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Your reference

Our reference

Date 7 August 1991

Dear Mr McNeil

BRIXTON ESCAPE

I enclose for information the public part of the report by Judge Tumim, Her Majesty's Chief Inspector of Prisons, into the escape of two category 'A' prisoners from Brixton on 7 July, together with a copy of the statement made on Monday by the Home Secretary.

Also enclosed is the interim report of a security audit of arrangements for holding and managing category A prisoners in custody as undertaken by Mr Lakes, former Director General of the Prison Service, and Mr Hadfield, Chief Constable West Midlands Police

A J ADAMS
Prison Service Secretariat

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PREFACE

On Monday 8 July 1991 I was asked by the Home Secretary to carry out an inquiry with the following terms of reference:

"To inquire into the circumstances of the escape of prisoners McCauley and Quinlivan from HM Prison Brixton on Sunday 7 July, and in particular to review the security arrangements for handling high risk prisoners in this prison; to assess how those arrangements were operated on the day concerned; and to make recommendations."

I was further asked to pay particular attention to security matters referred to in my 1990 general report on HM Prison Brixton and to submit a report following my present inquiry by the end of July. This is my report.

At the heart of it are issues of security. How did these two prisoners come to escape on the morning of Sunday 7 July? What can now be done to prevent repetition? It is hardly surprising that much of the report will be unfit for publication: to publish it as it stands would endanger the remaining security of HMP Brixton and perhaps endanger the lives of individuals.

The report sets out the facts on which the conclusions are based. The inquiry has been inquisitorial and not forensic in method. I have not heard evidence on oath or otherwise in a court or tribunal context. Nobody has had legal representation. The inquiry has been conducted in three weeks. I have not made findings of fact where the evidence is disputed or where there seems to me serious doubt. There are a great many matters, such as differing recollections of meetings by the participants, where it has not been necessary to make findings. I have not made findings at any stage save where I needed to do so, and I am satisfied that the limitations of this approach have not restricted what I say on security and otherwise.

I should add that in preparing this report I have been most conscious of fears widely expressed since the Brixton escapes, perhaps most clearly by Mr Peter Jenkins in The Independent of 9 July 1991

"Spectacular prison escapes are the worst news for prisoners and prison reformers. In the past they have led to a tightening of security and a deterioration in general prison conditions."

I aim to produce a concise study of what happened at Brixton on 7 July and of the security changes needed there. This is not intended as a study of national conditions, as a Mountbatten or a Woolf Report, or as in any way a discouragement to the recommendations of the Woolf and other recent reports.

Stephen Tumim

31 July 1991

HM Chief Inspector of Prisons

BACKGROUND

1. Brixton prison has often been described. The staff have for many years been required to carry out complex tasks on a highly congested site. In physical terms the prison has little to commend it. Located in a densely populated area there is no room for expansion. It has long been used as the main remand prison for the London area. It was also regarded as the most secure for holding those awaiting trial who were considered to be dangerous and likely to escape. The redevelopment at Wormwood Scrubs, and the inadequate security at Pentonville have increased the pressure on Brixton as container of high risk prisoners.

2. Prisoners are housed in seven wings, A to G, and in a large hospital. F Wing is part of the medical complex. Category A prisoners are held in part of A Wing - A Wing (Secure), D Wing, F Wing and the hospital. Half of the third and fourth floor landings in A Wing have been closed off to form A Wing (Secure). There is a separate and securely enclosed staircase from A Wing (Secure) to the Unit's own exercise area. In recent years D Wing has been converted into a self-contained area for high risk prisoners. F Wing has 20 cells suitable for the accommodation of Category A prisoners. The hospital has no appropriate accommodation.

3. The prison perimeter is secured by a wall, approximately 6m. high, topped by a double coil of reinforced barbed tape. A 5.2m inner mesh fence separates the buildings from the perimeter wall.

4. The task for Brixton staff in holding high risk Category A remand prisoners is as difficult as for staff holding high security convicted prisoners in a modern dispersal prison. Yet the security structure of Brixton is well below that of such specialist establishments. The routines at the time of the escape included escorted movement outside A Wing (Secure) and D Wing to and from the chapels, to visits, to the hospital and the Reception area.

5. On Sunday 7 July 1991 Brixton held 1060 inmates. Of these, 640 were unconvicted, including 50 who were Category A. One of them was female. 'High Risk' inmates were all accommodated in A Wing (Secure) and D Wing. D Wing had capacity for 24, and on the 7 July held 14, of whom 12 were 'High Risk'. A Wing (Secure) had capacity for 34 prisoners. On the 7 July the roll was 20 of whom 14 were 'High Risk'. Among these were McCauley and Quinlivan.

6. The Governor in charge at Brixton on 7 July was the Head of Custody. There was, in addition, a duty Governor to take initial charge of any incident. Staff on duty numbered 184, of whom six were Governor grades. Apart from Governors and 26 Prison Auxiliaries, the remainder were uniformed Officers. Ten agency nurses were employed in the hospital and medical wing. Seven Telecommunications contractors were in the prison, working in the area of A Wing exercise yard.

7. At 9.00 am on that Sunday the prison was operating normally. In the Roman Catholic Chapel, the Chaplain and six members of Religious Orders were preparing to receive prisoners for the first of two scheduled services. The Chapel of St. Thomas More, situated close to the main gate of the prison, is a long, narrow building with seating for 103 people. The number of prisoners allowed in the chapel at any one time is limited to 80.

8. At 10.00am, when church services were coming to an end, some prisoners were taking exercise. D Wing were in their own Wing yard; F Wing were in A Wing exercise yard; and those from the fourth landing of A Wing (Secure) were in their own yard. Apart from the kitchen party and small groups of workers, prisoners on other wings were locked in their cells. Staff were assigned to their normal places of work, with the exception of four Governors, who were 30 minutes into a meeting in the Head of Operations office.

WHAT HAPPENED

9. The two prisoners were held in safe conditions in A Wing (Secure). At 9.10am on 7 July they were taken together under escort of 4 officers to the Roman Catholic Chapel for a service. Before leaving A Wing they were searched. This did not include a search of their shoes.

10. The service was started at about 9.20am. The two prisoners were seated next to each other and near the back. They attended chapel each Sunday. They did not always sit in the same places. The escorting staff were at the back of the chapel, several rows behind. There was movement by some prisoners during the service. The two prisoners in question did not move from their seats. But the view of them by staff was impeded.

11. After the service an officer called by radio to the control room for permission to take them back to A Wing through the prison. It was at once granted. It was 10.07am. A dog handler was in place outside the chapel.

12. The two prisoners were escorted across the yard outside the chapel by three officers. They were not seen to walk abnormally. We now know that one of the prisoners had a small pistol in his shoe. He had probably carried it from his cell in the sole of his shoe. He was wearing shoes of the type known as trainers. The shoes had recently been sent into the prison. They were too big for him. At some stage a space had been cut into the sole so as to provide a sufficient cavity for the gun. Most probably he had moved the gun in the chapel from the sole to the side of the shoe. The laces were then left untied.

13. Across the yard one of the staff opened with his key a door into a passage. In the passage, you may walk forward until you reach the kitchen. You then turn right, and walk on, open the gate into a small lobby, known as the Centre, and then turn left in the lobby and open a gate into A Wing. Once the yard outside the chapel is passed, you do not need to go outside at all to reach A Wing (Secure).

14. An officer closed the first door into the corridor behind the party. One officer was in front of the two prisoners. One officer was alongside. The third was behind. As they moved down the corridor, one of the prisoners leant against the wall and bent down and pulled the pistol from his shoe. He turned on the two behind him. One dived to the floor. The other froze. The prisoner in front attacked a Prison Auxiliary who was standing near the kitchen entrance. He tried in vain to get his keys. The prisoner with the gun moved up to join the other prisoner. The front officer had turned again to move to the Centre. He saw what was happening. He moved into a recess in the corridor and he attempted unsuccessfully to pass a radio message to the Control room. Meanwhile a Trades Officer, coming the other way with two inmates, opened the gate from the Centre passage. The prisoner fired a shot. It hit the ceiling. As he rose from crouching to fire, the prisoner lost his right training shoe. He shouted to the Trades Officer to leave open the gate, but the officer managed to lock it.

15. Everything now happened quickly. The two prisoners overcame the officer in the recessed area. One of them from then on held a gun to his head, and he was held as a hostage. No officer intervened. They had seen and heard the gun. The prisoners took keys from the hostage. They re-opened the gate into the Centre and moved across it with the hostage. With the same pass key they opened the door into an outside area by the perimeter wall. Other officers moved back to give warning. The alarm bell was rung by a dog handler. An alarm bell was sounded in the Centre. It was logged in the Control Room, as were other messages. Four Governor grades were holding a meeting in a room off the corridor. They had heard the shot. They came out into the corridor intending to intervene. They held back because of the gun. In the Centre the prisoner fired the gun toward an officer and hit his trouser-leg but did not hurt him.

16. The prisoners left the Centre. They walked across to a gate in the perimeter wall. It opened into the works yard, which had itself a measure of security but was outside the prison walls. They opened the wall gate with the pass key. They crossed the yard. Some officers followed at a distance. The two prisoners with the gun held at the hostage's head, climbed the wall at the far end. It meant clambering over kennels abutting the wall, and forcing the hostage to help them up. A shot was fired over the heads of the staff in the yard. There was a single coil of wire on top of the wall. But it was outside the perimeter and in no sense a secure wall. The two prisoners crossed the wire and jumped down on the further side. It was now 10.13am. The prisoners were out.

CONCLUSIONS

17. The two men had been for many months determined on escape. They were fairly securely held on their wing. So their escape plans were concerned with faults in the perimeter - some of which were visible from their wing, the Sunday morning visit to chapel - which took them outside the wing, and the introduction of a gun.

18. Eventually a gun was brought in. Most probably it was sent in by post, in the cut out soles of a pair of shoes, the body of the gun in one shoe, the magazine in the other. Most probably one of the prisoners carried the gun in the soles as he walked to the chapel, and during the service he transferred the gun from the sole to the side of the shoe, leaving the shoe unlaced. But here there can be no certainty. It may be the gun reached him another way.

19. Holding a hostage and the staff at bay and with their knowledge of the physical weaknesses of the prison, on Sunday 7 July, the two men achieved their aim. How did it happen?

20. There were a number of causes, of acts or omissions, without all of which the escape would not have taken place. They are not necessarily direct causes. Each is what in a different culture will be called "a causa sine qua non". I list them:

- a) Failure by prison authorities to heed earlier warnings of the insecurity of Brixton for high security Category A prisoners, and in particular warnings in relation to McCauley and Quinlivan received about February 1991.
- b) Failure to ensure that the way through the perimeter into the works yard was blocked or secured so that it could not be used as a route for escape.
- c) Failure to ensure the communications through the control room in an emergency worked quickly and efficiently.
- d) Failure by more active searching of parcels, prisoners, staff, visitors and parts of the prison to locate the gun before the escape.
- e) Failure in escorting such high risk Category A prisoners, to ensure the men did not escape from the prison.
- f) Failure to provide an adequate number of dogs on duty and at appropriate locations.

21. Above or along side these causes of failure ran the outstanding one the "causa causans". That can be described as a failure to identify and treat the two men as high risk Category A prisoners determined to escape. In particular they should have been kept on their wing, which was A Wing (Secure) or preferably D Wing, if not transferred out of Brixton (which would have been more desirable), and restricted from movement out of the wing to chapel, or elsewhere.

22. I began this report by saying that it was a study of Brixton on 7 July, of security there, and not of national conditions. The errors of judgement which resulted in the opportunity for escape were indeed operational failures and not failures of policy. They are not to be remedied by elaborate changes of policy, but by ensuring a more alert attitude by those responsible at Brixton and by making better physical provision and ensuring it is used.

RECOMMENDATIONS

1. That the Director General should hold urgently an enquiry into the workings of DOC1, in particular as to analysis of information received, internal communications with the Category A Unit and otherwise, and communications and responsibilities between DOC1, Governors, and Area Managers.
2. The Director General should review the current policy of not classifying remand prisoners as exceptional risk which would require them to be held in a Special Secure Unit, and also review the practice of treating high risk and standard risk prisoners the same.
3. That the Director General should produce or cause to be produced contingency plans for duties by staff when a gun or other weapon is found in a prison, and a training scheme accordingly.
4. That Category A prisoners be not held in HMP Brixton until and unless the security provisions recommended in this report are fully implemented.
5. That the gateway through the perimeter at Brixton into the works yard be secured or blocked so that no further escape may take place through it.
6. That there should be a Review of the operation of the Emergency Control Room at Brixton, and arrangements made for regular and frequent training and testing both of equipment and of practice.
7. During normal working hours the Duty Governor should be available throughout the establishment and within reach at all times by UHF radio.
8. That searching and checking baggage at Brixton be reorganised and in particular:
 - (a) X-ray examinations be made of all parcels and baggage coming into the prison by mail or otherwise;
 - (b) all visitors and staff be subjected to random searching and to an archway or similar metal detector;
 - (c) all such machinery for searching be regularly tested and the manner of using it checked.
9. That the Area Manager should urgently enquire into the adequacy of the dog provision and of the manner in which they are used.
10. That insofar as Category A prisoners are held at Brixton, they are held on the wing and not permitted to attend chapel or leave the wing save under the specific directions of the Governor.
11. That a Standard Performance Test be applied to the CCTV system at Brixton and an Operational Requirement be defined.
12. That procedures between Brixton Prison and the Police should be regularly tested and checked.

INQUIRY BY
HER MAJESTY'S CHIEF INSPECTOR OF PRISONS
INTO THE ESCAPE OF TWO CATEGORY 'A' PRISONERS
FROM HER MAJESTY'S PRISON BRIXTON
ON 7 JULY 1991

TEXT OF PARTS OF THE REPORT BEING MADE PUBLIC

5 August 1991

INTERIM REPORT OF A SECURITY AUDIT
OF ARRANGEMENTS FOR HOLDING AND MANAGING
CATEGORY A PRISONERS IN CUSTODY

5 August 1991

INTRODUCTION

1. On 15 July the Home Secretary announced in the House of Commons that there was to be a security audit of arrangements for holding and managing Category A prisoners in Her Majesty's prisons. It was agreed that our terms of reference should be:

"To conduct a security audit (including physical security, equipment and procedures) of arrangements for holding and managing Category A prisoners in HM Prisons and to make recommendations:

(a) to the Governor concerned in the first instance on matters which entail no change of national policy and involve only the individual establishment:

(b) to the Director General in the first instance on matters where national policy is affected."

We were charged with submitting an interim report to the Home Secretary by 31 July 1991 and a final report as soon as possible thereafter.

2. We have been assisted by Chief Superintendent Robert Jones of the West Midlands Police and by Mr Tony Wood, Governor III, formerly the Head of Custody of H M Prison Parkhurst, and now a member of the Directorate of Inmate Programmes.

3. Our first objective was to familiarise ourselves with the types of establishment in which Category A prisoners are held. We therefore visited two dispersal prisons (Long Lartin and Frankland) and three local prisons (Birmingham, Leicester and Durham). Leicester has a special secure unit (SSU) holding Category A offenders in the "exceptional risk" category. Durham holds male Category A prisoners in the main prison and has a separate unit (H Wing) which holds female Category A prisoners. During our visits we interviewed the Governor, members of senior management with special responsibility for security matters, the Security Officer and his staff, and the unions. Our examination of conditions in this small sample of establishments has enabled us to reach some preliminary conclusions and to identify a number of issues which require further and more detailed consideration. We do not consider it appropriate at this stage to make any recommendations for change to existing policies, but we have identified three matters on which we consider urgent action is required.

RECOMMENDATIONS FOR IMMEDIATE ACTION

4. We recommend that Governors should be asked to review contingency planning with their local police force as a matter of urgency and to satisfy themselves that they adequately cover actual or threatened use of firearms or explosives. We further recommend that parallel advice should be issued to Chief Officers of Police.

We were concerned that in those prisons we visited there was no specific provision in contingency planning to cover the use or threatened use of firearms either by inmates or by an intruder. We would expect such plans to include procedures for alerting the police and arrangements for deploying suitably equipped police officers, including armed officers where necessary. The deployment of armed officers to prisons raises a number of issues which Police Department may wish to discuss with the Prison Service before guidance is promulgated.

Searching Equipment

5. We recommend that X-ray equipment should be provided to all prisons holding category A prisoners as an essential adjunct to other searching aids available to staff.

At present prisons rely on a combination of security information/intelligence, electronic detection equipment and physical searches of inmates to prevent illicit goods being smuggled in. The electronic equipment usually comprises a portal, which registers metal items on any person passing through it, and hand held detectors which perform a similar function and can also be used to carry out a body scan.

6. The electronic portals and hand held detectors have serious limitations. The reliability and sensitivity of portals can be affected by positioning and not all hand held detectors perform satisfactorily. Additionally, the metal content of certain dangerous articles can be reduced to a point which makes detection by this method extremely difficult. In our view searching by hand is not an acceptable or fully effective solution in that it may be open to challenge on the grounds of being intrusive and/or provocative.

Telephone Calls

7. We recommend that Governors of Category B and dispersal prisons should be reminded of the provisions of Circular Instruction 50/1988 insofar as they concern Category A prisoners, and instructed to ensure that they are observed.

Current instructions on telephone calls by Category A prisoners are clearly set out in Circular Instruction 50/1988. In brief, the instruction requires that calls should be allowed only if there is an urgent need to seek legal advice or resolve court business or there are urgent compassionate grounds for doing so. The Head of Operations and the Security Officer must always be consulted; and the call must be monitored in such a way that both sides of the conversation can be heard and the call can be terminated rapidly if necessary. From what we have seen, we are not satisfied that these requirements are always complied with. We understand that it is the intention to introduce cardphones throughout the prison estate, including prisons holding Category A prisoners, and that arrangements for ensuring adequate safeguards are being considered. Until fresh guidance is issued, however, the present instructions should be strictly adhered to.

OTHER PRELIMINARY OBSERVATIONS

8. During our visits to prisons we identified a number of security-related matters which merited attention in order to minimise the possibility of security being compromised. The Governors of the prisons concerned have been so advised and they have undertaken to give these matters urgent attention.

9. During our visits we also found many examples of effective security practices; close and constructive co-operation between prisons and police; and vigilant staff at all levels. The Home Secretary's recent injunction to the Service to review security for Category A prisoners has been effective in focusing Governors attention on security related matters.

10. It has already become clear that arrangements for controlling and monitoring Category A prisoners within existing policy guidelines vary widely. Some Category A prisoners are able to enjoy a fuller regime and greater freedom of association than others in prisons of similar type, construction and population mix. To the extent that emphasis is placed on humanisation and a more constructive environment in prisons, it might be argued that security-related issues are not receiving the attention which they

merit. But absolute security is difficult to reconcile with humane treatment of prisoners. It is important to recognise that security is but one element of the organisational dynamic, disturbing the equilibrium of which may create control problems. It is therefore necessary to consider very carefully the consequences of imposing overt controls which, although they may appear to increase the level of security of establishments, might actually create additional problems which threaten the stability of the entire prison system.

THE WAY FORWARD

11. We have identified five broad areas affecting security. For this purpose "security" is intended to mean preventing the means of escape.

These are:

- information and intelligence;
- personnel management;
- physical security and security technology;
- systems and procedures;
- and organisational issues.

We therefore intend to pay particular attention to these matters in the course of our further visits to prisons.

12. This is a wide remit and we are conscious of the urgency with which we have been asked us to carry out our task. We aim to report back more fully by the beginning of September.

In conclusion, we feel we should draw attention to the very positive support we have received from all levels of the Service, and in particular the Trades Unions.

G H LAKES

R HADFIELD