghaberry) and there was concern that either the LVF would force the issue through a campaign of violence or that Mr Wright might martyr himself by going on hunger strike timed to conclude at the time of Drumcree. Those we have spoken to outside the prison who knew Mr Wright have testified to the real possibility of his starving himself to death. The alternative to keeping LVF prisoners at Maghaberry was to locate them in the Maze but this was fraught with difficulties. They would not be welcome either to Republican groups or to the Loyalist factions at the Maze. A new visits area would have to be provided (with attendant staffing requirements) to ensure the safe segregation of Mr Wright and his supporters from all other factions, both Republican and Loyalist.

3.9 Problems were compounded, due to a rolling programme of refurbishment which limited the options for the location of LVF prisoners. One block, from which the PIRA tunnel was dug the previous month was closed and undergoing major refurbishment. There was no usable empty block and no faction willing to surrender territory to the LVF, all the factions being antagonistic towards them. It was decided to put the LVF in the same block as those from the INLA. Initially, four LVF prisoners, including Billy Wright, were transferred to the Maze in April 1997 and located in H Block 6. INLA prisoners occupied wings on the opposite side of the H Block. This was not the first time that prisoners from opposing factions had shared blocks. The first fully

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segregated PIRA block was not created until 1991 and the first totally Loyalist block not until 1993.

3.10 Initially both factions coexisted in the block without difficulty but by July prisoners from both INLA and LVF were complaining about being in the same block. Staff also expressed their concerns. A particular incident highlighted those underlying tensions: we were told that on one occasion two vans, one holding a single INLA prisoner and the other four LVF prisoners, arrived outside the block simultaneously and all prisoners disembarked. The LVF prisoners abused the INLA prisoner but returned to their wings. Later that day the INLA Officer Commanding lodged a complaint with the Principal Officer for failing to ensure the safety of an INLA prisoner. At the same time, it is alleged he claimed that had the ratio of INLA prisoners to LVF prisoners been reversed, they would have responded violently.

3.11 From the time of their arrival, LVF prisoners pressed for improved facilities claiming these were inadequate when compared to those available to other factions. They were particularly dissatisfied with their visiting facilities. This culminated in a disturbance by LVF prisoners on 13 August 1997 when their accommodation suffered extensive damage. LVF prisoners had to be temporarily relocated in H2 until H6 had been refurbished. Their return prompted fresh and vigorous protests from INLA prisoners who had been evacuated from H6 during the LVF disturbance. Antagonism between the groups increased.

3.12 We are in no doubt that the Governor was aware of the potential for violence between the INLA and LVF factions located on opposite sides of the same H Block, neither of whom observed a cease-fire. Although the consequences were deeply regrettable, we believe the decision to co-locate the two factions was not an unreasonable one for the Governor to make. The decision was taken only after the most serious consideration of its implications. It is important to stress that prisoners were in the same block but were on completely discrete wings, separated by six steel gates. Some of the media coverage has suggested, unhelpfully, that LVF and INLA prisoners were in frequent and close contact. This is untrue.

3.13 The Governor and his staff attempted to ensure that procedures were in place to prevent prisoners from opposing factions ever coming into contact with one another. In addition, following the return of the LVF to H Block 6, we understand the Governor spoke with leaders of both factions on a number of occasions and consequently believed that neither would launch a first strike against the other.

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Security of roof areas

3.14 Staff and the Prison Officers' Association (POA) had voiced their concerns to prison management in the months prior to the shooting about the ease of access to H Block roofs. In particular they told managers that they had observed certain INLA prisoners behaving suspiciously on the exercise yard as if discussing the security fencing, watchtower and roof areas.

3.15 The H Block roofs are flat and low, separated from the exercise areas by a weldmesh fence. But the roof areas are easily accessible once the weldmesh fence is breached. The INLA prisoners were able to climb onto the roof through a cut out section of fence just outside the A wing turnstile leading to the INLA exercise area. It is likely that the fence was cut prior to the morning of the shooting and the cut section held in place by shoelaces. Some commentators, notably the LVF and DUP, have suggested that this hole should have been spotted from the exercise yard watchtower and that the failure to do so has led to suspicions within the Unionist community of collusion in Mr Wright's death. In fact, because of the angle of the fence, the hole is not visible from the tower. Similarly, it is out of the range of the CCTV cameras which cover the exercise area.

3.16 We have been unable to establish when the fence was cut. Given the infrequency of checks, it is not impossible that the fence was cut some days previously. We recommend that the Governor review procedures for security checks of all fences to ensure that a breach of this kind cannot go undetected in the future. Staff access to the exercise area need not be through the wing. There is therefore no excuse for the areas not to be checked regularly. We also recommend a comprehensive review of the vulnerability of roofs to prisoner access. At the very least, fencing barriers should be reinforced in order to delay prisoner access to roof areas, allowing reasonable time for an alarm to be raised, both in the interests of maintaining security and personal safety.

Prior knowledge of the victim's movements

3.17 We are in no doubt that the shooting was carefully planned. It was well known that Mr Wright received regular visits, and it was possible for prisoners in the INLA wing to observe the circle area through the grilles so that a signal could be given as soon as Mr Wright entered it. We have seen a document listing the names of H Block 6 prisoners to be visited on Saturday 27 December. Mr Wright's name appears along with other LVF and INLA prisoners. It is probable that this list was, inadvertently, given to both INLA and LVF prisoners. This should not have happened but we do not think this was key to the subsequent killing. In reality, INLA prisoners did not need the list to

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be able to mount an attack. When an escort arrives to take a prisoner to visits, staff shout for the prisoners to come forward, such a shout being readily audible on the opposite wings. At that point an INLA prisoner hearing the call could have signalled the gunmen. INLA prisoners who had a view of the forecourt from their cells would then have been able to give a second signal, that Mr Wright had left the block and was boarding the prison van. Since our best estimate is that it would take little more than 30 seconds for the INLA prisoners to climb and cross the roof, there was ample time to mount the operation. We recommend that the practice of shouting prisoners for visits on mixed wings should cease.

The staffing of the watchtower

3.18 One of the more controversial issues surrounding the events of 27 December was the decision to stand down the watchtower officer overlooking the INLA exercise yard at 09.15 in order to help make good a shortfall of eight staff in visits. Concern over this was voiced by many of those who made representations to us. We understand that there was an agreement between the Governor and the POA that officers occupying towers overlooking the H Blocks could be removed at times of staff shortages with the exception of towers overlooking H Block 6 because it was the only block which accommodated two opposing factions. At 09.15, the officer in H6 A and B tower which overlooks the INLA yard apparently received an instruction to make his way to visits. The officer, unhappy with the order, contacted his POA representative who confronted the duty governor. The duty governor insists he instructed that watchtowers overlooking all the H Blocks should be stood down with the exception of the H6 tower overlooking the INLA yard, but that this order had somehow been misinterpreted with the result that the H6 A and B tower was stood down. The duty governor ordered that the officer return to the tower and while he was doing so, Mr Wright was shot. As the officer entered the tower, he saw prisoners returning across the H Block roof to their exercise yard. The failure to have the post manned at a crucial time has damaged public confidence in the Prison Service, fuelling allegations of conspiracy. There is no evidence to support those allegations. But the confusion over the manning of the tower is, to say the least, regrettable. It is important that the Governor clarifies with middle managers and the POA the list of tasks which may be dropped on a weekend to cover staff shortfalls in visits.

3.19 In our view, whether or not the tower was manned, Mr Wright would still have been shot. Even if the tower officer had raised the alarm immediately, only one member of staff could have gained access to the forecourt, and had he intervened to protect Mr Wright, it is likely that he too would have been shot. Moreover the fact that the alleged perpetrators made no attempt to disguise themselves indicates that potential detection or identification was of little concern to them.

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3.20 Indeed, if proper CCTV coverage of the exercise yards (with adequate monitoring arrangements) were introduced we consider that the manning of all the watchtowers might be dispensed with. As things are the watchtowers provide a very expensive way of monitoring the yards. Incidents would be managed at lesser expense and with greater effectiveness if yards were comprehensively covered by CCTV and monitored from the control room.

3.21 The POA feel strongly about the fact that, as they see it, the warnings about the danger to Billy Wright were ignored. But it must be recognised that in a Prison like the Maze the Governor is inundated with warnings, rumour and anecdote. He cannot react to all of them because to do so would prevent the running of the prison: prisoners would never be able to leave their wings. And the observation that Mr Wright was in danger was already appreciated by him. The Governor recognised the danger and attempted to manage the risk but in the event the attempt failed.

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Chapter Three - Summary of Recommendations

3(a) The Governor should review procedures for regular security checks of all H Block fences to ensure that a breach of the kind made by INLA prisoners cannot go undetected in future (paragraph 3.16).

3(b) A review of the physical security of H Blocks should be undertaken with particular reference to roof areas and with a view to deterring or delaying access, allowing more time for staff to respond to incidents, both in the interests of maintaining security and personal safety (paragraph 3.16).

3(c) The practice of shouting prisoners to visits on mixed wings should cease (paragraph 3.17).

3(d) It is important that the Governor clarifies with middle managers and the POA the list of tasks which may be dropped on a weekend to cover staff shortfalls in visits (paragraph 3.18).

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Chapter Four

Procedures used to control the movement of and accounting for prisoners moving outside accommodation blocks within the prison

4.1 Prisoners at the Maze spend the majority of their time on the H Blocks. Not only are the blocks where the prisoners live, they are also the primary base for their education, recreation and health care. Movement from the blocks is limited and is:

- to attend the gymnasium/sportsfield;
- to receive treatment in the prison hospital;
- to attend visits (and, twice yearly, children's parties);
- to visit other blocks;
- to attend the chapel; or
- to attend the arts centre

4.2 Although movement outside the H Blocks is limited, the escape of the PIRA prisoner on 10 December 1997 has demonstrated the importance of the procedures used to control and account for such movement and has highlighted wider deficiencies.

Procedures for controlling and accounting for movement

4.3 Before any movement takes place from an H Block a list of the prisoners to be moved is given to the block control room (the room which operates electronic locks in the H Block, monitors cameras, issues keys and holds prisoners' T-cards). Such lists will often be collated by the prisoners themselves or may come from another department such as visits. The officer in the block control room uses the list to draw the T-cards of the prisoners attending the activity to allow them to be positively identified on leaving the block.

4.4 These cards, together with the list of prisoners, are then passed to the officer detailed to escort the prisoners. Staff working within the grilles which control movement from the wings onto the circle call the prisoners and, using the cards and the list, positively identify them and count them off the wing, recording this on a board and in a journal.

4.5 The cards are then passed back to the escorting officer who leads the prisoners across the circle, through the gate and onto the outside forecourt. This movement is controlled by the hall officer. This officer counts the prisoners

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through the gate and informs the block control room of the number of prisoners leaving the block. The officer controlling the vehicle lock at the entrance to the compound counts the prisoners again before, finally, the escorting officer counts the prisoners onto the transport waiting outside the gates. At each stage the numbers leaving the block are recorded and are notified to the Locations Office (the central office collating all prisoner movement).

4.6 The escorting officer sits in the body of the vehicle with the prisoners, having passed the list and the security cards to the driver.

4.7 The prisoners should then be re-counted as they pass through each gate on the way to their destination (but see paragraph 4.19 below), and the numbers passed to the Locations Office on each occasion.

4.8 When the prisoners arrive at their destination the escorting officer hands the T-cards to the receiving officer who counts the prisoners. He should also positively identify them using the T-cards which he retains (for identification on departure).

4.9 The procedure operates in reverse when prisoners are returned to the block.

Operation of procedures for controlling and accounting for movement

4.10 There are a number of difficulties in operating these procedures effectively: some inherent in the procedures, some caused by an erosion of the procedures over time, and others caused by prisoner disruption. These difficulties need to be tackled to make the movement of prisoners outside accommodation blocks safer and more secure.

Initial phase of movement: within the H Block

4.11 Prisoners often collate lists for activities themselves, before passing the list to a member of staff. This is entirely reasonable. However, we have been told that when movement to group activities such as football is announced, prisoners who are not on the list ask to go either in place of another prisoner or as an addition. Staff have said that they feel unable to prevent these prisoners attending the activity, both because they feel they have no mandate to do so and because they do not feel sufficiently confident to stop a prisoner when surrounded by others.

4.12 Such alterations to the list would be easy to manage if they occurred infrequently and in isolation: the list could be amended and the additional T-cards obtained from the block control room. But we have been told that whilst

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the grille officers are trying to deal with the alterations, prisoners will often seek to distract them, pressing into the grille lock en masse, making identification, counting and accurate alterations virtually impossible (as probably happened on 10 December, the day the PIRA prisoner escaped). It is clear that often, by the time the prisoners move onto the circle, at only the first stage of the full movement process, staff are already unsure about the number and identity of prisoners leaving the block.

4.13 We understand that since the escape prisoners on H Blocks housing PIRA prisoners are now allowed into the circle in groups no larger than six. This gives the officers at each stage of the movement the opportunity to identify the prisoners positively, count them, and record their movement. We recommend that this system be extended to all H Blocks (see recommendation 2(f)).

4.14 The Inquiry team has concerns, however, about the mechanism currently applied on PIRA blocks if more than six prisoners enter the grille to try and access the circle. In this case the Emergency Control Room overrides the electronic locks in the grille thereby freezing all movement. Many staff have voiced their concerns that this leaves the grille officer in an extremely vulnerable position, being trapped with a number of prisoners who are likely to be antagonistic at this delay to their movement. We recommend that consideration be given to removing the grille officer from this position and to operating the grille gates electronically.

4.15 This initial phase of movement could further be improved by the regular update of the photographs displayed on the T-cards. Some of the photographs we saw had been taken over four years ago. We recommend that photographs are updated at least annually and on any significant change in appearance.

Second phase of movement: from the block to the vehicle

4.16 We have been told that prisoners frequently rush past staff attempting to count them from the circle into the forecourt and again through the vehicle lock to the waiting vehicle. If however movement off the wings is controlled by reducing access to the circle such rushing will be minimised. To ensure this happens we recommend that the block control room takes responsibility for coordinating the flow of prisoners from the blocks to activities.

4.17 With the exception of H Block 6, when it housed both the LVF and INLA, vehicles arriving at blocks to collect prisoners for activities wait outside the vehicle locks at the entrance to H Block compounds (although we understand that officially vehicles are supposed to collect prisoners on the forecourt within the compound). Prisoners therefore walk through the vehicle lock out of the secure area to get onto the vehicle. This means that prisoners are free in the grounds surrounding the H Blocks and have an opportunity to mount an escape

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attempt, or attack an officer or prisoner from another faction. Given the prisoners' apparent ability to distract and intimidate staff it might be possible for a prisoner to do this undetected. We recommend that vehicles collecting prisoners should, on every occasion, enter the forecourt of the block to allow prisoners to embark and disembark.

4.18 Vehicles used to transport prisoners around the Maze are not locked. Once on the vehicle prisoners therefore have a second opportunity to get into the grounds. To protect prisoners and staff and to ensure that movement is managed securely we recommend that consideration be given to improving the security of these vehicles. This should include the fitting of locks and strengthened glass. This would allow the escorting officer to sit in the front of the van with the driver.

Third phase of movement: en route to destination

4.19 As vehicles transporting prisoners pass through any gate en route to their destination, the numbers in the vehicle are rechecked and passed by radio to the Locations Office. The practice for these rechecks has been that the driver tells the gate officer how many prisoners he has on board, and the gate officer then checks to see that these numbers are correct. Following the escape of the PIRA prisoner on 10 December 1997 managers instructed drivers not to report their numbers to the gate officers, but that gate officers should count afresh, with a view to achieving an independent assessment of the roll. Our observation has shown that this is being applied only sporadically and we recommend that this procedure be enforced (see recommendation 2(b)).

4.20 The identity checks of prisoners entering an activity area, as instructed under Governor's Orders, will become unnecessary if prisoners are successfully identified before leaving the H Blocks. We therefore recommend that this instruction (which is in any case ignored) be rescinded. It is important that prisoners are positively identified out of the activity area, however, and we recommend that this extant instruction is implemented.

Searching of prisoners moving from H Blocks

4.21 An extant Governor's Order states that all prisoners should be given a rub-down search by the hall officer on leaving an H Block and that prisoners should be searched into and out of activity areas such as the gymnasium and arts centre.

4.22 With the exception of PIRA Officer Commanders on inter-H Block visits, however, prisoners leaving H Blocks for activities are not routinely searched.

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This gives prisoners the opportunity to move illicit items around the prison and between blocks without detection.

4.23 We consider that it is impractical for hall officers to rub down prisoners leaving the H Blocks: the area within which they work is restricted, they work alone, without direct support from other staff, and they already have a role in counting prisoners.

4.24 We understand that PIRA Officer Commanders are currently searched in a central search area by the Immediate Response Force (IRF) but that use of this facility would be impractical for the movement of larger numbers.

4.25 The alternative would be to search prisoners in the circle as they leave the wings: there is more room in this area to carry out an effective search, and plenty of staff are available to carry out and supervise it. The circle area is also a more controlled environment, where managers are readily available in the event of a problem arising. We therefore recommend that prisoners leaving and returning to the wings be rub down searched in this area and that hand-held metal detectors be used.

4.26 Given the implementation of a procedure for searching prisoners leaving H Blocks, a search when entering activity areas would seem to be superfluous. We recommend however that the Governor's Order instructing that prisoners should be searched on leaving an activity area should be implemented.

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Chapter Four - Summary of recommendations

- 4(a) Consideration should be given to removing the grille officer from his current position and to operating the grille gates electronically (paragraph 4.14).
- 4(b) Photographs of prisoners attached to their T-cards should be updated annually and on any significant change of appearance (paragraph 4.15).
- 4(c) The Block Control Officer should co-ordinate the flow of prisoners off the H Block in any mass movement (paragraph 4.16).
- 4(d) Vehicles collecting and returning prisoners to and from activities should drive into the block forecourt, allowing the prisoners to embark and disembark on the forecourt (paragraph 4.17).
- 4(e) Vehicles transporting prisoners around the Maze should be secured (paragraph 4.18).
- 4(f) The policy of positive identification of prisoners into activity areas should be rescinded. The policy of positive identification of prisoners leaving activity areas should be reinforced (paragraph 4.20).
- 4(g) Consideration should be given to searching prisoners on the circle before they leave H Blocks to go to activities (paragraph 4.25).
- 4(h) Given the implementation of 4(g) the search of prisoners into an activity area should cease (paragraph 4.26).
- 4(i) The Governor's order instructing that prisoners should be searched on leaving an activity area should be implemented (paragraph 4.26).

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Chapter Five

Procedures for the control of visitors to the prison

5.1 One of the Northern Ireland Prison Service's key objectives is:

to enable all prisoners to retain links with their families and to assist sentenced prisoners in their preparation for release into the community.

One of the ways in which the Prison Service meets this objective is by facilitating visits for prisoners and their families and friends in its prisons.

Development of policy on visits

5.2 Prior to 1989 prison staff managed all aspects of the visits procedure: they processed prisoners' applications for visits, completed visiting permits, booked visits and ensured that prisoners did not exceed their entitlement of one half-hour visit a week without the prior authority of a governor. Visitors at that time were required to show identification on arrival at prisons and visits were closely supervised.

5.3 In September 1989, however, the Prison Service introduced a change to visiting procedures, when they introduced a policy known as "Interface". This gave prisoners personal responsibility for much of the administration associated with visits. The aims of Interface were to provide better facilities for people visiting prisons and to streamline procedures for the processing of visits, thereby improving the public image of the Prison Service.

5.4 These aims were to be achieved by:

- permitting visits to extend beyond half an hour where possible;
- ending the requirement for visitors to provide proof of identity (visitors having expressed concern about their being identified and, if information was leaked, being exposed to danger);
- allowing prisoners to process the issue of permits themselves;
- providing better facilities for visitors and play areas for children.

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5.5 No change was made at this stage to the entitlement of one visit per week. In practice, however, with prisoners processing visits permits, it was difficult to police this entitlement which came, de facto, to an end.

Development in the operation of visits at the Maze prison

5.6 Visits at the Maze were originally run from three rooms, each of which would hold prisoners and visitors from across the paramilitary spectrum.

5.7 In parallel with the gradual segregation of the H Blocks, however, separate visits rooms had to be identified for each faction following disturbances in the shared facilities and the refusal of prisoners to leave their table if a prisoner from an opposing faction was waiting to use it. Despite this segregation of visiting rooms, waiting and reception areas for visitors are shared and prisoners go to visits by the same tunnel and share toilet facilities within the complex.

5.8 In April 1997 LVF prisoners were allocated to the Maze for the first time. Their visits initially took place in a UVF overspill room but, following threats from that group, LVF visits were moved to the hospital. LVF prisoners confirmed to us that they knew that visiting facilities would be inadequate initially. But they became frustrated when facilities were not improved, culminating in a disturbance in August 1997, following which a separate, dedicated room was provided.

5.9 In addition to domestic visiting rooms there are also rooms for legal visits (which are designed to allow visits to take place in sight, but not in hearing, of prison staff) which may be used, on application to a governor, for private domestic visits.

Supervision of visits

5.10 Prior to the introduction of Interface, staff apparently supervised visits closely, one officer being responsible for the supervision of two visits. This was later seen as repressive and instead officers were detailed to patrol the visits rooms.

5.11 With the segregation of the visiting rooms these patrols became more difficult to mount as the prisoners, now closely supported by others from their faction, apparently sought to threaten and intimidate officers. Patrolling staff initially withdrew to the end of each room and subsequently to the "pods", observation cubicles at the end of each room, which offer partial oversight of the rooms. These pods, and the occasional passage through the rooms by members of staff, now constitute the only supervision of the visiting rooms.

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5.12 Although the instruction to patrol in these rooms is still extant we believe that it is no longer realistic given the level of intimidation of staff who attempt to comply with it. Governors are aware of this and accept that patrolling does not take place. Any attempts to reinstate regular patrols would, we believe, provoke a serious and costly reaction inside and, possibly, outside the prison.

5.13 Given this inability to patrol the visits rooms we considered recommending the installation of CCTV. But this would be very difficult in the low ceilinged rooms and the cameras would, undoubtedly, be damaged. But we do recommend, not least for staff safety, the installation of CCTV in the common areas in the visits complex, and particularly the prisoners' "tunnel" by which both Loyalist and Republican prisoners enter visits. Consideration should also be given to providing separate toilet facilities for prisoners in the visits complex to minimise the opportunity for prisoners from opposing factions to meet.

Control of visits

5.14 Prison officers have ceased to patrol the visits area regularly. At the same time, and due in large part to intimidation from prisoners, they have retreated from other aspects of visits management. This is particularly evident at the times when visits officially end (at 12.15 and 16.15). Although prisoners and their visitors are given notice that visits are about to end and are then asked to leave the visits room, prisoners only do so on the word of their visits Commanding Officer. Delay in giving this permission has meant that visits often run well into staff breaks and past the end of their shifts. Prisoners told us that they delay leaving visits to match delays which they believe staff have caused to the start of their visits. The Board of Visitors expressed some sympathy with this view although staff dispute there is any unnecessary delay. Whatever the case, if prisoners are to be expected to finish visits promptly, every possible effort must be made to allow them to start on time.

5.15 Staff attendance systems do not produce enough officers adequately to staff the visiting area on the occasions when prisoners delay the end of visits. Sometimes staff have worked through their breaks, or delayed going home. This is to be commended. Recently, however, staff have left the visits area at their scheduled time leaving prisoners and their visitors largely unsupervised. This cannot be allowed to continue. There needs to be an immediate overhaul of visiting arrangements which needs to include:

- a review of procedures and of the use of staff and vehicles to allow visits to start on time and, in response, the obtaining of an agreement with prisoners to finish visits promptly;

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- a rigorous examination of the purpose and role of prison officers in the visits area;
- a proper assessment of the number of officers necessary to manage the visits area: it is clear that, at the moment, some of those on duty have no proper role and need not be there; and
- consideration of the opening of visits on Sunday to spread the very heavy burden of visits each Saturday.

Searching of visitors

5.16 Given the difficulties in supervising visits it is unlikely that staff are in a position to detect anything being smuggled. This makes the effective searching of visitors entering the complex, and the searching of prisoners after visits, extremely important.

5.17 Visitors are searched on entering the Visitors' Reception building outside the prison wall. They are asked to hand over any property (which is sealed in front of them for collection at the end of the visit), are asked to empty their pockets and are given a rub down search, followed by a search using a hand-held metal detector. Visitors who refuse to comply with this procedure are refused entry to the prison. We believe these procedures are carried out thoroughly, effectively and sensitively.

5.18 The search procedures are published and displayed for the benefit of visitors and staff alike. This is to be commended. We were also encouraged to see that the Northern Ireland Prison Service College has produced guidance notes for staff and has carried out training in the searching of visitors. As in other areas of the prison, however, Governor's Orders relating to searching visitors are out of date and should be reviewed.

5.19 The apparent effectiveness of these procedures is demonstrated by the fact that, in December 1997, a total of 47 visitors were refused admittance to the prison following searches.

- 15 for attempting to smuggle alcohol;
- 1 for attempting to smuggle a Social Security form (the RUC were informed and the visitor arrested);
- 6 for being suspected of smuggling (i.e. searchers not satisfied about items apparently concealed on a visitor); and
- 25 for refusing to comply with the searching procedure.

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5.20 We feel that the effectiveness of the searching procedure could and should be further improved by improving deficiencies in the layout of the building and the facilities available to searching staff. These include:

- improving search cubicles (which have to hold two searchers, an adult visitor and up to three children at any one time) which are very small, inhibiting an effective search and increasing the possibility of items being passed between visitors;
- the use of metal detector portals which have been purchased and need urgently to be installed;
- arrangements for staff to escort prohibited visitors out of the centre other than through the main waiting area; and
- an improved response time from the RUC (currently about 15 minutes) perhaps by permanently basing RUC officers at the Maze during visiting hours.

Searching of items allowed to be taken into visits

5.21 Visitors may request that certain items (such as photograph albums, letters and documents) be taken into visits for the prisoners to see. Before this is allowed the item is searched and x-rayed and transported in and out of the prison by a member of staff, only being handed to visitors when they are located in the visiting room. We felt this to be a sound procedure.

Searching of prisoners before and after visits

5.22 If prisoners are searched before leaving their wings (as we recommend at paragraph 4.25) they need not be searched on arrival in visits as should currently happen.

5.23 But searching on leaving visits is important and needs to be done thoroughly. As prisoners leave visits they are given a rub-down search. Only one in five prisoners are subjected to a search with the aid of a hand-held metal detector. Prisoners are given a full (strip) search only on specific intelligence; something which, according to a senior governor at the Maze, "never happens".

5.24 We had serious reservations about the effectiveness of prisoner searching:

- rub-down searches are cursory and almost certainly ineffective. They should be carried out properly and on all prisoners leaving the visits complex;

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- the use of hand-held metal detectors is rendered ineffective by the prisoners' practice of wearing metal (necklaces, belt buckles etc). All prisoners should be searched with a detector and they should be required to remove jewellery and other metal items before the search;
- because full searches are virtually unheard of, any prisoner wishing to smuggle anything of significance can conceal it around his genital area where it is unlikely to be discovered. We do not consider that full searches of prisoners need to take place routinely. But where there is specific intelligence to indicate a prisoner may be secreting an illicit item a full search should be carried out. This is difficult and prisoners and staff will, understandably, find it unpleasant. But such searches can be carried out sensitively and with dignity. Our assessment, which follows constructive discussions with prisoners, is that, unwelcome as it may be, they accept the need for effective searching particularly if their relative freedom and privacy within the wings and during visits is to be maintained.

5.25 A possible explanation for the refusal of prisoners to leave the visiting room on time at either 12.15 or 16.15 (see paragraph 5.14 above) is that the prison's Immediate Response Force (IRF), a group specifically trained in searching, is detailed to search prisoners leaving visits. As with other staff deployed to visits, however, IRF staff are scheduled to go for their breaks at 12.50 and 16.50. This is plainly silly. Prisoners leaving after this time are either not searched at all or are searched by staff who are not trained to the same level as IRF. Staff feel that prisoners have identified this anomaly and are exploiting it to their own advantage (although prisoners deny this). We therefore recommend that any review of visits staffing takes the requirement for specialist searchers into account.

Searching of items to be handed out via visits

5.26 Prisoners may apply to hand items out to their visitors through visits. Vans should collect such items from each H Block in the morning, to be transported to the Visitors' Reception building for search, x-ray and collection by the visitors.

5.27 Prisoners try and circumvent this system and often put pressure on H Block staff to allow them to carry the items to the visits rooms themselves so that they can hand them to their visitors personally. The Principal Officers in charge of visits are aware of this and actively support staff in removing from prisoners any items arriving at visits in this way. We felt that it was important that this be maintained and written into a Governor's Order.

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Identification of visitors and prisoners

5.28 In any prison, the visits area is one which is vulnerable to escape attempts. This is particularly so at the Maze where supervision and control are relatively relaxed.

5.29 Staff who manage the visits process at the Maze are alive to this possibility and have developed a system whereby visitors leaving the visits are checked twice against the photograph of the prisoner they have visited. This system is not fool-proof, however, because:

- photographs are often out of date;
- photographs will not always allow staff to distinguish conclusively between family members;
- staff are pressurised when attempting to carry out these checks;
- it would be possible for a prisoner to substitute himself for another prisoner's visitor to evade this system (the movement of prisoners between rooms significantly increases the possibility of this).

Visitor identification system

5.30 A safer system for identifying visitors leaving the prison needs to be introduced. A much improved method would be a biometric form of identification. Such a system relies on checking a visitor in and out of the prison using a hand or fingerprint. Although biometric systems in England and Wales use the hand or fingerprint to identify the visitor by name, we do not think this is appropriate in Northern Ireland and recommend the installation of a system which simply checks that every visitor leaving the prison has a print matching one given on entry to the prison that same day. This would help to prevent an escape through visits and would not endanger the security of visitors. Alternatively ultra violet hand stamps should be used.

5.31 Installation of such a system is particularly important given the danger of a prisoner escaping posing as a visitor. This likelihood is increased by significant prisoner movement within the visits complex (see 5.32 below), the operation of "double visits" (two prisoners being seen simultaneously by one set of visitors) and the wearing of baseball caps by prisoners and their visitors. Such difficulties would become less significant given the successful introduction of some form of visitor identification system.

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5.32 Prisoners are able to move within the visits complex, passing between the rooms which house their faction. This is not officially allowed but happens on a fairly regular basis. There are two entrances to each visits room: the pod entrance, where documentation relating to each visit is held, and the "back door" through which prisoners leave the room to use the toilets. These back doors are controlled by single officers who are not within direct sight or hearing of any other officer and who are therefore vulnerable to intimidation and threats if they do not agree to prisoners' requests to move between rooms.

5.33 If a proper system of biometric identification of visitors was introduced we see no reason why movement between rooms should be disallowed. Instructions for staff should therefore be altered to legitimise movement.

Staff safety within the visits complex

5.34 We have concerns about the personal safety of the back door officer. He or she should be provided with a personal alarm (the team understood that such alarms had been available but had fallen into disrepair), and consideration should be given to the caging in of the stairs where this officer is posted, and which prisoners routinely use to access toilet facilities and to move between rooms.

5.35 Staff who work in the Visitors' Reception building also expressed fears about their safety. We recommend:

- the installation of a means of communication between the Army watch-tower overlooking the Visitors' Reception car park and the Visitors' Reception building, to enable a co-ordinated response in the event of an incident;
- installation of bullet proof glass into the cashier's booth and the permit office in the Visitors' Reception complex.

Guidance to staff

5.36 The visits area is a sensitive and difficult area for staff. We were impressed by the staff who worked in the visits complex and felt they worked well under the visible leadership of the two Principal Officers. Nevertheless the team felt that there were some steps which could be taken further to support the staff and enable them to work more effectively:

- job descriptions should be brought up to date and kept under constant review so that staff know exactly what is expected of them;

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- senior managers, as recommended under "Interface", should visit the visits complex at least daily to offer visible support to staff;
- prisoners and visitors should be reminded of the rules surrounding the supervision of visits.

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Chapter Five - Summary of Recommendations

5(a) Consideration should be given to the installation of CCTV in the tunnel by which prisoners enter and leave the visits complex (paragraph 5.13).

5(b) Consideration should be given to the provision of separate toilet facilities for different factions within visits (paragraph 5.13).

5(c) An immediate review of arrangements for visits should be carried out to include (paragraph 5.15, & 5.25):

- a review of procedures and of the use of staff and vehicles to allow visits to start on time and, in response, the obtaining of an agreement with prisoners to finish visits promptly;
- a rigorous examination of the purpose and role of prison officers in the visits area;
- a proper assessment of the number of officers necessary to manage the visits area; and
- consideration of the opening of visits on Sunday to spread the very heavy burden of visits each Saturday.

5(d) Governor's Orders relating to the searching of visitors should be updated (paragraph 5.18).

5(e) Steps should be taken to improve the layout and security of the building in which searching of visitors takes place, and to provide searching staff with adequate equipment (paragraph 5.20).

5(f) Metal detectors should be used on all prisoners leaving visits (paragraph 5.24).

5(g) All prisoners should be given a thorough rub down search on leaving visits (paragraph 5.24).

5(h) Full searching of prisoners on the basis of intelligence should be reintroduced (paragraph 5.24).

5(i) The procedure for searching and despatching items to be handed out to visitors should be formalised by a Governor's Order and by a Notice to Prisoners (paragraph 5.27).

5(j) Consideration should be given to the installation of a biometric identification system or ultra violet hand stamping for visitors (paragraph 5.30).

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5(k) Assuming the introduction of a visitor identification system, movement of prisoners between visiting rooms should be allowed and instructions issued to this effect (paragraph 5.33).

5(l) Consideration should be given to the provision of effective personal alarms for staff working in visits, particularly those detailed to posts which are not in the sight or hearing of any other member of staff (paragraph 5.34).

5(m) Consideration should be given to caging the stairs in the visits complex to safeguard staff controlling access to the stairwell (paragraph 5.34).

5(n) Consideration should be given to improving the security of the Visitors' Reception area by:

- the installation of a means of communication between the Army watch-tower overlooking the Visitors' Reception carpark and the Visitors' Reception building, to enable a co-ordinated response in the event of an incident; and
- installation of bullet proof glass into the cashier's booth and the permit office in the Visitors' Reception complex (paragraph 5.35).

5(o) Job descriptions for staff working in visits should be brought up to date (paragraph 5.36).

5(p) Senior managers should visit the visits complex at least daily to provide visible support to staff (paragraph 5.36).

5(q) Prisoners and visitors should be reminded of the rules surrounding the supervision of visits (paragraph 5.36).

CONFIDENTIAL**Chapter Six****Procedures for preventing the introduction of illicit items, including firearms, into the prison**

6.1 Following the shooting of Mr Wright each H Block was, quite properly, thoroughly searched by prison staff with a view to removing illicit items. Amongst items found during these searches were various screwdrivers and stanley knives, a pair of pliers, paramilitary uniforms, mobile phones and pornographic videos: all unauthorised items.

6.2 In any prison there are a number of avenues through which prisoners may obtain such illicit items: from staff, contractors or visitors (dealt with separately in chapter 5), via the entry of goods into prison or through items being concealed during the construction or refurbishment of buildings.

6.3 It is impossible for us to identify how the guns in the shooting of Mr Wright were obtained but we have identified a number of inadequacies in procedures designed to prevent the introduction of illicit items.

Searching of staff

6.4 The main body of staff enter the prison via the "tally lodge" depositing their firearms, if they have any, in the armoury. The officers are logged into the prison using a swipe card system, and are issued with passes. From the tally lodge they proceed, via one-way turnstiles, to the staff search area.

6.5 All items carried by staff are x-rayed, with an additional manual search to identify any suspicious items. Staff are then subjected to a rub down search (until December 1996 a number had been subject on a random basis to a more thorough rub down search in a side room).

6.6 Staff are not searched on leaving the prison although it is policy that this should be carried out on a random basis.

6.7 We were particularly concerned about two elements of this procedure:

- staff load their own belongings onto the x-ray machine's conveyor belt. Items placed on the side edges of the belt are not picked up by the scope of the machine. The practice of allowing staff to load their own belongings onto the belt could enable them to place illicit items in such a way as to avoid detection. This practice should be stopped immediately and items loaded onto the machine by a member of the search team; and

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- staff who work outside the main prison are not searched. These include those who search parcels to be passed to prisoners (thereby giving them an opportunity to add illicit items to such a parcel) and those who drive visitors to the visits complex inside the main prison. These breaches should be addressed immediately.

6.8 We observed and experienced staff searching on a number of occasions and noted considerable variations in the quality of procedures. In particular rub down searches were rarely more than a pat down of pockets. On some occasions pagers attached to our belts were detected, at other times not. Some searchers would not allow hand-held computers with a modem facility into the prison, others ignored them. Staff working in the area frequently seemed distracted, chatting to their colleagues and those whom they were searching, and we often saw one member of staff carrying out two parts of the searching procedure leading, we felt, to a lack of focus on either. The whole staff search procedure did not seem to be treated with sufficient seriousness. On one occasion one of us saw two staff enter the search area together, search each other, and then proceed into the main prison unchallenged.

6.9 These observations raise concerns about the effectiveness of the staff search procedure: concern which is borne out by a recent exercise organised by the security department when a member of staff managed to get a firearm past the searchers.

6.10 We felt that the frequent failure to adhere to procedures, and the poor quality of searching, was due to a number of factors:

- provision of staff

We were told that there are frequently insufficient staff, particularly female staff. These shortages have led to one member of staff having to fulfil two roles in the procedure and, apparently, to female staff entering the prison unsearched. On the other hand, at slack times such as during the evening, there appeared to be a surplus of staff. The provision of staff to the staff search area should be reviewed as a matter of urgency;

- training of staff

Of the 47 staff who make up the group responsible for carrying out the staff search procedure we were told that only six have received training in the use of the x-ray machine. This course lasted 2-3 hours as compared to an equivalent course given to prison staff in England and Wales which lasts for five days. Unsurprisingly, even those trained lacked confidence in their ability to identify illicit items and we got the impression that the x-ray machine was used without any conviction that it would reveal anything. Training of staff in the operation of the x-ray machine must be made a top priority;

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- guidance for staff

The most recent Governor's order relating to staff searching was published in 1993. Staff working in the search area did not have up to date job descriptions. This has left them and those being searched feeling unclear about their role or the extent of their powers in preventing items entering the prison. Management support is rarely on hand and advice often has to be sought by telephone. Up to date guidance for staff on the search procedures should be issued urgently and published to all staff. Managers should be present in the search area, at least at peak times; and

- dynamics

Searching of staff is always a sensitive issue: searchers find it difficult to search their colleagues effectively and feel a conflict between their acquaintance and the security role they have to fulfil. This is particularly an issue in a prison like the Maze where the outside community from which most staff are drawn is a small and closed one. Consideration should be given to contracting out the staff search function.

6.11 We felt that the quality of searching could be further improved by the provision of walk-through metal detector portals and hand-held metal detectors which might alert staff to the presence of metal objects not identified during a rub down search. An additional x-ray machine might also be helpful in peak periods.

6.12 We also had concerns about the layout of the tally lodge and search area and the facilities provided within it and recommend that a review of the layout be carried out to address:

- a means of ensuring that staff do not take their firearms beyond the armoury (possibly by directing the flow of staff directly past it and by better use of signs);
- provision of private search rooms where a more thorough search can take place when the standard search is inconclusive; and
- a means of controlling the flow of staff into the search area to minimise the possibility of staff bypassing or compromising the procedure.

Searching of contractors

6.13 Contractors undergo the same personal search procedure as staff working at the prison. Their tools, if carried by hand, are put through the x-ray machine in the staff search area. Tools are also manually searched if the

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searchers have concerns about any item. This is a system which will be improved once staff are fully trained and competent in the use of the x-ray machine.

6.14 Contractors often bring vehicles into the prison. These vehicles are searched in the vehicle lock using under-vehicle cameras and a physical search of the body of the van. It was clear, however, that contractors regularly bring tools and materials into the prison which they do not require for the particular job. This, coupled with the fact that they are not required to make an inventory of their tools, makes searching contractors' vehicles difficult, and makes accounting for their tools when they leave the prison impossible.

6.15 These issues need addressing urgently. We recommend that future contracts include the requirement for contractors to bring to the prison only those tools essential for the job and to provide an inventory of them against which a check can be made by searching staff as contractors enter and leave the prison. All tools and materials required over a period of time should be stored in lockable steel containers within the prison.

Searching of goods

6.16 Goods delivered to the prison are processed in a loading bay outside the main prison. The goods are off-loaded and passed through an x-ray machine which shows whether items are organic, in-organic or metallic. Any item which cannot be identified conclusively using the x-ray machine or which is too big to go through the machine, is searched manually. Once the goods have been searched they are reloaded into prison vehicles and taken into the main prison.

6.17 We had concerns about the efficiency of this procedure: it seemed to us that relying almost exclusively on the x-ray machine to identify items meant that anyone wishing to smuggle an item into the prison would do so by adding it to goods of the same basic material (organic, in-organic, or metallic). We therefore recommend that consideration be given to a secondary search of goods received at the prison which relies on a different indicator of content. For example, dogs could be used to sniff items. We were also concerned that goods were not sealed after they had been searched and recommend that this be introduced.

6.18 Staff we spoke to in the loading bay did not seem confident of the functioning of the x-ray machine. We recommend that the training of staff working in this area is revised to allow for regular refresher training.

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Searching of items received for prisoners

6.19 Items delivered to the prison either by visitors or mail order companies are searched in the Visitors' Reception complex.

6.20 These items are initially checked in front of the deliverer to ensure they are allowed. Any items not allowed are returned. The non-electrical items are then x-rayed, sealed into boxes (although we were told that on numerous occasions the staff ran out of boxes and put items into paper bags, sealing them with sticky tape, a practice which is clearly nonsensical) and delivered to the H Blocks. En route to the blocks, parcels are x-rayed at random using the facilities in the staff search area. We recommend that all parcels be x-rayed a second time at this stage.

6.21 Following an initial search and x-ray in the Visitor's Reception Complex electrical items are taken to the Trades Department where they are checked before issuing them to prisoners.

Searching of presents for children's parties

6.22 An important part of the children's Christmas parties is the opportunity for prisoners to give their children presents. Prisoners order them from mail order companies, or arrange for visitors to deliver them. The presents are searched before being delivered to the wings to allow the prisoners to wrap them. Once wrapped the presents are supposed to be sent to the gymnasium in advance of the parties and x-rayed once again, before being distributed at the parties.

6.23 It is apparent that these procedures were not adhered to in the run-up to December's parties: electrical items were not taken to the Trades Department to be checked before they went to the blocks, and some presents were delivered from the blocks to the gymnasium on the day of the parties, which did not allow them to be x-rayed for a second time. This is of great concern: because of this break down of procedures illicit items could have entered the blocks undetected and prisoners could also have removed certain items from the presents before wrapping them. We recommend that any presents delivered to the prison to be given to children at the parties be searched in the normal way and be wrapped by volunteers and taken by them to the gym.

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Chapter Six - Summary of Recommendations

- 6(a) Staff belongings should be loaded onto the conveyor belt of the x-ray machine by a member of the search team (paragraph 6.7).
- 6(b) Staff working outside the main prison should be searched before starting their duties (paragraph 6.7).
- 6(c) Staff attendance systems should be reviewed to ensure adequate cover for the staff search function at all times (paragraph 6.10).
- 6(d) Training appropriate staff in the operation of x-ray machines within the Maze must be made a top priority (paragraph 6.10).
- 6(e) Up-to-date guidance on procedures to be applied in the searching of staff should be published as soon as possible (paragraph 6.10).
- 6(f) A manager should be present in the staff search area at least at peak times (paragraph 6.10).
- 6(g) Consideration should be given to contracting out the staff search function (paragraph 6.10).
- 6(h) Walk-through metal detector portals should be installed in the staff search area supplemented by the use of hand-held metal detectors (paragraph 6.11).
- 6(i) Private search rooms should be provided (paragraph 6.12).
- 6(j) A means of controlling the flow of staff waiting to be searched should be provided (paragraph 6.12).
- 6(k) A means of ensuring that staff do not take their firearms beyond the armoury should be identified (paragraph 6.12).
- 6(l) Contractors should be required to bring in to the prison only those tools essential for the job; provide an inventory of those tools and to store all tools and materials used on a daily basis in lockable steel containers within the prison (paragraph 6.15).
- 6(m) Consideration should be given to a secondary search of goods entering the prison which relies on a method other than x-ray (paragraph 6.17).
- 6(n) Goods should be sealed after they are searched (paragraph 6.17).

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- 6(o) All parcels for prisoners should be x-rayed a second time in the staff search x-ray machine in the main prison before being sent to the wings (paragraph 6.20).
- 6(p) The practice of "sealing" searched property in paper bags should cease (paragraph 6.20).
- 6(q) Any presents delivered to the prison to be given to children at the Christmas parties, should be searched by staff and wrapped by volunteers before being taken to the party (paragraph 6.23).

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Chapter Seven

Wider considerations and conclusions

7.1 In the limited time available to us we have not been able to look in detail at a number of issues which, while not being central to our terms of reference, are relevant to the safe and secure running of the Prison. This chapter attempts to pull together a number of somewhat disparate issues on which we thought it particularly important to comment.

Outside interference in the running of the prison

7.2 A number of individual officers, the Prison Officers' Association, and two of the political parties who made representations to us argued that there was routine interference by both the Chief Executive of the Prison Service and Ministers in the day to day running of the Maze. Numerous staff told us that they felt there was little point in holding the line with prisoners because when their decisions were challenged, if the Governor did not give way, the Northern Ireland Office would. It is hard to stress sufficiently just how strongly this belief is held by staff. We did not discover any evidence that it was true. The Chief Executive is adamant that he has not interfered in routine operational decisions and is similarly emphatic that Ministers have not done so. The Governor confirms this.

7.3 What clearly does happen at the Maze every day, is that decisions about prisoners and the regime are taken by the Governor and his senior staff only after careful consideration of the wider political consequences. There is a very high level of political awareness amongst all grades of staff, and senior staff in particular are anxious to take the probable wider consequences of decisions into account. This is entirely appropriate. Frequently, and usually because of constant concern about the safety of staff when out of the prison and sometimes because of a wish not to damage the peace process in any small way, a cautious approach to prisoner management is taken. In our experience the need for this sensitivity is better appreciated by those officers who work on the wings than by those who work in non prisoner areas.

7.4 One of the consequences of staff's lack of confidence, fuelled by perceptions about "not being backed up", is a sense of apathy about the establishment. It is unnecessarily bleak and provides a depressing environment for both prisoners and staff. Some modest landscaping would greatly improve matters. At night there are a significant number of inner perimeter lights out of order: specifically outside H Block 3 where INLA prisoners now live there are no lights in the forecourt at all, despite our mentioning this to senior staff in the security department some weeks ago. Class one and two keys are carried by

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staff without key chains and there is a general lack of pride in the establishment characterised at its worst by the occasional bit of inappropriate graffiti which is sadly tolerated. Staff seem resigned to low expectations.

Middle management

7.5 Following an inquiry limited to a period of only six weeks we are cautious about presenting what can be little more than impressions about managerial performance below the Governor. But we consider there is a link between this and the general apathy in the prison. We all shared reservations about middle managers. We sensed a weak, poorly motivated and largely invisible group. There are of course individuals who are able and committed (we were unable to meet one particular middle ranking governor whose performance was universally acclaimed) but overall the impression, which the Board of Visitors share, is a negative one. Governor grades are rarely seen in the blocks where they should be playing a key role in managing and supporting staff. The governors' offices in the blocks tell their own story: they are largely empty and clearly unoccupied. We recommend that block governors should work in the blocks and not, as at present, in a central office known as the bunker.

7.6 We were surprised on a number of occasions at the extent to which some governors were out of touch with the operational realities in the prison. For example, one suggested to us that prisoners returning to the blocks were unloaded only in the secure forecourts. This despite it being clear to us after only a few days in the prison that they were routinely unloaded outside the gate to the forecourts. And, following the escape, and at the LVF children's party, we were struck by the absence of governors, despite the fact that new procedures for the supervision of visitors were introduced that day. Subsequently two governors made claims about the way the new procedures had run which were inaccurate.

7.7 We recognise that we met only a small proportion of Northern Ireland governors and that the managerial task in the Maze is uniquely difficult but we saw enough to suggest that the Service needs to examine the need to inject new talent into the governor grades either through recruiting some fast streamers or by endeavouring to attract some staff on a temporary basis from England and Wales or Scotland. If this is not done it is hard to see where future Governors of the Maze might be found.

Staffing

7.8 There were 1,229 staff in post at the Maze on 2 January 1998. There were 17 governors, 46 Principal Officers, 67 Senior Officers and 1,099 basic grade officers. The officer - prisoner ratio is significantly higher than in other

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Northern Ireland establishments or those in England and Wales. The unique nature of the Maze might suggest that the higher ratio is reasonable. We are not sure. If staff patrolled the residential parts of wings or the visits area it might be. But the presence of staff in these crucial areas is low. On the other hand, on a number of occasions, we witnessed pockets of staff, in non prisoner areas, apparently not productively occupied. We recommend that the Chief Executive invites the Director General of the Prison Service in England and Wales to provide staff to carry out a comprehensive profiling exercise to ensure staff are used productively. Our observations suggest that they can certainly be used more flexibly (most work a four day week) and we doubt that it is necessary for them to be used to man quite so many gates within the Maze.

7.9 Staff sickness levels are very high. More than 130 staff were absent sick as we prepared this report. While it is entirely understandable that some staff would be unable to work after the shock of the Billy Wright shooting, we are somewhat surprised to note that 26 reported sick at that time. The Chief Executive needs to consider whether sickness absence is being effectively managed.

Confidence in the Chief Executive and the Governor

7.10 A number of officers and the POA expressed a lack of confidence in the Chief Executive. The POA also expressed a lack of confidence in the Governor. Both the Ulster Unionist Party and the Democratic Unionist Party urgently demanded Mr Mogg's resignation. By contrast, the Board of Visitors spoke warmly of his management of the prison and made no criticism of the Chief Executive.

7.11 We have recorded a number of lapses in security at the Prison, as well as the general apathy which pervades it, and we have recommended a large body of work for taking forward improvements. But we do not consider the current failings of the Maze can be put at the door of any individuals: they are clearly the result of a slow and long term deterioration caused, overwhelmingly, by staff fears of the consequences of managing paramilitary prisoners exacerbated by an absence of effective middle management. Nevertheless, we are quite sure that, despite the escape of one prisoner and the death of another, the Maze is a better run and more secure prison now under Martin Mogg's management than it was a few months ago. With the Chief Executive's support, he has for example:

- improved the quality of head counts and daily cell checks;
- introduced the searching of prisoners when moving from block to block;
- introduced locking of the exercise yards at 20.00;
- introduced a programme of comprehensive searches of residential areas;
- and
- introduced a formal system of prisoner consultation.

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7.12 We are also convinced that the current Governor is effectively supported by the Chief Executive. We were all impressed during the Inquiry with Alan Shannon's scrupulous loyalty and support of the Governor.

7.13 Many of the staff in the prison, including some of the governor grades, have a very limited grasp of Alan Shannon's role. He is not only the Chief Executive of the Service with responsibility for four establishments, over three thousand staff and a budget of about £145 million but is also the Secretary of State's chief policy adviser on prison issues. This last duty poses a very considerable burden and it is not surprising that Mr Shannon is able to spend much less time in the Maze than he might prefer. It seems to us to be true however that there is a compelling need for more visible leadership from the Chief Executive. His title does not help: in an operational service there would be considerable presentational advantages in the title Chief Executive being replaced by that of Director General. There is a need for the Chief Executive / Director General to be seen more in the prison, in the blocks, at visits and in other key areas, meeting and encouraging staff. We suspect however that the other burdens of his post afford him very little opportunity to do this. We therefore recommend that, as in England and Wales, another senior member of staff be designated as Deputy Director General. This would allow some sharing of this vital leadership role.

Mr Mogg's dual role

7.14 Martin Mogg has, as a temporary measure, held both the role of Head of Operations and Governor of the Maze for about four months. We consider that, despite the improvements he has made, this is an impossible burden to carry for more than a few months. He should be returned to his HQ post as soon as a new Governor for the Maze can be found. But the challenge of the Maze is greater than that of any other establishment in the United Kingdom. We consider therefore that the post should be advertised and be open to candidates from England, Wales and Scotland as well as Northern Ireland.

Conclusion

7.15 This is a very difficult prison to manage, much the greatest challenge any of us have seen. We have recommended a large number of changes which will engage the energies of the Governor for some considerable time. If implemented we believe they will represent real improvements for both staff and prisoners. We are pleased to be able to conclude that the process of positive change has already begun.

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Chapter Seven - Summary of Recommendations

7(a) Block governors should work in the blocks and not, as at present, in a central office known as the bunker (paragraph 7.5).

7(b) The Chief Executive of the Northern Ireland Prison Service should invite the Director General of the Prison Service in England and Wales to provide staff to carry out a comprehensive profiling exercise to ensure staff are used productively (paragraph 7.8).

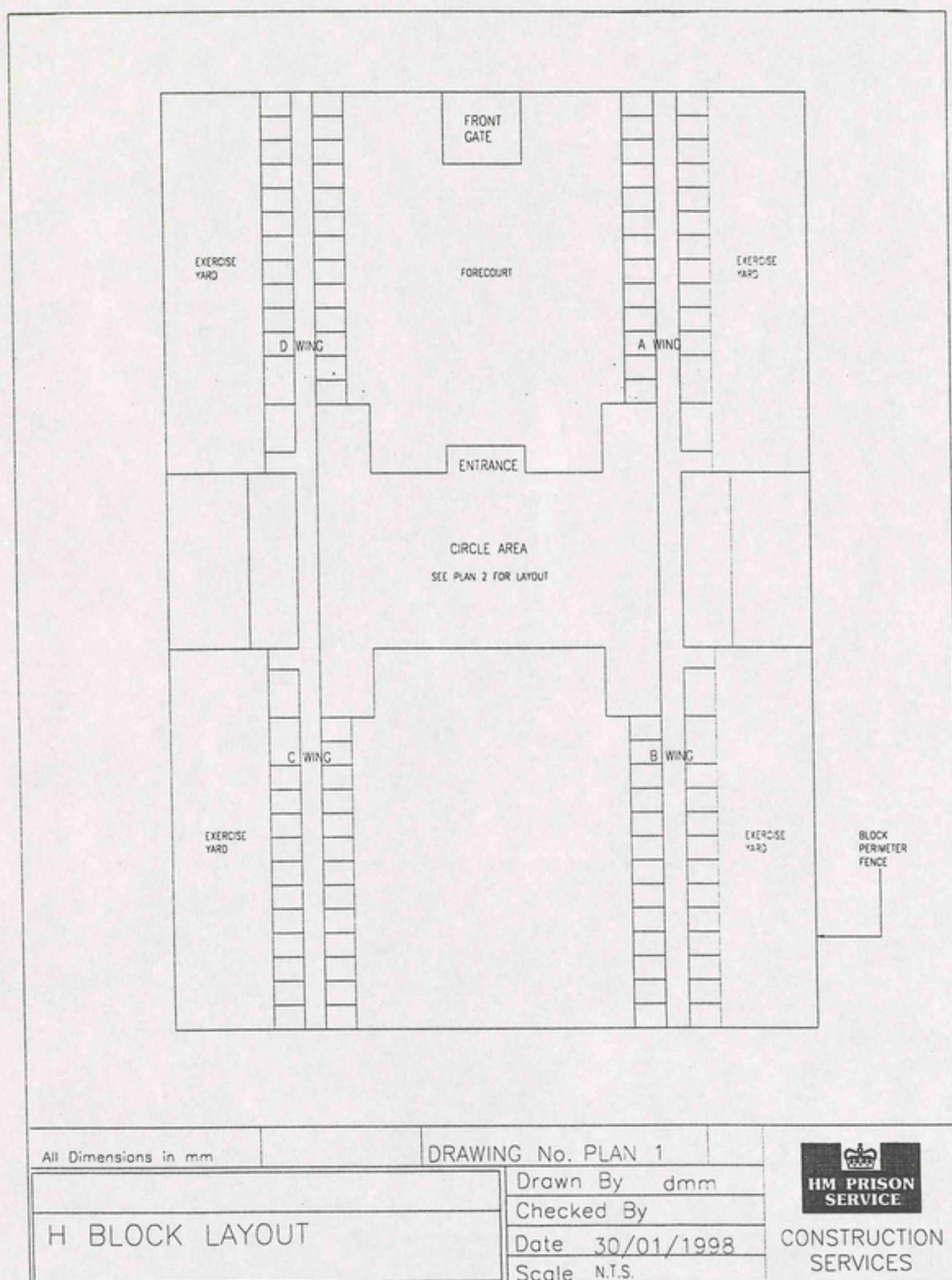
7(c) The Chief Executive should consider whether sickness absence is being effectively managed (paragraph 7.9).

7(d) The title of Chief Executive should be replaced by that of Director General and a senior member of staff should be designated as Deputy Director General to allow some sharing of the vital leadership role (paragraph 7.13).

7(e) The current Governor of the Maze should return to his role as Head of Operations as soon as a new Governor can be found. The post should be advertised and be open to candidates from England, Wales and Scotland as well as Northern Ireland (paragraph 7.14).

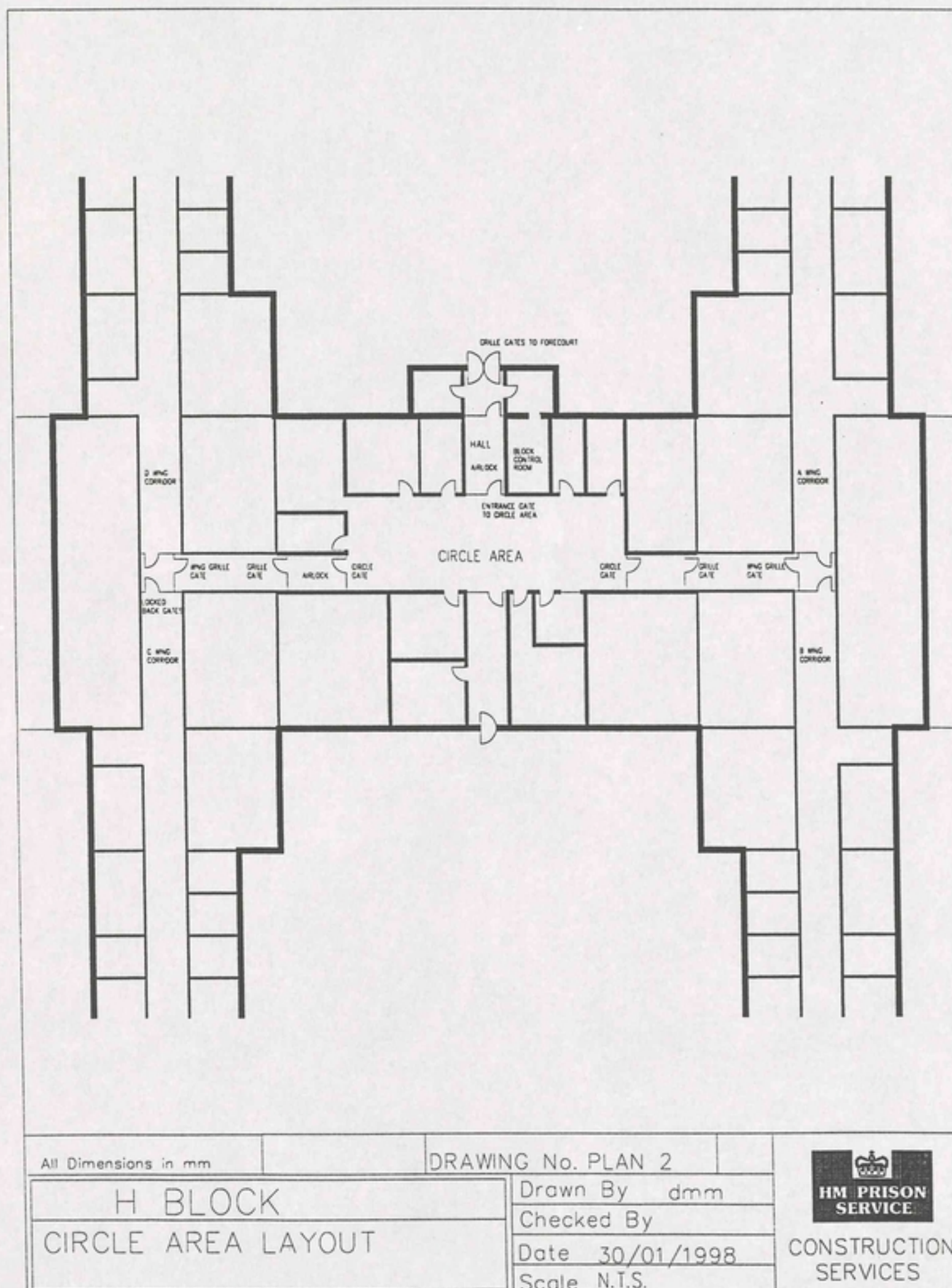
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APPENDIX 1



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APPENDIX 2

Members of the Inquiry Team, all from the Prison Service of England and Wales:

Martin Narey, Director of Regimes
Dr Peter Bennett, HMP Nottingham
David Gant, HMP Full Sutton
Mary Gregory, HMP Wakefield
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APPENDIX 3

GLOSSARY

Armoury	Secure area for storing personal firearms.
Block Control Room	Security monitoring centre in each H Block.
Christmas Parole	Release on temporary licence over the Christmas period.
Circle	Central area within H Block - cross member of H.
Command Post	Designated area within the prison from which to command a serious incident.
Emergency Control Room	Central communication and security monitoring centre for the prison.
Governor's Orders	Written instructions to staff.
Governor	In charge of Maze.
governors	All governor grades.
Grille	Security gates inside H Blocks.
Golf	Radio call sign assigned to vehicle and pedestrian gates inside the prison.
INLA	Irish National Liberation Army
Immediate Response Force	Team of officers trained and equipped to provide first response to incidents. Also used for specialist searching duties.

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Locations Office	Central office collating all prisoner movement.
LVF	Loyalist Volunteer Force
Officers: Circle Hall	Prison officers assigned to specific areas of the H Blocks.
Gate	
Grille	
Officers Commanding	Leaders of paramilitary factions within the prison.
PIRA	Provisional Irish Republican Army
Principal Officer	Second line manager.
Residential Areas	Cells, class room, dining room/recreation area within each H Block.
Scheduled Offenders	Prisoners convicted of certain scheduled offences - set out in the Northern Ireland (Emergency Provisions) Act 1991 - which are tried by judge alone to avoid intimidation, fear or political prejudice of jurors.
Segregated Conditions	Prisoners located according to membership of a particular paramilitary faction.
Senior Officer	First line manager.
Special Category Status	Introduced in 1972 and granted to convicted prisoners - sentenced to more than nine months - who asked to be held in segregated conditions at Maze or Magilligan. Among other things, such prisoners wore

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their own clothes, were not required to work, received food parcels and more frequent visits.

Special Protection Scheme

Protection for staff considered to be at particular risk.

Tally Lodge

Control area within main gate complex.

Tango

Radio call sign assigned to watchtower gates.

T - Cards

Prisoner identification cards, containing prisoner's photograph and other details.

UDA

Ulster Defence Association

UVF

Ulster Volunteer Force

Vehicle Lock

Pair of gates within which a vehicle is searched.

Visitors' Centre

Reception centre for visitors outside the prison perimeter.

Visits Commanding Officer

Senior paramilitary prisoner in visits area.

Wings

Legs of H Block containing cells and other residential areas.

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APPENDIX 4

SUMMARY OF RECOMMENDATIONS

2(a) Since the escape, a programme of block searching has been implemented. Thorough searches should be undertaken on a regular basis, probably monthly (paragraph 2.3).

2(b) Officers counting visitors should carry out the task without fore knowledge of previous counts (paragraph 2.18).

2(c) Prisoners should be safely located on their H Block and accounted for before visitors are allowed to leave the prison (paragraph 2.19).

2(d) Greater reliability and accountability should be achieved by implementing fewer, but properly managed, counts of visitors arriving at, and leaving, parties (paragraph 2.20).

2(e) Attempts to identify party visitors by means of Polaroid photographs should be abandoned (paragraph 2.22).

2(f) The practice of allowing no more than six prisoners in the circle at any one time should continue and be extended to all H Blocks (paragraph 2.24).

2(g) Only one vehicle should be allowed in the block forecourt at any one time in order to ensure a more manageable movement of prisoners (paragraph 2.25).

3(a) The Governor should review procedures for regular security checks of all H Block fences to ensure that a breach of the kind made by INLA prisoners cannot go undetected in future (paragraph 3.16).

3(b) A review of the physical security of H Blocks should be undertaken with particular reference to roof areas and with a view to deterring or delaying access, allowing more time for staff to respond to incidents, both in the interests of maintaining security and personal safety (paragraph 3.16).

3(c) The practice of shouting prisoners to visits on mixed wings should cease (paragraph 3.17).

3(d) It is important that the Governor clarifies with middle managers and the POA the list of tasks which may be dropped on a weekend to cover staff shortfalls in visits (paragraph 3.18).

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4(a) Consideration should be given to removing the grille officer from his current position and to **operating the grille gates electronically** (paragraph 4.14).

4(b) **Photographs** of prisoners attached to their T-cards should be **updated** annually and on any significant change of appearance (paragraph 4.15).

4(c) **The Block Control Officer** should co-ordinate the flow of prisoners off the H Block in any mass movement (paragraph 4.16).

4(d) Vehicles collecting and returning prisoners to and from activities should drive into the block forecourt, allowing the prisoners **to embark and disembark on the forecourt** (paragraph 4.17).

4(e) **Vehicles** transporting prisoners around the Maze **should be secured** (paragraph 4.18).

4(f) The policy of positive identification of prisoners **into activity areas** should be rescinded. The policy of positive identification of prisoners **leaving activity areas** should be reinforced (paragraph 4.20).

4(g) Consideration should be given to **searching prisoners** on the circle before they leave H Blocks to go to activities (paragraph 4.25).

4(h) Given the implementation of 4(g) the search of prisoners into an activity area should cease (paragraph 4.26).

4(i) The Governor's order instructing that **prisoners should be searched on leaving the activity area** should be implemented (paragraph 4.26).

5(a) Consideration should be given to the **installation of CCTV** in the tunnel by which prisoners enter and leave the visits complex (paragraph 5.13)

5(b) Consideration should be given to the provision of **separate toilet facilities for different factions within visits** (paragraph 5.13)

5(c) An immediate **review of arrangements for visits** should be carried out to include (paragraph 5.15, & 5.25):

- a review of procedures and of the use of staff and vehicles to allow visits to start on time and, in response, the obtaining of an agreement with prisoners to finish visits promptly;
- a rigorous examination of the purpose and role of prison officers in the visits area;

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- a proper assessment of the number of officers necessary to manage the visits area; and
- consideration of the opening of visits on Sunday to spread the very heavy burden of visits each Saturday.

5(d) Governor's Orders relating to the **searching of visitors** should be updated (paragraph 5.18).

5(e) Steps should be taken to improve the layout and security of the building in which searching of visitors takes place, and to provide searching staff with adequate equipment (paragraph 5.20).

5(f) **Metal detectors** should be used on all prisoners leaving visits (paragraph 5.24).

5(g) All prisoners should be given a **thorough rub down search** on leaving visits (paragraph 5.24).

5(h) **Full searching of prisoners** on the basis of intelligence should be reintroduced (paragraph 5.24).

5(i) The procedure for searching and despatching items to be handed out to visitors should be formalised by a Governor's Order and by a Notice to Prisoners (paragraph 5.27).

5(j) Consideration should be given to the installation of a **biometric identification system** or **ultra violet hand stamping for visitors** (paragraph 5.30).

5(k) Assuming the introduction of a visitor identification system, movement of prisoners between visiting rooms should be allowed and instructions issued to this effect (paragraph 5.33).

5(l) Consideration should be given to the provision of effective personal alarms for staff working in visits, particularly those detailed to posts which are not in the sight or hearing of any other member of staff (paragraph 5.34.).

5(m) Consideration should be given to caging the stairs in the visits complex to safeguard staff controlling access to the stairwell (paragraph 5.34).

5(n) Consideration should be given to improving the security of the Visitors' Reception area by:

- the installation of a means of communication between the Army watch-tower overlooking the Visitors' Reception carpark and the Visitors' Reception building, to enable a co-ordinated response in the event of an incident; and

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- installation of bullet proof glass into the cashier's booth and the permit office in the Visitors' Reception complex (paragraph 5.35).

5(o) Job descriptions for staff working in visits should be brought up to date (paragraph 5.36).

5(p) Senior managers should visit the visits complex at least daily to provide visible support to staff (paragraph 5.36).

5(q) Prisoners and visitors should be reminded of the rules surrounding the supervision of visits (paragraph 5.36).

6(a) Staff belongings should be loaded onto the conveyor belt of the x-ray machine by a member of the search team (paragraph 6.7).

6(b) Staff working outside the main prison should be searched before starting their duties (paragraph 6.7).

6(c) Staff attendance systems should be reviewed to ensure adequate cover for the staff search function at all times (paragraph 6.10).

6(d) Training appropriate staff in the operation of x-ray machines within the Maze must be made a top priority (paragraph 6.10).

6(e) Up-to-date guidance on procedures to be applied in the searching of staff should be published as soon as possible (paragraph 6.10).

6(f) A manager should be present in the staff search area at least at peak times (paragraph 6.10).

6(g) Consideration should be given to contracting out the staff search function (paragraph 6.10).

6(h) Walk-through metal detector portals should be installed in the staff search area supplemented by the use of hand-held metal detectors (paragraph 6.11).

6(i) Private search rooms should be provided (paragraph 6.12).

6(j) A means of controlling the flow of staff waiting to be searched should be provided (paragraph 6.12).

6(k) A means of ensuring that staff do not take their firearms beyond the armoury should be identified (paragraph 6.12).

6(l) Contractors should be required to bring in to the prison only those tools essential for the job; provide an inventory of those tools and to store all tools

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and materials used on a daily basis in lockable steel containers within the prison (paragraph 6.15).

6(m) Consideration should be given to a secondary search of goods entering the prison which relies on a method other than x-ray (paragraph 6.17).

6(n) Goods should be sealed after they are searched (paragraph 6.17).

6(o) All parcels for prisoners should be x-rayed a second time in the staff search x-ray machine in the main prison before being sent to the wings (paragraph 6.20).

6(p) The practice of "sealing" searched property in paper bags should cease (paragraph 6.20).

6(q) Any presents delivered to the prison to be given to children at the Christmas parties, should be searched by staff and wrapped by volunteers before being taken to the party (paragraph 6.23).

7(a) **Block governors should work in the blocks** and not, as at present, in a central office known as the bunker (paragraph 7.5).

7(b) The Chief Executive of the Northern Ireland Prison Service should invite the Director General of the Prison Service in England and Wales to provide staff to carry out a **comprehensive profiling exercise** to ensure officers are used productively (paragraph 7.8).

7(c) The Chief Executive should consider whether **sickness absence** is being effectively managed (paragraph 7.9).

7(d) The title of Chief Executive should be replaced by that of **Director General** and a senior member of staff should be designated as **Deputy Director General** to allow some sharing of the vital leadership role (paragraph 7.13).

7(e) The current Governor of the Maze should return to his role as Head of Operations as soon as a **new Governor** can be found. The post should be advertised and be open to candidates from England, Wales and Scotland as well as Northern Ireland (paragraph 7.14).