

BILLY WRIGHT INQUIRY

Day 59: 28th April 2008

Witness: Mr William Gribben continued giving evidence from the previous day

In April 1997, a civilian officer took over responsibility for health and safety at the Maze prison. Mr Gribben accepted that prior to this health and safety was insufficiently resourced at the Maze. The Security Department were responsible for assessing any apparent security risks in the prison, including roof protection.

It had been agreed within the Prison Management that risk assessments would be carried out by June 1995. This followed recognition that there were too few risk assessments being conducted, and a failure to report back on safety audits. Risk assessments required by legislation were not carried out before April 1997. He was not sure if, after April 1997, risk assessments were requested and conducted in order to ascertain the risk of prisoners in H Block 6 gaining access to the roof. Mr Gribben accepted that improvements to the roof were discussed whilst he was responsible for health and safety, but he was not aware of any improvements being made.

Mr Gribben was referred to a letter sent to him by a POA representative in September 1997 in which the concerns of staff in H Block 6 were expressed. The prison officers had reported that the prisoners were lighting fires in the prison and the prison officers did not have sufficient fire fighting training or equipment to deal with this. The prison officers were also extremely concerned about the ease of access to H Block 6 roof from both A and B sides of the Block.

The inquiry was shown a 1998 risk assessment document created by the POA which indicated that the POA were more advanced in their risk assessments than Maze staff.

Witness: Brian Loftus who worked in the Emergency Control Room (ECR) from 1992 to 2000.

The procedure for securing the turnstile at night was discussed. It was bolted by a prison officer, once the watchtower and dog handler confirmed the yard was clear. The Phase Senior Officer had responsibility for locking the turnstile grille. The cameras in the ECR could not see the turnstile due to blind spots.

Mr Loftus had recommended replacing the older static cameras in the block yards with "pan, tilt and zoom" (PTZ) cameras. These would have significantly reduced the number of cameras required and would have provided better clarity and view, including covering the turnstiles. Mr Loftus did not know what had happened to his proposal, but it was not implemented. The overview cameras, which were PTZ cameras, were maintained by an outside contractor, and faults were usually fixed within 24 hours, but the Phase 3

camera fault had taken longer to repair as it required engineers to drop the pole on which the camera was placed. This fault was reported before Christmas, but was not fixed until after 27th December 1997. In Mr Loftus' view, even if the camera had been working on the 27th December 1997, the prisoners could have timed their ascent onto the roof whilst the camera was panning elsewhere, and avoided detection.

Whilst discussing the roof access, Mr Loftus described that prisoners could climb the front hall grille very quickly and sometimes did this to scare the prison officers when returning from visits. In his view, a prisoner cutting a hole in the wire in the yard would have been seen from the yard watchtower by an alert watchman. A PTZ camera operator may have seen it occurring depending on the image rotation.

The process to be carried out when an alarm sounded was clarified. If the alarm sounded in the watchtower, the ECR could contact the watchtower immediately via an intercom. The alarms were rarely activated from a watchtower, so if it did occur it was treated with gravity. A switch in the ECR could lock all the grilles, but this would only be activated after communication with a block control room to ensure a prison officer was not being locked in with a prisoner. The ECR would usually lock down the prison with the outside gates first. A block could be closed down by the block control room in less than 5 minutes. It was the decision of a block control room whether to close their grilles, or wait for the Immediate Reaction Force to pass through before closing them.

Witness: Mr Laurence King. He was a prison officer at HMP Maze between 1985 and 2000. He worked in H Block 6 in 1997.

Mr King agreed that the block was not searched very often whilst the two factions were co-located. Prisoners were given only a rub-down search at the Hennessey grille when going to visits or other parts of the prison. He believed headcounts had been carried out at the time he worked in H Block 6. He had not experienced problems with testing the alarms in the morning, he found the prisoners co-operative.

He had no direct complaints from prisoners about the co-location, nor was he aware of a specific threat to Billy Wright. The management had instructed the prison officers that the two factions had to be kept apart. The fact there was no prisoner movement across the circle made life easier for prison officers working in the Block, but he considered that the prison officers would not have been any less vigilant had the factions been on ceasefire.

From the watchtower it was possible to see prisoners using the turnstiles. This view was slightly obscured at night by the fencing but it was still possible to hear the turnstile moving. He confirmed he was sometimes stood down from watchtower duty due to staff shortages elsewhere in the prison, usually due to prison visits.

He did not know that the block control room could lock the grilles if an alarm

was activated.

He did not share Governor Davis' view that due to safety concerns for staff, the fence would not have been checked at any time prior to the shooting, and that the turnstile bolt could have been sheared. He accepted that if the yards were checked and secured after 10:00 pm, this would have been carried out by the phase patrol and not the night guard, but he could not remember a time when the phase patrol locked up H Block 6.

Witness: Christopher McClean. He was a member of the Board of Visitors (BoV) at HMP Maze from 1994 until its closure in 2000.

The co-location was not an issue for Mr Mclean, but he knew that other BoV members had expressed reservations about it.

He had met with Billy Wright on a number of occasions and got on well with him. Billy Wright had never expressed concern about his safety, but he had said that he was seeking a transfer to a mainland prison. He was concerned about accusations that he was orchestrating a terrorist campaign from his cell. He did not want to be responsible for any problems caused outside the prison by this rumour.

Mr McClean was referred to the BoV minutes for the 12th August 1997 in which he had stated that the LVF prisoners felt they were being treated less fairly than the other prisoners, particularly in relation to visits. LVF prisoner feelings were running high and threats had been made towards governors and prison officers entering H Block 6. By November 1997, the atmosphere in the prison was more relaxed and calm. This was mainly attributed to the LVF prisoners feeling they now had equality. Both the LVF and INLA were appreciative of Governor Mogg's meetings with the faction OCs (Officers Commanding).

Following Billy Wright's shooting, Mr Mclean spoke to three LVF prisoners who said that some LVF and INLA prisoners had witnessed the shooting, and that there were concerns that the H Block 6 visits sheet had listed both INLA and LVF visits together. He contacted Governor McKee to pass on this information but did not know if the Governor had followed this up.

Day 60: 29th April 2008

Witness: This witness was granted anonymity and was referred to as N. He worked at the HMP Maze Desk Section at the Northern Ireland Prison Service from 1993 to 1998. On average, he visited the Prison once a week.

His role was to report on the decisions which had been made by either the Prison Governor or Security Governor to the Director of Operations, Mr Mogg. N sometimes clarified Headquarters' view on a particular subject and would have represented Headquarters at some meetings, but he did not have the power to make decisions. He was part of the Steele implementation team and

the Narey Working Group on H Block Security. He also attended the monthly Security Projects meetings.

N was referred to a November 1997 minute from the Security Projects meeting. This detailed the high mast PTZ camera problems, including the fact the cameras performed poorly at night. In his view, the PTZ high mast cameras had been in a developmental stage.

He accepted that from 1994, the security focus had been on protecting the roof access in between the yards. In August 1997, the focus changed to concentration on the fence construction and the ease of cutting through it. Security Governor Davis's report concluded that a double skinned fence would have taken 28 minutes for inmates to breach, which was five times better than a single skinned fence. This would have allowed staff sufficient time to evacuate the block or gain access to the roof to defend it. The minutes of the meeting between the management and Prison Officers Association of 18th November 1997 confirm that Mr Mogg was aware of the added protection of double skinned fencing, but he decided it would not produce a significant reduction in the threat of roof access. He chose instead to fund an occupational health suite for prison officer use.

The Inquiry was told that the Narey Working Group had concluded that investing further money to protect the roofs was pointless; instead prison staff were to check the fences daily. N agreed that the time taken to get through the fence was immaterial as the prisoners could have cut the fence over a period of time. N was not sure if the fence checks were actually carried out. He thought that the Governor and Deputy Governor were more focused on physical security than the human security of fence checking.

N confirmed there had been a pattern of targets being set, and a desire to implement recommendations, but this proved difficult. The 1996 improvement objectives, including increasing the frequency of perimeter checks, introducing six monthly security audits and upgrading the security lighting and camera coverage in the exercise yards, were not implemented by the time of the 1997 review. The Governor's review at the end of 1996 indicated that there was a problem with prisoner searches, which he had hoped to address in 1997. N noted that, unusually, the Chief Executive was recorded as being responsible for the search regime at the Maze.

N did not recall the committee raising many concerns about the housing of LVF prisoners in H Block 6.

In his view, the security in H Block 6 was given special consideration for security improvements, such as ensuring the watchtower guard duty was not stood down, and allowing the prisoner visits van into the forecourt to collect prisoners.

Day 61: 30th April 2008

Witness: Mr David Loyal, a Principal Officer in H Block 6 until September

1997. He was transferred out of H Block 6 due to a threat by the INLA.

Co-location had been a burning issue with Mr Loyal, so much so that he raised the issue with the Security Governor and the POA, and trusted that they would raise it with Mr Mogg.

When the two LVF prisoners, McWilliams and Kenneway arrived in May 1997 he was not given any instruction to keep the two factions separate. He was furious when he discovered, from another prison officer, that these two prisoners had previously been involved in a firearms and hostage situation. He was concerned for the safety of both the prison officers and the other inmates. The fact that McWilliams had previously managed to get a gun into HMP Maghaberry made the fear a reality. He confirmed that the direct threat to Wright, and the fear he would be attacked in H Block 6 had been mentioned to Governor Barlow.

The "iron curtain" subsequently imposed by Governor Barlow was designed to stop the factions coming into contact when in the circle, and ensure that prisoner transport for the two blocks would not meet in the forecourt. Other than the implementation of the iron curtain, no specific measures were put in place following co-location.

Headcounts and searches were discussed by the Inquiry. In the main, headcounts were carried out but there were some situations where tensions were too high for officers to enter the wings to conduct them. When the prisoners left the visits area en masse they would likely only receive a cursory search. Mr Loyal stated that the searches were more rigorous after the IRA prisoners' tunnel was discovered. Prisoner searches became more important, in Mr Loyal's view, once he was aware of the history of firearm use by Christopher McWilliams.

Mr Loyal was questioned about the yard fences and turnstiles. He stated that it was routine for prison officers to check the fence when carrying out an evening yard check, but he could not say with certainty if the fence was always checked. He had reservations about the quality of the checks. He was aware a prison officer had witnessed prisoners breaking the turnstile within 10 seconds, and had expressed concerns about the safety of the night duty staff locked in the circle. He accepted that this showed that the turnstile could be easily broken and that the yard grille was not always locked. If there were inmates in the yard between 8:30 pm and 10:00 pm, only the cameras would have watched them. Staff would not have been on duty in the watchtower. The camera blind spots would have meant that some actions of the prisoners would have been unseen.

He suggested that Governor Barlow's recollection of no special rule applying to the H Block 6 watchtowers was incorrect. In his opinion there was a special rule that the H Block 6 watchtowers should never be stood down. He was informed that the inquiry had already heard evidence that Governor Barlow, Governor Davis and Prison Officer Camley all stated there was no special rule about standing down the watchtowers in H Block 6. Mr Loyal was convinced

that his recollection that H Block 6 watchtowers could not be dropped was correct. There was an agreement between the Maze management and the POA of the posts which could be dropped as part of the diminishing tasklines on a Saturday, but this did not include the H Block 6 watchtowers. When an order was given to stand-down the watch-tower, he would contact the ECR or duty governor to have the decision reversed, and it always was reversed.