

BILLY WRIGHT INQUIRY

Day 93: September 23rd 2008

Witness: Mr Stephen Davis (continued)

His official title had been Head of Operations and included responsibility for the Immediate Reaction Force (IRF), the main gate, the Emergency Control Room (ECR), the Security Department and Reception.

He said that, with hindsight, some prioritisation should have been given to introducing the bacon slicers (an alternative entry gate to the turnstiles) into A and B wings of H Block 6. This would have allowed the prison officers to check the yard without the fear of attack from inmates. He agreed with Mr Alan Craig's evidence that, with the approval of the H Block 6 inmates, it may have been possible to install the bacon slicers, without a full refurbishment plan.

In his experience, prisoners preferred to breach a fence rather than climb it, as they would not have wanted to climb back down the fence if the IRF arrived. Roof access from the forecourt had not concerned him, all inmates in the forecourt were escorted by a prison officer who would have raised the alarm if they had tried to access the roof. He confirmed that the reinforcement of the yard fences to prevent access to the roofs did not happen.

He confirmed that he would have expected to have been told about the International Committee of the Red Cross (ICRC) observations, particularly the possibility of one faction storming the roof to get to the other faction.

In his view, the 24 hour unlock was the seminal point within the history of HMP Maze. He was referred by the Inquiry to a security document he had produced soon after arriving at the Maze, and had sent to Mr Mogg. In it, he had raised the lack of staff confidence in reporting matters, the failings of management, a potential escape, and prisoners being in control of the prison. He had concluded that the future remained bleak. He said he had expected these issues to be raised with Headquarters.

He discussed a report he had written to Mr Mogg (dated 30th December 1997, but possibly prepared prior to the murder of Billy Wright) in which he addressed security concerns, and indicated that very little had changed in the months since his initial report. In particular, he had criticised the conditions under which staff in the ECR were expected to operate causing them to be largely ineffective, and had stated that the cameras covering the H Block exercise yards and the high mast internal PTZ (pan tilt zoom) cameras, had not performed as expected. He had concluded the document with the comment, "There must be a commitment from all levels of the prison's management to change, otherwise we are going to experience more embarrassment and media attention...."

Despite these criticisms, he told the Inquiry that he did not think that, even if

the high mast PTZ camera had been working on the day of Billy Wright's killing, due to its location the hole in the fence would have been visible.

He was referred to an article in the Starry Plough newsletter from March/April 1999, which reported that just prior to the arrival of the LVF prisoners into H Block 6, the Irish National Liberation Army (INLA) volunteers housed in C and D wings were close to finalising escape plans. He agreed that there was always a risk of escape by republican prisoners who viewed themselves as prisoners of war.

He was surprised that Mr Mogg had not involved him in discussions with the PIRA (provisional Irish Republican Army) in which they had indicated they would agree to INLA taking a wing on their block so long as there was sufficient space to allow this.

He did recall that the Police Service of Northern Ireland had passed some information to the Northern Ireland Prison Service in October 1996, which indicated that Christopher McWilliams was attempting to reform an INLA faction within HMP Maghaberry, with John Kenneway as his right hand man.

He said he would have considered it massively important if the Second-in-Charge of the INLA had made a comment about Mr Mogg thinking there was a gun in the INLA wing, but he had not heard about this until his inquiry interview.

He was referred to a meeting which took place on 1st October 1997 between himself, Governor Barlow, a Senior and Principal Officer and the INLA Officer Commanding (OC) and Second-in-Charge (SIC). During the meeting, the INLA OC made it clear that INLA were upset about the Loyalist Volunteer Force (LVF) being returned to their block, and that this was forcing them into a situation where they may have to take matters into their own hands. The SIC had clarified that they were talking about defensive action and would not be starting anything. Mr Davis had then prepared a document concerning INLA activity in H Block 6, in which he stated that the "INLA command structure...appear under pressure to react to the arrival of the LVF back in H Block 6".

The Inquiry was referred to a diary entry of Mr McLaughlin dated 16th March 1997, recording that Billy Wright had been placed on Rule 32 in the Prison Secure Unit (PSU) in HMP Maghaberry due to Royal Ulster Constabulary (RUC) indications that he may have been at risk from other prisoners, primarily the Ulster Volunteer Force (UVF) but also from republicans. Mr Davis confirmed that he had never been informed of any threat to Billy Wright other than from the Combined Loyalist Military Command (CLMC) and in particular the UVF.

He had felt Billy Wright would have been safer at HMP Maghaberry, but only if he was held in isolation, which was not a long term option as it would have been too damaging to Billy Wright. He was not critical of the decision to move Billy Wright to HMP Maze. The best place to house segregated factions was

HMP Maze. Segregation was an extremely dangerous and difficult proposition within an integrated prison such as HMP Maghaberry. The decision had been made to set up the LVF as a segregated faction.

He said that given the serious nature of the hostage-taking incident at HMP Maghaberry, inmate Christopher McWilliams would have been likely to be transferred out of the prison at some stage. His attempt to fire at the search team would have meant that the future relationship between him and the search team would have been difficult and something which he could potentially have exploited. He was not critical of the transfer of inmates John Kenneway and Christopher McWilliams to HMP Maze, but he was critical of the timing, and the speed with which the transfer occurred. However, with hindsight, and on the basis of the information put before the Inquiry, he now considered that there was a security risk in putting these two inmates in H Block 6.

He explained that prison officers in prisons in Northern Ireland, were not authorised to carry firearms. In view of this, the security procedures in place within HMP Maze were not sufficient to deal with a prisoner in possession of a firearm. It could be argued that the smuggling of the guns into HMP Maze was the key security breach. The prospects of keeping Billy Wright safe were severely reduced once there were firearms in HMP Maze. He suggested that the risk of firearms being smuggled into the prison and being concealed by the prisoners was greater at the Maze, as the prison officers had less control over the inmates.

He accepted that searches at HMP Maze were not being carried out as frequently as they should have been in 1997, but officers were carrying out headcounts and fabric checks of the blocks. He was referred to the September 1997 intelligence assessment, which stated that the lack of full searching was partly due to the unavailability of the IRF who were supervising the LVF prisoners placed under Rule 32, who had been moved to H Block 2. He explained that he and Mr Barlow had spoken to the Manpower Team with a view to reorganising the IRF so as to create an additional standby team, to provide back-up to the searching staff. This required shift changes and would have taken time to implement.

He confirmed that when the staff shortfall was not rectified by taking staff from posts on the diminishing task line, particularly on a Saturday which was an acute visiting day, the Duty Governor would be forced into a position where he would have to take staff from posts outside the diminishing task line. He said dropping posts was a judgement call, given the competing priorities and the potential ramifications. He would not have stood down A/B tower in H Block 6.

He agreed that had the alarm been raised when the assailants came over the roof, it was possible that Billy Wright may have been able to make himself a moving target, rather than a trapped one. However, there were so many variables to be considered, such as Billy Wright or the prison officers not realising why the alarm had been raised. Had the alarm been raised it would

have resulted in a lock down, and Billy Wright would still have been trapped in the forecourt, unable to get back through the grilles.