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RETURN to an Address of the Honourable The House of Commons
dated 2nd April 1998 for

Report of an inquiry

into

the escape of a prisoner

from HMP 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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	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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Introduction

1 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.

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.

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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 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
February 1998

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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 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

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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.

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.

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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.

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.

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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 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

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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 Chapter5.

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 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, 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.

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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 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

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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.

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

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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 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

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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.

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 3.1 7).

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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