

## Chapter 16:

### Module 7 – Hydebank Young Offenders Centre

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## Introduction

- 1 During Module 7 we heard evidence from four witnesses who were admitted to Hydebank Wood Young Offenders Centre (Hydebank) during the period 1983 to 1990. HIA 275 referred to his time in Hydebank in his statement but we left his evidence out of account as he failed to appear to give evidence in person or to provide a reason for not doing so.
- 2 We also heard from Maxwell Murray who commenced work as the deputy governor of Hydebank on October 1984 and remained there until April 1987. He acted as governor of the facility for most of the last two years he worked there. Mr Murray provided a very full and helpful statement to the Inquiry and appended exhibits of relevant documentation, for example guidance provided to officers about what type of clothing inmates should be allowed to wear,<sup>1</sup> and how they should report incidents and occurrences.<sup>2</sup> His statement and exhibits amounted to 1,202 pages. We are grateful for the detailed background information Mr Murray provided about how Hydebank operated in the period he worked there and for his responses to the evidence witnesses gave about their time in Hydebank. We also received a helpful statement and exhibits about the use of control and restraint techniques in Hydebank from Mr David Dowds of the Northern Ireland Prison Service.
- 3 We were assisted by a joint statement for this module provided by the Department of Justice (DoJ) and the Department of Health and Social Services and Public Safety (DHSSPS) and a closing submission provided by the DoJ. We considered response statements to the evidence of witnesses from the DoJ, the Health and Social Care Board (HSCB) and from a former prison officer HB 4 who responded to specific allegations made against him.

## Establishment of Hydebank

- 4 Hydebank opened in June 1979 on the outskirts of Belfast, some four miles from the city centre.<sup>3</sup> Hydebank was established and operated under the provisions of the Treatment of Offenders Act (Northern Ireland) 1968 (the Act). The purpose of Young Offenders Centres was to enable the removal of young offenders, other than those sentenced for the most

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1 HYD 1469.

2 HYD 1311.

3 HYD 471.

serious offences, from the adult prison environment. The Act provided for male offenders between the ages of sixteen and 21 years who had been sentenced to a custodial sentence of less than three years to be detained in a Youth Offenders Centre.

- 5 The DoJ and the DHSSPS explained in their joint statement for this module that Hydebank was a Category C prison, which meant it was a low security closed prison for people who could not be trusted in an open prison but were considered unlikely to make a determined escape attempt.<sup>4</sup>
- 6 The Children and Young Persons Act (Northern Ireland) 1968 also applied to the operation of Hydebank. Section 72 (3) of that Act provided that a boy under seventeen years of age could not be sentenced to a Young Offenders Centre unless a court certified him to be so unruly or depraved that no other method of dealing with him was appropriate.<sup>5</sup> The DoJ and the DHSSPS confirmed that on occasion fifteen-year-old boys who had been convicted of certain offences, including terrorist-related offences, or whose behaviour could not be managed within the open training school system, were sent to Hydebank.<sup>6</sup>
- 7 At the start of the 1980s the Juvenile Remand Unit, which was previously located in D Wing Annex of Belfast Prison, was transferred to Hydebank. The Juvenile Remand Unit was for fourteen to seventeen-year-olds whose containment in a training school was deemed inappropriate because the court had certified them as unruly or depraved under Section 51 (1) of the Children and Young Persons Act (Northern Ireland) 1968.<sup>7</sup>
- 8 Hydebank operated in accordance with the Young Offender Centre Rules (Northern Ireland) 1979 which were superseded by the Young Offender Centre Rules (Northern Ireland) 1982.<sup>8</sup> These Rules set out in detail how Young Offenders Centres should operate, including the accommodation that should be provided, how the reception, transfer and discharge of inmates should be handled, and how discipline and control should be applied. Hydebank was managed by a governor, and staffed by prison officers.

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4 RGL 1336.

5 HYD 520.

6 RGL 1337.

7 HYD 520.

8 HYD 521-548.

## Accommodation

- 9 Hydebank could accommodate 297 inmates, both sentenced and remand. There were in the region of 14,000 receptions to Hydebank between 1979 and 1995; this figure includes multiple entries of boys who were committed to Hydebank on more than one occasion.<sup>9</sup>
- 10 The residential accommodation was split across five houses called Elm, Willow, Ash, Beech and Cedar, each of which contained approximately 60 inmates. The Juvenile Remand Unit was located on a third floor landing in Elm House and could accommodate up to twenty boys. It was completely self-contained with its own enclosed exercise yard, so that the boys held on remand did not come into contact with sentenced prisoners.
- 11 The report of the inspection of Hydebank in December 1983 by HM Chief Inspector of prisons stated that as a Youth Offender Centre, Hydebank was expected to provide, “a brisk regime” with particular emphasis on education and training, both physical and vocational.<sup>10</sup> Therefore, in addition to the residential units, there was a large workshop area for delivery of vocational training courses including joinery, bricklaying, motor mechanics and painting and decorating. A separate education centre provided courses from basic literacy and numeracy up to subjects at Ordinary Level standard. There were also two all-weather and two grass football pitches and a gymnasium with a weight-lifting area attached.<sup>11</sup>

## Regime

- 12 Mr Murray explained that on initial admission to Hydebank, boys would complete a period of induction which was primarily aimed at acclimatising them to their new environment in custody. The procedures included familiarising boys with the daily routine and what was expected of them, and the need to obey rules and conform to routines and procedures was emphasised. After the period of induction, boys would be allocated to one of the other houses on the basis of their attitude, behaviour and length of sentence.<sup>12</sup>

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9 HYD 471.

10 HYD 520.

11 HYD 471.

12 HYD 473.

- 13 During the induction period each boy would have interviews with the governor or his deputy, probation officers, chaplains, staff responsible for education, vocational training and physical education staff. Staff would then compile reports on each boy for consideration at a meeting of the Labour Allocation Board which allocated boys to activities on the basis of their assessed need and time to serve. The Labour Allocation Board was chaired by the deputy governor and attended by heads of departments, including education, vocational training, probation and security.<sup>13</sup>
- 14 Mr Murray described the daily regime in Hydebank, which commenced at 8.00am when inmates' rooms were unlocked. Inmates were then required to clean their rooms, make their beds and have breakfast. Mr Murray explained that inmates were required to keep their rooms and communal areas clean, make their beds to set standards and maintain their personal hygiene as a means of instilling discipline.<sup>14</sup>
- 15 Inmates had to be ready to attend work at 9.00am. Work included cleaning duties and participation in working parties as gardeners and labourers.<sup>15</sup> During the morning work period a 15 minute tea break would be provided, and all inmates returned to the residential units at 12.15pm for lunch and lock-up. The inmates were unlocked at 2.00pm and remained at educational and sporting activities until 4.00pm before they returned to the residential units for lock-up at 4.45pm. Evening association was provided with unlock at 5.30pm and inmates enjoyed free association and attended evening education or the gymnasium. Lock-up at night varied across the Centre depending on the agreed regime for the house, but the latest lock-up was around 8.30pm, other than for those with Special Privileges who were allowed a later lock-up.<sup>16</sup>

## Discipline and Control

- 16 The major emphasis in Hydebank was on maintaining security and control and instilling discipline. A staged system of progress towards release was operated by means of movement through the houses to the final stage, which was a pre-release unit for those nearing the end of their sentence.<sup>17</sup> The progression was from the reception/committal unit to

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13 HYD 473.  
14 HYD 473.  
15 HYD 474.  
16 HYD 475.  
17 HYD 520.

Elm, then onwards to Willow, Cedar, Beech and finally Ash. Each house had a progressively more relaxed regime and privileges such as longer association times. The high point in the progression was 'red band' (trusted orderly) status.<sup>18</sup>

- 17 Inmates could earn special privileges that allowed them to work out in the community and have free movement across the Hydebank site. They could also earn additional privileges such as reduced supervision, more freedom of association, increased access to the gymnasium and attendance at outside events, depending on security clearance and time remaining in custody.<sup>19</sup>
- 18 Hydebank was subject to the Young Offender Centre Rules (Northern Ireland) 1979 (YOC Rules). Rule 30 of these Rules (revised as Rule 32 of the YOC Rules (Northern Ireland) 1982) detailed 21 offences an inmate could be charged with if he, for example:
- disobeyed any lawful order or neglected to conform to the rules;
  - treated with disrespect any officer or any person visiting the Centre;
  - was idle, careless or negligent at work or refused to work;
  - used any abusive, insolent, threatening, or other improper language;
  - was indecent in language, act or gesture;
  - committed any assault.
- 19 Charges against inmates were heard before the governor. When he decided an inmate was guilty of an offence he could award a range of penalties including:
- a caution;
  - loss of remission for a period not exceeding fourteen days;
  - loss or postponement of payment for work; and
  - confinement to room for a period not exceeding three days.
- 20 In instances of more serious offences the governor could refer the case to the visiting committee or the Secretary of State on the grounds that the awards available to him were insufficient given the gravity of the offence.<sup>20</sup>
- 21 The visiting committee was an independent body of people appointed by the Secretary of State to ensure that inmates were being treated in

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18 HYD 513.

19 HYD 475.

20 HYD 476-477.

accordance with the YOC Rules. It was given authority to enter a Young Offenders Centre with the object of ensuring it was properly run. Members of the Visiting Committee had free access to any part of Hydebank and could speak to any inmate or officer. Inmates had the right of access to members of the Visiting Committee about any matters. The committee met monthly and carried out visits to parts of the centre on the day of its meetings. Members of the committee also made visits between monthly meetings which meant that Hydebank was visited by a member of the Visiting Committee at least once every fortnight.<sup>21</sup>

22 Mr Murray explained that referrals to the Secretary of State or the Visiting Committee were restricted to cases of violence or serious and repeated offences against discipline which the governor considered required a more severe punishment that he could award. In instances where a case was referred and accepted for hearing by the Secretary of State, or more usually the Visiting Committee, the awards were significantly greater and included:

- loss of remission for a period not exceeding four months;
- loss or postponement of payment in whole or in part for work for a period not exceeding 28 days; and,
- confinement to room for a period not exceeding fourteen days.

If an inmate was found guilty of mutiny or incitement to mutiny or of gross personal violence to an officer, confinement to room could be extended to a period not exceeding 28 days.<sup>22</sup>

23 As well as these formal hearing processes the governor could take more immediate action when he deemed it necessary, including temporarily confining an inmate to a protective room approved for the purpose by the Secretary of State. However, the YOC Rules specified that an inmate should not be confined to such a room as a punishment, and in instances when temporary confinement was used the medical officer had to be informed. The governor could also approve the use of restraints, but with the proviso that they should not be used for longer than necessary, and in no case for longer than twenty-four hours without the written permission of a member of the Visiting Committee.

24 The governor could also award immediate removal from association for 24 hours, after which time he had to seek authority of a member of the

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21 HYD 487.

22 HYD 477/8.

Visiting Committee or Secretary of State. As part of this process the inmate would be interviewed, and the governor would have to provide evidence about why removal from association was necessary. If the removal was approved it would be for a period not exceeding fourteen days, and any extension would have to be renewed fortnightly thereafter by the Visiting Committee.<sup>23</sup>

- 25 Although there was a range of sanctions that could be applied to the inmates in Hydebank, we consider that the application of the YOC Rules for their use and the role and remit of the visiting committee provided important safeguards for the welfare of the young people in the Centre.

## Governance

- 26 The Governor of Hydebank reported to the Director of Prison Operations in the Northern Ireland Office (NIO) and Mr Murray explained he had regular contact with the director during his time, who was Roger Kendrick. Mr Murray explained that Mr Kendrick made frequent visits to Hydebank, and carried out rounds of the establishment to satisfy himself that everything was in order.<sup>24</sup> He also explained that staff working in the NIO treatment of offenders branch were also frequent visitors to Hydebank and would have attended a number of routine meetings, such as the board which allocated work to inmates. We noted that an official from the NIO chaired the meetings that determined whether a boy should be trusted with orderly status.<sup>25</sup>
- 27 In addition, as part of the arrangement whereby HM Chief Inspector of Prisons for England and Wales (HMCIP) inspected one prison in Northern Ireland each year, Hydebank was inspected by HMCIP in June 1982 and October/November 1994. In the report of the 1982 inspection<sup>26</sup> inspectors made adverse comments about the management structure, the dissemination of instructions and information to staff, staff working excessive overtime and lack of staff training, and, in particular, lack of induction training. The inspectors also made recommendations about necessary improvements to health and safety matters such as the frequency of fire drills. However, their conclusions about the treatment and conditions of the boys were positive, and included:

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23 HYD 478/9.

24 HYD 484.

25 HYD 513.

26 HYD 503-520.



“The staff were concerned and caring, taking an interest in the well-being of the inmates from reception to discharge. Inmates’ material needs were well provided for, and the arrangements for visits, the provision of food and medical care were of the highest order.”<sup>27</sup>

- 28 In relation to the physical education provided, the inspectors commented:  
“We were most impressed by the quality of work, the enthusiasm of staff, the excellent provision of facilities and the attention given to the individual needs of inmates and their personal safety”.<sup>28</sup>
- 29 We noted that the inspectors recommended that the NIO should define the term “special cell” and give guidance in its use in contrast to the use of punishment cells and introduce a system for documenting and monitoring the use of mechanical restraints.<sup>29</sup>
- 30 In the next inspection of Hydebank by HMCIP in 1994 the inspectors recorded that Control and Restraint techniques were used sparingly, staff had been trained to operate as part of a three-person team in order to restrain an inmate, and documentation was completed after every incident involving the use of Control and Restraint.<sup>30</sup>
- 31 The inspectors were impressed by the quality of care provided in Hydebank. They commented:  
“Although staffing levels were high the quality of supervision and standard of work achieved by most officers justified these levels. Landing officers (known as class officers) had excellent relationships with inmates whom they clearly knew well. The safety of inmates was protected by the alertness of staff.”<sup>31</sup>
- 32 They reported that they found a general absence of bullying and recorded that inmates had told them they felt safe.<sup>32</sup> They were concerned to find that house staff were able to award their own unofficial sanctions for small infringements, and recommended that sanctions should only be awarded after an accusation had been properly investigated by a senior member of staff.<sup>33</sup>

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27 HYD 509.  
28 HYD 513.  
29 HYD 511.  
30 HYD 1619.  
31 HYD 1610.  
32 HYD 1612.  
33 HYD 1617.

- 33 Inspectors found that there had been 256 adjudications carried out by the deputy governor in the first ten months of 1994. When guilt was proven, sanctions were severe, but in the cases they examined the sentences appeared appropriate to the offence.<sup>34</sup>
- 34 We particularly noted the concern recorded by the inspectors that seven juveniles (five fifteen-year-olds and two sixteen-year-olds) had been sent to Hydebank for five week assessment periods as a result of unruly behaviour.<sup>35</sup> The inspectors commented that they found no evidence that these boys were undergoing assessment. They were particularly concerned that the two sixteen-year-olds had neither been charged before a court, nor convicted of a criminal offence and were clear in their view that they should not have been held in a penal institution.<sup>36</sup> Consequently the Chief Inspector recommended to the Secretary of State that Schedule 5, 10(1) of the Children and Young Persons Act (Northern Ireland) 1968, should be reconsidered so as to avoid imprisoning juveniles who had not been charged with a criminal offence. <sup>37</sup>The DoJ confirmed that this recommendation was addressed through a programme focused upon reviewing and modernising children’s services across various aspects of the juvenile justice system that the NIO was already engaged in at the time it received the Chief Inspector’s recommendation.<sup>38</sup>
- 35 Mr Murray told us that members of the International Committee of the Red Cross also visited Hydebank and reported the conditions they found to HM Government.<sup>39</sup>
- 36 Any complaints or criticisms made by inmates to the members of the Visiting Committee were reported to the governor. More serious complaints could be reported to the NIO. The Visiting Committee submitted an annual report to the Secretary of State detailing their visits to the Centre and any matters arising. We found that the policy and framework for dealing with complaints in Millisle were undermined by the way they were implemented in practice. We did not hear evidence about similar problems in relation to the handling of complaints in Hydebank.

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34 HYD 1617.

35 HYD 1650.

36 HYD 1651.

37 HYD 1653.

38 HYD 3123.

39 HYD 487.

- 37 Each year the governor had to provide an annual report to the Secretary of State which covered the inmate population, the behaviour of inmates, security and staffing issues. The annual report included a number of appendices including a report from the chairman of the visiting committee about the committee's work and its conclusions and recommendations for the year. In the annual report for 1984 the chairman of the visiting committee commented:

“The past year has seen the YOC maintaining its image of a progressive and rehabilitative establishment.”<sup>40</sup>

## Evidence from Witnesses about Hydebank

- 38 We received evidence from four witnesses about their stays in Hydebank, which occurred between 1983 and 1990. Mr Murray told us he did not know any of these witnesses, and that given the dates they were in Hydebank he does not believe any of them were present when he worked in the centre. The information provided by the DoJ shows that HIA 253 was remanded to Hydebank on 16 May 1984 and received a 12 month sentence to Hydebank on 24 July 1984.<sup>41</sup> He was discharged from Hydebank in January 1985.<sup>42</sup> Mr Murray commenced work in Hydebank on 29 October 1984 so there was a brief period of approximately two to three months when Mr Murray was working in Hydebank and HIA 253 was an inmate there. We accept that Mr Murray does not remember HIA 253 given the briefness of the overlap and that it occurred when Mr Murray had just commenced his employment in Hydebank.
- 39 Mr Murray provided helpful general responses to the allegations of witnesses on the basis of his experience of working in Hydebank and his knowledge of some of the staff that are referred to in the statements of witnesses.

## Physical Punishment

- 40 HIA 373 had four stays in Hydebank but only the first of these, which was for two weeks from 28 October 1983 to 11 November 1983, and the second, which was for six weeks between 11 January 1984 and 24 February 1984, are within our Terms of Reference, as HIA 373 was over 18 when he spent his final two periods in Hydebank.

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40 HYD 11931.

41 HYD 048.

42 HYD 027.

41 HIA 373 told us that a member of staff HB 4 who worked in reception and another staff member slapped him for not addressing them as “Sir”.<sup>43</sup> HB 4 proved a statement to the Inquiry in which he stated that he had no recollection of HIA 373 and denied slapping him or any boy. He stated:

“I had an authoritative voice and I would have shouted if necessary to keep order, but I never needed to slap anyone.”<sup>44</sup>

Mr Murray who worked with HB 4 commented that HIA 373’s allegations about HB 4 were at odds with his knowledge of the officer whom he found to be “a professional, committed, dedicated officer”.<sup>45</sup>

42 HIA 373 told us that when he refused to co-operate with the reception process at the start of his second stay in Hydebank he was stripped of his clothes, and when he tried to hold on to his underpants a female RUC officer who had escorted him to Hydebank insisted they were removed and kicked him in the stomach.<sup>46</sup> He also described being slapped around the face daily by HB 5, who was in charge of Willow House, for such things as not cleaning his room properly.<sup>47</sup> He told us that he observed other inmates being physically abused by officers and receiving no medical treatment for injuries they sustained. He described inmates barricading themselves in their cells and being beaten by officers for doing so. He said that following one such incident he saw a boy being dragged down three flights of stone steps, his head hit off each of the steps, and he heard later that the boy was so badly bruised that he was kept hidden in the punishment unit until his injuries healed.<sup>48</sup>

43 Mr Murray said he had no knowledge of officers routinely slapping inmates and that any officer found assaulting or misusing force against an inmate would be subject to disciplinary processes and could lose his job as a result.<sup>49</sup> He stated that he had no recollection of routine serious incidents or cell barricades, and pointed out that that it would have been impossible for an inmate to be kept hidden in the punishment unit, as it was clearly visible to managers in Hydebank and members of the Visiting Committee had regular access to it.<sup>50</sup> When Mr Murray gave evidence in person he

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43 HYD 009.  
44 HIA 2870.  
45 HYD 490.  
46 HYD 012.  
47 HYD 009.  
48 HYD 011.  
49 HYD 491.  
50 HYD 492.

emphasised that members of the Visiting Committee were not accompanied by staff during their visits and that they valued the independent nature of their role. He explained that as the deputy governor and then governor of Hydebank he had to attend meetings with the Visiting Committee to address any matters of concern or issues arising from their visits.<sup>51</sup>

- 44 When HIA 253 was admitted to Hydebank, he saw it as being given “short sharp shock treatment”,<sup>52</sup> to ensure he followed the rules. He told us that officers knew what pressure points to use to control the behaviour of inmates, and said that when they touched pressure points on his shoulders he fell to his knees.<sup>53</sup> When he gave evidence in person he posed the question about whether there was Government approval for the use of such techniques.<sup>54</sup> Mr Murray said in response that he had no knowledge of staff bringing boys to their knees by pressing pressure points. He explained that up until the mid-1980s officers received use of force training based on judo techniques, which included using arm holds to take a prisoner who was being violent to the ground, but that from the mid-1980s onwards training on Control and Restraint techniques was introduced. He explained that these techniques placed an emphasis on de-escalation and the use of minimum force if other measures to get a situation under control had not proved successful.<sup>55</sup>
- 45 David Dowds submitted a statement on behalf of the Northern Ireland Prison Service about the use of Control and Restraint techniques in Hydebank. He provided contemporaneous documentation to show that the policy was that force should only be used when necessary and no more force than is necessary should be used. He referred to guidelines issued in August 1988 about the use of force in the prison service. This pointed out to officers that the use of force when it was not necessary, or the use of more force than was necessary to achieve the objective, was both a criminal offence and a civil wrong.<sup>56</sup> He also provided exhibits showing how the policy was disseminated to staff, how training was provided to staff and recorded, and how the use of restraint was monitored by the prison service.

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51 Day 159, p.155.

52 HYD 027.

53 HYD 027.

54 Day 142, p.27.

55 HYD 480.

56 HYD 1676.

- 46 Mr Murray accepted that he did receive and deal with complaints about officers physically abusing inmates. He explained that such complaints were formally investigated with, where necessary, the involvement of the RUC. He provided an example where he continued an investigation into alleged mistreatment despite the fact that the inmate in question withdrew his complaint.<sup>57</sup> He also indicated when he gave evidence in person that the young people who were inmates in Hydebank would not have tolerated the type of systemic physical abuse described by some witnesses, and that it would have led to major riots.<sup>58</sup>
- 47 We accept that some officers in Hydebank may have taken an overly physical approach to establishing their authority and maintaining discipline, and would have dealt swiftly and robustly with any behaviour they viewed as insubordination. However, we consider that the approach of senior managers as described by Mr Murray and the active oversight of the Visiting Committee would have provided some protection from such behaviour. We have given careful consideration to the allegations we received about physical abuse in Hydebank but we do not find that they were sufficient to amount to evidence of systemic physical abuse of inmates.

## Sexual Abuse

- 48 We received only one allegation of sexual abuse in Hydebank. HIA 373 told us that he was not sexually abused in Hydebank and did not observe such abuse.<sup>59</sup> However, he told us that he knew of boys who had been sexually abused in the centre including a friend of his HB 9, who had told him that he had been sexually abused by a senior prison officer, HB 10. HIA 373 indicated that HB 10 was connected to a paedophile network based in Coleraine and that HB 9 was abused by members of that ring following his release from Hydebank and that this combined abuse was the reason HB 9 took his own life four or five years ago.<sup>60</sup>
- 49 Mr Murray said he remembered an officer called HB 10 but did not recall any complaints against him. He told us that he received no allegations of sexual assaults while he was in Hydebank and confirmed that if he had he would have reported them to the police.<sup>61</sup>

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57 HYD 496/7.

58 Day 159, p.136.

59 HYD 014.

60 HYD 013.

61 HYD 493.

- 50 Given this is the only allegation of sexual abuse we received and it is not an account from a witness that personally suffered abuse, we do not find evidence of systemic sexual abuse in Hydebank.

## Emotional Abuse

- 51 When HIA 253 gave evidence in person he recounted an incident when prison officers suspected he had been masturbating in his cell during a lock-up period and gave him a “couple of slaps” for doing so. He described how when the doors were unlocked one of the officers grabbed him by the ear and marched him up and down the corridor in front of other inmates and made him tell them that he had been masturbating. He indicated that it was being paraded in front of other inmates that he found particularly humiliating.
- 52 While we recognise how distressing such treatment would have been to HIA 253 we do not consider that this single incident amounts to systemic abuse.

## Unacceptable Practices

### Excessive Chores

- 53 HIA 373 said that the regime in Hydebank was “designed to break your spirit”. He described how if his room were not cleaned or his bed not made to the required standard they would be wrecked by officers and he would have to start again.<sup>62</sup> HIA 253 also described beds being wrecked by officers if they were not made properly<sup>63</sup> and recalled being made to clean the floor of his cell with a tooth brush.<sup>64</sup>
- 54 In contrast, although HIA 138, who was in Hydebank in 1990, described the regime as akin to a boot camp, he said staff treated everyone the same and that he did not receive any physical punishment.<sup>65</sup>
- 55 Mr Murray confirmed that cell inspections were routine but said he never witnessed cells being wrecked.<sup>66</sup> He also confirmed that inmates on committal were expected to carry out menial tasks, which included a lot of cleaning, but said this was to establish a routine and encourage a work ethic.<sup>67</sup> While he accepted that the committal regime required inmates

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62 HYD 010.

63 Day 142, p.28.

64 HYD 027.

65 HYD 021.

66 HYD 491.

67 HYD 491.

to conform,<sup>68</sup> and that there was a strong emphasis on discipline and control,<sup>69</sup> he did not accept that the regime was designed to break the spirit of any inmate.<sup>70</sup>

- 56 It is clear that the committal regime was designed to ensure compliance and conformity. There can be a narrow dividing line between insistence on routines and the achievement of exacting standards and excessive chores and a requirement for perfection that amounts to abuse. We consider that officers may have crossed that line on occasion in Hydebank but the evidence we have heard about isolated incidents is not sufficient to amount to a finding of systemic abuse.

## Sectarianism

- 57 HIA 373 said that prison officers singled out boys from a Catholic or nationalist background, gave them a particularly hard time, and were open about their admiration for, and loyalty to, loyalist paramilitaries.<sup>71</sup> He also recalled an officer with the nick name “Paddywhack” boasting that he was a former member of the Parachute Regiment and was on duty on Bloody Sunday. Mr Murray stated that he had no memory of an officer with the nick name “Paddywhack”,<sup>72</sup> and confirmed that when he was in Hydebank he received no reports of sectarian behaviour between inmates or between inmates and staff.<sup>73</sup>
- 58 We have carefully considered the evidence we received about unacceptable practices, and while we accept that witnesses were unhappy about the practices they described we do not consider that their accounts amount to evidence of systemic abuse.

## Neglect

### Food

- 59 HIA 434 told us that the food was insufficient and of poor quality<sup>74</sup> and HIA 373 said that it was not particularly nutritious.<sup>75</sup> DoJ pointed to the

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68 HYD 491.

69 HYD 474.

70 HYD 491.

71 HYD 013.

72 HYD 494.

73 HYD 493

74 HYD 034.

75 Day 156, p.56.



assessment of HM Inspectors of Prisons as recorded in the report of their 1982 inspection of Hydebank that the catering was good, with varied menus, and was consistently well-prepared and wholesome food.<sup>76</sup>

- 60 Mr Murray said in his statement that the Northern Ireland Prison Service was very aware of the need to ensure that inmates had sufficient to eat. He explained this further when he gave evidence in person by telling us:

“There are two things prisoners value. One is his visits – the other is his food. Mess around with any of those and you’re going to have problems.”<sup>77</sup>

### Medical Care

- 61 HIA 373 said he was not allowed privacy when seeing the doctor, that officers who attended with him made comments and humiliated him, and neither the doctor nor the nurse intervened to stop them.<sup>78</sup> Mr Murray stated that officers would not have been routinely present during medical examinations, and would only have been in attendance if there were concerns about a boy’s behaviour.<sup>79</sup>
- 62 HIA 434 recalled being made to shave every day and his skin became very sore as he was not yet ready to shave. He explained that this practice only stopped when he saw the doctor in Hydebank, who gave him cream for his skin and said he should only be required to shave every second day. HIA 434 said that he continued to get cuts and sores from shaving even when it was limited to every second day.<sup>80</sup> Mr Murray stated that boys normally shaved prior to unlock, and that it would be unlikely that staff would have known whether an inmate had shaved or not if they had no need to shave.<sup>81</sup> The DoJ commented that this incident as described by HIA 434 shows that the regime in Hydebank was sufficiently flexible to take into account medical conditions.<sup>82</sup>

### Clothing

- 63 HIA 373 described being embarrassed about being made to wear standard issue clothes when he was admitted to Hydebank<sup>83</sup> and HIA 253 also

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76 HYD 510.

77 Day 159, p.129.

78 HYD 012.

79 HYD 492.

80 HYD 034.

81 HYD 495.

82 RGL 90194.

83 HYD 09.

described having to wear such clothes and said that they were used to make new inmates stand out and embarrass them.<sup>84</sup> The DoJ pointed out in its closing submission to this module that in 1982, prior to HIA 373's and HIA 253's committal to Hydebank, the agreed policy was:

“all prisoners will be permitted to wear their own clothing at all times... Prisoners who are either unwilling or unable to provide clothing for their own use will be provided with official - issue clothing.”<sup>85</sup>

The DoJ also pointed out that the report of the HMCIP inspection of Hydebank in June 1982 recorded that clothing issued to inmates was “sweaters and jeans, which were popular, serviceable and well cared for.”<sup>86</sup>

## Education

- 64 HIA 373 complained about the lack of educational support he received in Hydebank and that in particular there was no focus on rehabilitation or preparing young men for a life without re-offending. He was scathing about the quality of the social skills training he received, including the advice given about the transmission of AIDS. HIA 253 said that he attended a mechanics class in Hydebank, and although he learnt some aspects he did not receive a full training in the basics of mechanics. He indicated that the officer in charge of the class got him and other inmates to help make canoes, which he then sold, rather than teaching them about mechanics.
- 65 These accounts are at odds with HMCIP inspectors' assessment of the education facilities in Hydebank. They found teaching was geared to meet the individual needs of inmates and took account of the fact that some inmates were not ready for vocational training or their sentences were too short for them to complete assessed training. They were particularly impressed with the social skills course, and commented that the pre-release course and the alcohol awareness courses, which were voluntary, were oversubscribed. Inspectors went as far as to suggest that the approach to social skills training in Hydebank could be advantageous for young offender centres in England and Wales.<sup>87</sup> When he gave evidence in person, Mr Murray also referred to the effectiveness of the social skills training and the education provision in general provided in Hydebank.

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84 Day 142, p.30.

85 HYD 1465.

86 HYD 11201.

87 HYD 13704.

- 66 While we recognise and accept that witnesses were unhappy about aspects of the care they received in these areas we do not consider that their complaints amount to evidence of systemic neglect.

## Conclusions

- 67 We accept that on admission to Hydebank boys experienced a strict regime, and that the repetitive cleaning tasks and requirement to maintain their cells to a strict high standard were aimed at ensuring inmates conformed to the discipline of Hydebank and the authority of officers. We also think it is probable that some officers took the approach of intimidating boys at the committal stage in order to enforce obedience and discourage any resistance to the regime.
- 68 However, we recognise that Hydebank was a prison and was dealing with some boys who had been found unmanageable in open training schools, and a firm approach was necessary in order to maintain discipline. Despite that imperative, the evidence of Mr Murray and that provided through inspection reports and reports of the visiting committee indicate that a progressive regime was operated that allowed boys to gain privileges and to move purposefully towards release. That evidence also indicates that there was a range of educational, vocational and training activities available to the inmates.
- 69 We accept that the witnesses we heard from had negative experiences in Hydebank and do not consider their time there in a positive light. However, having carefully considered the evidence provided to us, we have decided that the complaints we received do not amount to evidence of systemic abuse in Hydebank.