

**STATEMENT OF MAXWELL GEORGE MURRAY TO THE HISTORICAL
INSTITUTIONAL ABUSE INQUIRY**

11 SEPTEMBER 2015

1. Introduction

1.1. My name is Maxwell George Murray, known as Max, and I joined the Northern Ireland Prison Service (NIPS) on 4 September 1978. My appointment was as Assistant Governor Trainee. Initially I joined as a Basic Grade Officer (BGO) recruit and attended the induction training with a full class of BGO Recruits.

1.2. My training involved a week's familiarisation which included getting a uniform and visiting around Belfast Prison. This was followed by an 8-10 week course at what was then called the Officer Training School in temporary portacabin accommodation at Millisle. This course provided a full range of training in the role of a BGO within NIPS. From my recollection the course included:

- The legal status of prisons and the legal authority of a Prison Officer.
- The legislation which impacts on the management of operational prisons.
- The security procedures/systems to be followed including radio procedures, searching procedures, supervision of prisoner's procedures, escorting function.
- Use of force procedures including use of a baton, break away techniques, use of arm locks procedures, and riot drills.
- Knowledge of the daily regime and how a prison operates.
- Training on disciplinary procedures and adjudications.
- Management of activities including visits, workshops and education.

- 1.3. Following formal training at Millisle all new recruits attended their respective establishments and were on a "White Sheet" for two weeks. This allowed them to shadow other members of staff and to observe the operational functioning of the establishment as a supernumerary member of staff. The "White Sheet" week was managed by the Training Department and included daily de-briefs to discuss each other's experience during the day. The "White Sheet" period included a night shift. I undertook my "White Sheet" at Maze Cellular.
- 1.4. As an Assistant Governor trainee, I then undertook three to four months of project work to become familiar with the management roles and functions, routines and procedures within the prison. The training involved completion of the "Red Book"¹ material which identified the projects to be researched and written up. I then attended a three month training programme for Assistant Governors at Wakefield training College in England with colleagues from HMPS in England and Wales and the Scottish Prison Service.
- 1.5. Following training I was posted to Maze Compound where I became fully operational on 1 March 1981.
- 1.6. I was subsequently promoted on 28 January 1982 and following a period at both Belfast Prison and again at Maze Cellular I transferred to Hydebank Wood Young Offenders Centre on 29 October 1984. I remained there until my transfer on detached duty to Prison Service Headquarters in April 1987 and subsequently on promotion to Maze Prison in November 1987.
- 1.7. During my time at Hydebank I was initially Deputy Governor and following a serious illness of the then Governor Allister Hayes who is now deceased, I was appointed Governor for a period of almost two years. When I arrived at Hydebank, Allister Hayes was in post and he was supported by me as a Deputy Governor and two Assistant Governors, Balfour Stephens (deceased) and Del Smith retired. The Senior Management Team also included two Chief Officers, the Senior Discipline grades, Richard Elder (retired) and George Kerton (deceased).

¹ **Exhibit 1** - Example of 'Red Book'

- 1.8. Other Senior Managers included Heads of Departments for Probation, Education, Workshops, Catering, Works Department and Chaplains.

2. **Hydebank Wood Background**

- 2.1. The Hydebank Wood Young Offenders Centre was built on the outskirts of Belfast, some 4 miles from the city centre, and opened in 1979 to replace the closed Borstal in Millisle. As I recollect, the open Borstal transferred to Hydebank and closed in 1980. At that time male Young Offenders under the age of twenty one who were serving custodial periods of less than three years were sentenced to a period of detention in a Young Offenders Centre as opposed to a period of imprisonment. At some stage during the early 1980's the Juvenile Remand Unit which was previously accommodated in D Wing Annex of Belfast Prison also transferred to Hydebank and was accommodated on a third floor landing of Elm House. The landing could accommodate up to 20 boys aged, I believe, 14-17 years of age.
- 2.2. The Centre could accommodate 297 inmates, both sentenced and remand. The residential accommodation was split across five residential houses each containing approximately 60 inmates – Elm/Willow/Ash/Beech and Cedar houses. There were in the region of 14,000 receptions between 1979 and 1995, which includes multiple entries of single individuals committed on a number of occasions.
- 2.3. In addition to the residential units, Hydebank Wood was provided with a large workshop area for delivery of Vocational Training Courses including Joinery, Bricklaying, Plastering, Motor Mechanics, Industrial Cleaning, Hair Dressing, Painting and Decorating. A separate Education Centre adjacent to Elm and Willow provided a number of classrooms where courses were run, including basic Literacy and Numeracy up to O level standards. Recreation and Sport was provided in a generously appointed Gymnasium with a weight lifting area attached. The Centre had four football pitches – 2 all weather and 2 grass. The front entrance included a Visitors Reception for relatives who visited the establishment. Although visitors were not searched, inmates were searched entering and leaving the Visits Hall.
- 2.4. Escort Vehicles entering Hydebank went through the front gate vehicular entrance, parked in the forecourt adjacent to the Administration Building and

inmates were unloaded directly into a reception area where new committals and re-committals were processed before being transferred to their accommodation Houses. As I recall, at that time Elm was for inmates sentenced to custody for the first time and Willow was for recidivists.

2.5. The Hydebank regime at the time of opening was intended to be lively and brisk with inmates occupied from unlock to lockup on a range of constructive activity. In a report by HM Chief Inspector of Prisons (HMCIP) dated December 1983² the Inspectors recorded in the inspection report the functions of the establishment at Appendix 2.

1.1. The functions of HM Young Offenders Centre are therefore:

- a) to receive and hold young male offenders between the ages of 17years and 21years who had been ordered to be detained in custody for a period of less than three years;
- b) to provide a brisk regime with particular emphasis on education and training, both physical and vocational;
- c) to provide for a staged system of progress towards release by means of movement through the 'house' system to a pre-release unit for those nearing the end of their sentence;
- d) to discharge inmates on their due dates, allowing for 50% remission of sentence for good behaviour; and
- e) to operate a juvenile remand unit.

2.6. In carrying out these functions the Young Offenders Centre is expected to operate in accordance with the Young Offender Centre Rules NI (1979)³ and other instructions for the time being in force.

3. **Hydebank Regime 1984 to 1987**

3.1. When I arrived in Hydebank in October 1984 as the Deputy Governor, the then Governor Allister Hayes had already initiated a programme of regime

² **Exhibit 2-** HM Young Offender Centre Hydebank Wood - Report by HMCIP of Prisons December 1983

³ **Exhibit 3-** Young Offenders Centre Rules (Northern Ireland) 1979

development to ensure the regime delivered the functions identified for the Centre whilst at the same time meeting the needs of the Young Offenders in its charge. Although I have no personal knowledge of some of the changes, I understand that the regime development did remove the requirement for inmates not to walk on certain coloured tiles following their committal to the Centre and the requirement for all inmates to have skinhead haircuts. From my recollection the regime provided for inmates did include a strong emphasis on discipline and participation in activities provided.

- 3.2. I recollect at that time that Hydebank Wood dealt with some very serious Young Offenders who had major behavioural problems and limited respect for authority. At committal, inmates were expected to conform to a certain standard, and keeping their rooms clean with making bed packs daily was a basic requirement. There was a strong emphasis on personal hygiene as well as maintaining a high standard of cleanliness within each of the units. At committal all inmates would be seen by an Assistant Governor, a member of the Probation Team, a Chaplain and other Departmental Heads including Head of Physical Education, Head of Education and Head of Workshops.
- 3.3. Within the Centre a Labour Allocation Board met virtually weekly to allocate inmates to activities dependent on 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. The Board considered the individual needs of inmates and took account of any intellectual or skills assessments available. Depending on the Security assessments and time remaining to serve inmates were allocated to activities within the Centre. From recollection, after the period of induction in the committal unit which could last up to four weeks, inmates would be allocated to another house depending on their attitude, behaviour and length of sentence. The induction procedure was primarily aimed at acclimatising inmates to their new environment in custody. The procedures included familiarising them with the daily routine and what was expected of them, particularly emphasising the need to obey rules and conform to the routines and procedures in place. Induction also included interviews with Governors, Probation, Chaplains, Education staff, Vocational Training and Physical Education. All compiled reports for consideration at

the Labour Allocation Board. From there they would be allocated to a work party.

- 3.4. I cannot recall the precise numbers in Hydebank in October 1984 but I note the HMCIP recorded the numbers during the December 1983 inspection at 268 sentenced young men and 19 boys on remand. Many of the inmates participated in work parties as orderlies, gardeners and labourers. As I recall, the Centre employed upwards of 12-14 Teachers, full and part-time, who could teach a wide range of subjects, and 8-10 instructors. Inmates were expected to attend work and education as allocated. In addition, the Centre also had a Social Skills Course which provided advice and support on alcohol and drugs, living alone and pre-release.

4. **The Regime**

- 4.1. The daily regime required inmates to be unlocked at 8.00am when they would be expected to clean their rooms, make their bed packs and have breakfast and be ready to attend work at 9.00am. During the morning work period a 15 minute tea break would be provided with all inmates returning to the residential units at 12.15 for lunch and lockup. The inmates were again unlocked at 2.00pm and remained at activities until 4.00pm before returning to the units for lockup at 4.45pm. Evening Association was provided with unlock at 5.30pm and inmates enjoyed free association, attended evening education or the gymnasium. Lockup at night varied across the Centre depending on the agreed regime for the house, but the latest lockup was around 8.30pm (other than for those with Special Privileges⁴).
- 4.2. Hydebank Wood operated a progressive regime. The committal procedure as identified previously had a strong emphasis on discipline and control. However, an inmate would quickly progress from the committal landings to one of the other houses. I cannot remember the precise detail but do recall that Ash, Beech and Cedar each had a separate regime to reflect a more relaxed environment for inmates depending on progress with Ash house being the pinnacle where inmates could attain special privilege status because of their progress within the Centre. Special privilege (SP) entitled

⁴ **Exhibit 4-** Special Privilege Scheme

Ash House inmates to work out in the community and have free movement across the site. SP's also had a late lockup. Inmates could earn additional privileges as they progressed through the Centre which included 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.

5. Discipline and Control

5.1. During training all Prison Officers at Millisle were advised of the need to adequately supervise and manage prisoners in their charge. The major emphasis was on security and control. Discipline was important. Staff were instructed that the disciplinary procedures centred on the application of prison rules and charging offenders with offences outlined in the rules. Rule 30 of 1979 rules (revised as Rule 32 of the Young Offender Centre Rules Northern Ireland 1982⁵) outlined 21 offences an inmate could be charged with including:

- disobeys any lawful order or neglects to conform to the rules;
- treats with disrespect any officer or any person visiting the Centre;
- is idle, careless or negligent at work or refuse to work;
- uses any abusive, insolent, threatening, or other improper language;
- is indecent in language, act or gesture;
- commits any assault;
- leaves without permission any place in which he is required to be;
- loses by neglect any property belonging to the Centre;
- wilfully disfigures or damages any part of the Centre or any property which is not his own;
- commits any nuisance.
- takes improperly, or possesses without authorisation any article;

⁵ Exhibit 5 - The Young Offenders Centre Rules (Northern Ireland) 1982

- gives to or receives from any person or has in his room or possession any prohibited article;
- commits an offence under the act;
- mutinies or incites other inmates to mutiny;
- does gross personal violence to an Officer;
- does gross personal violence to any person not being an Officer;
- makes repeated and groundless complaints;
- in anyway offends against the security or good order or discipline of the Centre;
- makes false or malicious allegations against an Officer;
- fails to return to the Centre when a period of temporary release expires or abide by any condition attach to the period of temporary release;
- attempt to do any of the foregoing things.

(Source: Notes for the Guidance of all prisoners undated but likely 1979⁶)

5.2. Officer training included role plays and the opportunity for Trainee Officers to view mock incidents and write statements as well as attending mock adjudications to give evidence. Officers were instructed that the Governor at the hearing would provide an opportunity for the inmate to address the charge(s) laid against him and the relevant Officer would then be subject to cross-examination. The Governor then decided whether the inmate was guilty.

5.3. If found guilty the Governor could award;

- caution;
- loss of remission for a period not exceeding 14 days;
- loss or postponement of payment in whole or in part for work for a period not exceeding 14 days;

⁶ **Exhibit 6** - Information to Committals (full information pack) Specific reference Page 8

- loss or postponement in whole or in part of privileges other than the payments for work, for a period not exceeding 28 days or 2 months in the case of Evening Association exercise;
- exclusion from associated work for a period not exceeding 14 days and;
- Confinement to room for a period not exceeding 3 days.

(Source Notes for the Guidance of all Prisoners⁷)

5.4. In instances of more serious offences the Governor can refer the case to the Secretary of State and the Visiting Committee on the grounds that the awards available to him are insufficient given the gravity of the offence. However, referrals to the Secretary of State or the Visiting Committee⁸ are restricted to the following offences;

- an offence under the Act (The Prison Act 1953);
- gross personal violence to an Officer;
- gross personal violence to any person not being an Officer and;
- any serious or repeated offences against discipline for which, in the view of the Governor it may desirable to award a severe punishment than is provided in Rule 31.

(Source Notes for the Guidance of all Prisoners⁹)

5.5. In instances were a case is referred and is accepted for hearing by the Secretary of State or usually the Visiting Committee the awards are significantly greater and include;

- loss of remission for a period not exceeding 4 months;
- loss or postponement of payment in whole or in part for work for a period not exceeding 28 days;
- loss or postponement in whole or in part of privileges other than payment for work;

⁷ **Exhibit 6** - Information to Committals (full information pack) Specific reference Page 8

⁸ **Exhibit 7** - Visiting Committee Information

⁹ **Exhibit 6** - Information to Committals (full information pack) Specific reference Page 8

- exclusion from associated work for a period not exceeding 28 days and;
- confinement to room for a period not exceeding 14 days or were the inmate is found guilty of mutiny or incitement to mutiny or of gross personal violence to an Officer not exceeding 28 days.

(Source Notes for the Guidance of all Prisoners¹⁰)

- 5.6. The disciplinary procedures highlighted above are the only procedures that are in place to punish a prisoner for acts of indiscipline. However, on occasions an inmate's behavior can become so disruptive to the Centre that the Governor has to take additional measures to protect both the individual inmate and others within the Centre including staff. In such instances the Governor may temporarily confine an inmate to a room under Prisoner Rule 40-(1)¹¹ (which states that for the purpose of preventing disturbance, damage or injury, a refractory or violent inmate may be temporarily confined in a special room or protective room approved for the purpose by the Secretary of State; but an inmate shall not be confined in such a room as a punishment or after he has ceased to be refractory or violent. In instances when temporary confinement is used the Medical Officer must be informed).
- 5.7. In other instances inmates can create disruption within the Centre and despite every effort on the part of Management and staff to manage the inmate in the general population consideration will be given to removing the inmate from association with others. Prison Rule 26.1 YOC Rules 1982¹², states that 'where it appears desirable for the maintenance of good order or discipline or in his own interests that an inmate should not associate with other inmates, either generally or for particular purposes, the Governor may arrange for the inmates removal from association accordingly'.
- 5.8. Governors can award removal from association for 24 hours after which time the Governor must seek the authority of a member of the Visiting Committee or Secretary of State. The Visiting Committee will interview the prisoner and seek evidence from the Governor as to why the removal from association is

¹⁰ **Exhibit 6** - Information to Committals (full information pack) Specific reference Page 8

¹¹ **Exhibit 5- Page 13** - The Young Offenders Centre Rules (Northern Ireland) 1982

¹² **Exhibit 5 -Page 9** - The Young Offenders Centre Rules (Northern Ireland) 1982

necessary and if approved, authority will be given under Prison Rule 26.3¹³ for the inmate's removal for a period not exceeding 14 days. However, the removal can be renewed fortnightly thereafter by the Visiting Committee.

- 5.9. During training the new recruits are fully aware that the disciplinary procedures outlined above are the agreed procedures for managing misconduct within the Young Offenders Centre or prisons. The general principles highlighted in part 5 of the Prison Rules amended in 1982¹⁴ are fully explained at training. The general principles are as follows:

25 (1) order and discipline shall be maintained with firmness but with no more restriction than is required for safe custody and well-ordered community life.

25.(2) in the control of inmates Officers shall, so far as possible, seek to influence them through their own example and leadership and to enlist their willing co-operation.

25.(3) at all times the treatment of inmates shall be such as to encourage their self-respect and a sense of personal responsibility.

25.(4) an inmate shall not be employed in any disciplinary capacity, but inmates selected as suitable by the Governor may be given positions of responsibility.

6. Minimum Use of Force and Technical Intervention Training (MUFTI)

- 6.1. When I undertook training as a new recruit to the Prison Service, the training was based on 'Judo' principles for arm holds and taking someone who is being violent to the ground. There was a significant emphasis on the use of the baton. The training included practical sessions when moves were practiced and perfected.

¹³ **Exhibit 5 – Page 9** - The Young Offenders Centre Rules (Northern Ireland) 1982

¹⁴ **Exhibit 5 – Page 8**- The Young Offenders Centre Rules (Northern Ireland) 1982

6.2. During training on use of force Officers were advised on the requirement not to use excessive force and that any force used must comply with Prison Rule 39 (1982)¹⁵ which states:

1. *'an Officer in dealing with an inmate shall not use force unnecessarily and when the application of force is necessary, no more force than is necessary shall be used'.*
2. *'an Officer shall not deliberately act in a manner calculated to provoke an inmate'.*

6.3. In Hydebank Wood Officers were not issued with batons given that they largely deal with young people and juveniles. The emphasis for staff at Hydebank Wood was on the requirement to develop working relationships and a working rapport with the inmates. That approach remains to this day.

6.4. Sometime in the mid 1980's the use of force training changed to use of Control & Restraints. Control & Restraints was introduced in England as a means for staff to control those inmates who for whatever reason seek to be disruptive and violent. Since its introduction Control & Restraints has remained the only approved method of controlling those in Prison Service custody, if used properly will be accepted by the Courts as a humane effective method of doing so. Control & Restraint follows a specific discipline where wrist locks are used to bring disruptive prisoners under control. As previously with the MUFTI Training Control & Restraint Training emphasises on the need to use other means to bring situations under control before resorting to the use of force. Control & Restraint emphasises on de-escalation skills which will be applied depending on the circumstances. If the situation cannot be brought under control without the use of force then force may be used to the extent to which it is necessary in the circumstances to achieve the objective, but no more.

6.5. The C&R Training Programme is in three parts:

¹⁵ **Exhibit 5 – Page 13** - The Young Offenders Centre Rules (Northern Ireland) 1982

- i. C&R 1 comprises wrist locks techniques, covers the defensive use of the short stave and kuboton (used in the female prison) and introduces the concept and deployment of a 3-officer team.
 - ii. C&R 2 (A) comprises simple self-defence and breakaway techniques.
 - iii. C&R (B) introduces the use of side arm baton, short and long shield; and covers the operational use of a 14-officer unit.
 - iv. C&R 3 prepares staff to deal with larger-scale incidents and covers the deployment of a 44-officer section or a number of sections.
- 6.6. In addition to the Induction Training¹⁶ for new staff coming through the Prison Service College at Millisle, existing staff transferred into any establishment from another establishment automatically received 2 week Induction Training on a "White Sheet" which meant the Officer was not detailed specific duties but had the opportunity to observe and shadow other staff in order to become familiar with the routine, procedures, security and design of the establishment.. During such training new staff were advised of the culture and operation of the Centre and what is required of them. They also had opportunity to shadow staff on the landings. I well remember the Training Department looking after new staff who transferred in from Maze, Belfast and occasionally Magilligan.
- 6.7. The training provided to staff emphasised the difference between working with paramilitary prisoners at Belfast or Maze, and working with Young Offenders. A different approach was required. In Hydebank staff were briefed on the obvious differences of managing Paramilitary terrorists prisoners who act in concert and work as a concerted group, as against individual Young Offenders who come from a range of challenging backgrounds and many who were indirectly impacted by the troubles.

¹⁶ **Exhibit 8** - Northern Ireland Prison Service Officers Instruction Manual Photocopy of cover page (Hard Copy evidence Available)

7. Regime

- 7.1. In Hydebank the regime available to prisoners was managed in accordance with the requirements of Prison Rules. Every member of staff on entering the Service was provided with a set of Rules¹⁷ in a small pocket sized blue book. The Officer carried this book with him during his tour of duties for use as a quick reference guide in the event of issues arising. In addition, the blue book was further expanded in both Governors Orders¹⁸ and Chief Officers Orders. Generally the Governor's Orders emphasised the ethos and culture operating within the Centre whilst the Chief Officer's Orders clarified the operational requirements on a daily basis. NIPS also had a file of Standing Orders¹⁹ which provided detailed clarification on a wide range of topics affecting inmate's time in custody and included a section on Discipline & Control.²⁰
- 7.2. Officers were deployed daily in regular posts where they were familiar with the operation of the area and inmates under their charge. Officers worked within a team with a Senior Officer in charge. Briefings took place during handover periods at morning unlock, lunch-time lockup, evening unlock and at the handover to Night Guard staff. This provided an opportunity for staff to discuss any ongoing problems or difficulties with particular inmates or other issues affecting the routine. Staff had direct access to Senior Officers on a daily basis and had every opportunity to inform management of any unforeseen circumstances arising in their area of responsibility.
- 7.3. All areas were frequently patrolled by Senior Management including Governor Grades who were allocated specific areas of responsibility across the Centre. Chief Officers and Principal Officers also carried out rounds of their areas of responsibility. All had clear visibility of what was happening within the areas given that most association areas were glass fronted. Managers were also required to inspect inmate's rooms.

¹⁷ **Exhibit 9** - Northern Ireland prison service - the Prison rules (Amended) and Other Information - Photocopy Cover Page (Hard Copy Evidence Available)

¹⁸ **Exhibit 10** - HM PRISON & YOUNG OFFENDERS' CENTRE - HYDEBANK WOOD GOVERNOR'S ORDERS

¹⁹ **Exhibit 11** - - Example of a Circular and Standing Order on Inmates Clothing

²⁰ **Exhibit 12** - Litigation regarding Control and Restraint Techniques

8. Complaints by Inmates

8.1. Upon committal, inmates were advised that they had the right to see a Governor on request, a member of the Visiting Committee or a visiting representative of the Secretary of State in compliance with Rule 42 (1)²¹. Inmates received a copy of the Guidance to prisoners on committal²². As highlighted in paragraph 42 (2) of the 1982 YOC Rules²³ 'the Governor shall, at a convenient hour every day, other than Saturday's, Sunday's and Public Holidays, see all inmates who had made a request to see him'. Obviously this function was delegated to Junior Governor Grades (1982 Prison Rule 97 (2))²⁴ depending on their areas of responsibility.

8.2. In addition to the Management being visible throughout the Centre, other staff including Chaplains, Probation, Teachers, Counsellors and Administration staff also had access throughout all areas of the Centre.

8.3. Visiting Committee

8.3.1. Inmates could make a request to see a member of the Visiting Committee or an Official of the Northern Ireland Office (NIO) at the next visit. Applications to see a member of the Visiting Committee would be made directly with the Class Officer who would record the request and refer to the Visiting Committee Clerk who would enter into the Visiting Committee Journal. Any member of the Visiting Committee on their next visit would be required to see the inmate. Separately, inmates could directly approach members of the Visiting Committee, who visited throughout the Centre, without referral to prison staff.

8.4. Petitions

8.4.1. All inmates were entitled to write a petition to the Northern Ireland Office, the content of which could not be censored by the establishment. During the mid-1980's the Treatment of Offenders

²¹ **Exhibit 5 – Page 14** - The Young Offenders Centre Rules (Northern Ireland) 1982

²² **Exhibit 6** - Information to Committals (full information pack)

²³ **Exhibit 5 – Page 14** - The Young Offenders Centre Rules (Northern Ireland) 1982

²⁴ **Exhibit 5 – Page 25**- The Young Offenders Centre Rules (Northern Ireland) 1982

Branch in Prison Operations managed any representations received from inmates or prisoners. The petition would include any representations which the inmate wished to make with an explanation from the Governor. Petitions comprised of a four sided document which included 2 pages inside. One for the inmate to outline the complaint and the other for the management response were usually used as a form of appeal against a decision taken within the Centre. NIO staff within the Treatment of Offenders Branch responded in writing directly to the inmate making the complaint.

8.5. Members of Parliament

8.5.1. Inmates were entitled to make direct representations to members of Parliament in accordance with Standing Order Section 5²⁵. In the notes for the guidance of all prisoners, paragraph 4C states that any complaint about a member of staff must be made to the Governor. A complaint on these matters may not be made to a Member of Parliament until official action is complete.

8.6. Parliamentary Commissioner on Administration

8.6.1. Inmates also had the right to send a letter to the Parliamentary Commissioner on Administration and the guidance to prisoners included the address. Such letters were not subject to censorship.

9. **Scrutiny**

9.1. As Governor, I reported to the Director of Prison Operations who at that time was Rodger Kendrick (now deceased). I would have been in contact with him or his office at least two to three times a week on a wide range of issues or even routine matters. Rodger Kendrick also frequently visited the establishment and would have carried out rounds to satisfy him that everything was in order. NIO staff working in the Treatment of Offenders Branch would have specific responsibility for overseeing the activities of Hydebank, Magilligan and Maghaberry (opened in 1986) whilst another section looked after Maze and Belfast. They too would have been frequent

²⁵ Exhibit 6 – Page 8 - Information to Committals (full information pack)

visitors. NIO representatives attended a number of routine meetings including the Special Privilege Selection Board for the selection of SP inmates²⁶ and the Labour Allocation Board. Treatment of Offender Branch officials also visited to discuss issues raised by inmates in petitions received in the Department.

10. Her Majesty's Chief Inspector of Prisons (HMCIP)

10.1. HMCIP inspected prisons in Northern Ireland and reported directly to the Secretary of State. In compiling this statement I have made reference to two reports which refer to inspection between 21 and 25 June 1982²⁷ and again on 30 October to 4 November 1994²⁸. In the report published in December 1983 (in relation to the 1982 inspection) HMCIP stated in their general conclusions at section 7:

“our inspection of Hydebank Wood revealed an establishment which the Northern Ireland Office can be justly proud. It fulfils its functions well, and while the regime is brisk and purposeful it is also caring. This is always a difficult balance to achieve, but especially so given the stresses that exist in Northern Ireland”.

7.02

“Nevertheless, for a new establishment Hydebank Wood had a disappointing number of physical defects; it provided, for instance, few facilities for staff, especially when compared with those provided for inmates. There were considerable weaknesses in the fire precautions. A greater involvement of staff in the management structure, as well as more staff training is also necessary if the Centre is to achieve the excellence of which it is capable”.

7.03

“None of these criticisms, however, relate to the way in which staff dealt with inmates, or to the regime at the Centre. These were impressive, as

²⁶ **Exhibit 4** - Special Privilege Scheme

²⁷ **Exhibit 2** - HM Young Offender Centre Hydebank Wood - Report by HMCIP of Prisons December 1983

²⁸ **Exhibit 13** - HMCIP report on Inspection of HM YOC Hydebank Wood 30 October - 4 November 1994 -. report issued march 1995

was the quality of the accommodation and facilities provided for the inmates, the work of the Education Department and the PE staff, the high quality of medical care and catering, and the imaginative and innovative social skills course”.

7.04

“In summary we concluded that the Governor and the staff had succeeded in establishing a humane new Centre with an imaginative and purposeful training regime in very difficult conditions. They are to be congratulated”.

10.2. The HMCIP 1994 inspection report²⁹ was published on 24 May 1995. In the conclusions at chapter 7, the Inspectors acknowledged that the Centre set out to impose discipline in the lives of the young people who came to it, reminiscent of former Detention Centre’s routines elsewhere in the UK. Inspectors found that privileges for sentenced Young Offenders provided incentives although criticised the range of incentives available.

10.3. At paragraph 7.03, the inspection report states, *“there was a clean, safe environment for inmates at Hydebank Wood. Individual appearance was smart, enhanced by the fact that inmates were allowed to wear their own clothing. Demeanour towards staff and visitors was invariably polite. Officers adopted a formal yet friendly approach. The ratio of staff to inmates was undoubtedly high but was used to good effect. The buildings allowed for good supervision, as each house had 4 landings containing 15 young men”.* Later in the paragraph the report states, *“during our inspection we found no evidence of staff spending too long in offices”.* The report also stated that *“there was comparatively little bullying. We heard from an inmate who had experienced custodial life in both Ireland and England that he preferred Hydebank Wood”.*

11. Visiting Committee (VC)

²⁹ **Exhibit 13** - September - HMCIP report on Inspection of HM YOC Hydebank Wood 30 October - 4 November 1994 - report issued march 1995

11.1. The Visiting Committee mentioned earlier in this report, is an independent body of individuals who are appointed by the Secretary of State. Visiting Committee Members are not of the management structure of the Centre. As the Secretary of State's representatives, they have authority to enter the Young Offenders Centre at any time with the objective of ensuring that it is being properly run and in compliance with the legislative requirements. Members have full and free access to every part of the establishment and can speak to any inmate or Officer. The full Committee meets at the Centre every month and in the period in between members will visit all areas of the Centre. Any concerns raised, criticisms, complaints or serious matters are reported to the Governor, and if not dealt with are reported to the Northern Ireland Office. In any event, the VC submits an annual report to the Secretary of State detailing their visits to the Centre and any matters arising.

11.2. In the Guidance for the attention of all prisoners at paragraph 4 in the section on the Visiting Committee it states, "*you have the right of access to the VC with any grievance, complaint or application you wish to make. You will not be prevented from approaching any member of the Committee, but remember false or malicious allegations or complaints will be viewed very seriously*".

12. **International Committee for the Red Cross**

12.1. Members of the International Committee of the Red Cross visited Hydebank during their inspections of Maze and Belfast prisons. On their visit their Committee members will tour the Centre and report to HM Government. They visited during my period as Acting Governor on Monday 8 September 1986 as recorded in my Governor's Journal.

13. **The Secretary of State and Ministers**

13.1. During my period in Hydebank Wood I received both the Secretary of State and Ministers on routine visits to the Centre. Visits included then Secretary of State for NI, Douglas Hurd and Minister of State, Nicholas Scott, both of whom toured the Centre during their visit.

14. **Governor's Journal**

14.1. The Governor at Hydebank Wood maintained a daily journal. The journal is not exhaustive and only records a gist of what happens on a daily basis. I have been unable to obtain the journals for the initial period of my posting to Hydebank Wood from October 1984 to 31 Dec 1985. However, I have the journal³⁰ covering the remainder of my period at Hydebank from 1 January 1986 until my transfer on 19 April 1987.

14.2. Although not exhaustive, the Journal does record the range of meetings that take place within Hydebank, the range of activities that inmates undergo, the events, topics and incidents that can arise on any day, visitors and Support Services who come into the Centre, meetings with the POA, adjudications conducted, and a range of other events as and when they occurred.

15. Allegations

15.1. I am aware of allegations made by the following:

1. **HIA 275** DOB [REDACTED]
2. **HIA 373** DOB [REDACTED]
3. **HIA 138** DOB [REDACTED]
4. **HIA 253** DOB [REDACTED]
5. **HIA 434** DOB [REDACTED]

15.2. None of the above are known to me and given the dates of their periods in Hydebank Wood none were present when I was Deputy Governor or Acting Governor.

16. **HIA 275**

16.1. **HIA 275** was in Hydebank at some time during 1988. At paragraph 17 he refers to a person called **HB 1**; I do not know who this person is. He also makes reference to stating his name and prison number and sentence which was routine in those days. He further adds that if he did not know the details he was slapped, punched or kicked. I have no knowledge of this.

³⁰ Exhibit TBC

16.2. At paragraph 18 he claims he was tortured when he moved to Elm 1 Committal landing by **HB 2** and **HB 3**. I knew **HB 2** but not **HB 3**. Whilst I cannot be certain, I do believe that inmates did sit on the chair during the day and were not permitted to lie on the bed. I cannot comment on whether he was slapped or punched for lying on the bed, but I have no doubt that Officers would have known that such behaviour towards inmates was utterly unacceptable. **HIA 275** makes a comment that after lockup the cell door would be opened and he would be hit if he did not get up on time. Operationally this would be difficult given all keys are withdrawn at lockup when staffing levels reduce to Night Patrol state. Cell keys can only be accessed following an emergency unlock procedure in order to avoid a key compromise.

16.3. I cannot comment on the allegation set out at paragraph 19, that he was required to use a deck scrubber and carbolic soap or the allegation that **HB 3** came down and hit him for spilling water.

16.4. Again I cannot comment on the allegation at paragraph 20, that he was beaten by **HB 2** and two policemen. If he were taken to the hospital wing at Hydebank, an inmate medical record card would have been completed indicating any marks that he sustained. That would have formed the basis of a follow up investigation. However, I am not in a position to comment on whether this happened.

16.5. I refer to paragraphs 21 of **HIA 275**'s statement. Inmates were required to make bed packs in the morning and this practice remained in place until duvets were introduced at some stage during the early 1990's. I have no knowledge of inmates being slapped or kicked for not adhering. It is also true that some Prison Officers transferred from Maze or Crumlin Road Prison but the majority worked previously at Millisle.

17. **HIA 373**

17.1. **HIA 373** was committed to Crumlin Road on 17 October 1983 according to his statement. He makes reference to being in Reception and required to remove his clothing. This was routine and new committals would be examined for identification marks and would be subject to a full search.

However, that search is normally completed in a small cubicle with the top half removed first and replaced before the bottom half is removed and searched. The inmate is then permitted to wear his normal clothing. It would not be normal that a prisoner would only wear a towel. Young Offenders were processed in the same way as adult prisoners. Reception – the committal procedures³¹ at Belfast Prison carried out in a dedicated reception area accessed only by members of prison staff or prisoners entering or leaving the prison. I have no knowledge that staff would carry or have access to a flick knife. It would not have been acceptable for staff to carry a flick knife, and if staff are found to be doing so it would have been a disciplinary and potentially a criminal offence. Staff are searched entering the prison. I cannot comment on the allegations made at paragraph 2.

17.2. Paragraph 3 – **HB 4** did work as a Reception Officer. He was an Officer who was well respected by his colleagues, management and other inmates. I have no knowledge that **HIA 373** was slapped when he failed to recite his Centre number and follow it with “Sir”. This allegation would be at odds with my knowledge of **HB 4** who I found to be a professional, committed, dedicated Officer.

17.3. Paragraph 4 – Inmates did mostly have a shower on committal. The shower should have been hot water, given the boilers are in operation 24/7. I cannot explain why this would have been a cold shower. Certainly any solution used would not have been described as delousing. At this time inmates were permitted to wear their own clothing across all NIPS establishments. If inmates could not access their own clothing or afford to purchase clothing then this was provided by the Centre. However, from my recollection the clothing was of an acceptable standard.

17.4. Paragraph 5 – It is true that inmates were issued with personal issue items. Personal possessions were removed and held in storage at Reception. Prisoners were permitted to wear a wedding ring or a watch. It is true that Willow House did operate a committal procedure for recidivist inmates. I do recall **HB 5** worked in that area for a period whilst I was at

³¹ **Exhibit 6** - Information to Committals (full information pack)

Hydebank. Again, I can only describe HB 5 as a professional Officer. I am not aware of any complaints about his performance.

17.5. Paragraph 6 – I do not accept that the regime was designed to break anybody's spirit. Certainly I do accept that the committal regime did require inmates to conform. This was a pre-requisite to inmates advancing in the progressive regime at Hydebank and gaining maximum benefit from participation in the range of activities. I do not accept that inmates were locked in a cell 16 hours a day during my time. I have no knowledge of inmates being routinely slapped on the face or the head. Any Officer found assaulting or misusing force against an inmate would be subject to disciplinary procedures and could potentially lose their job as a consequence.

17.6. Paragraph 7 – The working day in Hydebank commenced at 8.00am with prisoners being woken at just after 7.00am. As mentioned previously, in the early 1980's prisoners did make bed blocks. Cell inspections were routine. In all the time that I worked in Hydebank I never witnessed cells being wrecked.

17.7. Paragraph 9 – I accept inmates on committal did carry out menial tasks which included a lot of cleaning, mainly to establish a routine and to encourage a work ethic. This was also intended to establish adherence to the disciplinary requirements. However, during this period the inmates were also subject to assessment for a future Labour Allocation Board. They would have had access to Probation, Teachers, Healthcare, Gymnasium and Workshops. Following a period in the committal landing the inmates routinely transferred to other houses from where they attended activities. During committal periods the lockup time was earlier than the remainder of the Centre although I cannot confirm that it was 7.30pm.

17.8. Paragraph 10 – During my time at Hydebank from October 1984 I certainly have no recollection of routine serious incidents or cell barricades. As indicated earlier in this statement, if inmates failed to comply with the

discipline within the Centre they were removed to the Punishment Unit as it was called in those days and were subject to Governors disciplinary procedures. I do not accept that inmates were assaulted. Indeed I would argue that given that the Punishment Unit was visible from the main corridor at Hydebank, I am confident that if such behaviour happened other staff or managers would have witnessed it. There are a range of allegations contained in paragraph 10 of which I would have no knowledge.

17.9. Paragraph 11 – I do not accept that there was any opportunity for staff to hide “a prisoner.” Members of the Visiting Committee, Managers and others routinely had access to all areas of the Centre. Such behaviour would not have been acceptable or condoned.

17.10. Paragraph 12 – Hospital Officer **HB 6** was known to me. He was an exceptionally competent Hospital Officer. I do not know a **HB 7**. However, I do know that the medical practice in place at the time were from a GP Practice on the Ormeau Road. I do not accept that Prison Officers were routinely present whilst an inmate was subject to a medical examination unless there were particular concerns about the inmate’s behaviour.

17.11. Paragraph 13 – As the reception area is accessible from the main corridor, opposite the administration building, and given doors were routinely left ajar in my time in Hydebank, I do not accept that the incidents as outlined in paragraph 13 could have taken place with a RUC Female Officer kicking an inmate in the stomach.

17.12. Paragraph 14 – As indicated earlier, staff from the Northern Ireland Office did routinely visit the Centre. I also confirmed earlier the Red Cross also visited. I am very aware that inmates did take the opportunity to speak to both. I am aware of an **HB 8** working in NIPS who may have been present in Hydebank in the early 1980’s. However, I do not know him well enough to comment on his performance. Nor can I confirm that he was the **HB 9**

17.13. Paragraph 15 – I have no knowledge of staff being linked to Loyalist Paramilitaries. During my time I cannot recollect any allegations of Officers discriminating against particular sections of the population. Indeed, I can confirm that during my period in Hydebank, I had no reports of sectarian behavior between inmates or between staff and inmates.

17.14. Paragraph 16 – I do recall an **HB 10** working in NIPS. He may have been at Hydebank at this time. I have no knowledge of any of the other allegations against **HB 10**. Had I been made aware of such allegations I would have reported them to police.

17.15. Paragraph 17 – During my time at Hydebank I had no allegations of sexual assault. I do not accept that Sex Offenders got preferential treatment, although I do accept that they were treated separately on occasions given their notoriety.

17.16. Paragraph 18 – I do not accept that there was no emphasis on delivering a rehabilitative regime. There was a very strong emphasis on constructive activity including Physical Education, normal Education and Workshops.

17.17. The HMCIP Report published in December 1983 made reference to “the educational and training opportunities together with the domestic work were sufficient to keep the inmates occupied throughout the day. We were satisfied that the Labour Allocation Board took great care to find each inmate a suitable course or job”.

17.18. HMCIP also complimented the Education department on the courses run, with teaching geared to meet individual needs at standards ranging from, remedial instruction to 0 Level preparation. The HMCIP also complimented the Social Skills Programme run By Prison Officers. At paragraph 4.07 of HMCIP Report the Physical Educational Department is complimented for the work and range of activities they provide including participation in the Mourne Marathon and Belfast Marathon, participation in a local football league, and complimented them for making 260 external awards including

18 Duke of Edinburgh Bronze Medals. The Report comments, “we were very 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”.

17.19. Paragraph 19 – I did not know of any Prison Officer with the name [REDACTED]. Some Officers may have had a military background but I do not accept that this had any bearing on how they carried out their duties. Staff were trained to undertake the role of Prison Officer. Their background before that is irrelevant. I do not agree with the negative comments made within paragraph 19.

17.20. Paragraph 20 – I note HMCIP comments made on the Social Skills Course. I find this to be a very challenging programme which was highly valued by inmates particularly those approaching release. Indeed the 1983 HMCIP Report stated, “the course we saw in progress was clearly effective and the inmates involved seemed to enjoy the experience. This Unit also ran pre-release courses, and a 4 day Alcohol Awareness Programme. Attendance at these courses were largely voluntary but were oversubscribed. We regarded the work of this Unit as being of great value to the inmates and through the involvement of Prison Officers, valuable to the Service. We felt that the approach could, with advantage, be adapted in other Young Offender Centres in England and Wales”. This assessment agrees with my own knowledge and assessment of how Social Skills was received when I was at Hydebank.

17.21. Paragraph 21 – As mentioned earlier in this statement inmates were searched going to and from the Visits Room to deter the trafficking of contraband. Such practice continues even today.

18. **HIA 253**

18.1. At paragraph 13 **HIA 253** refers to Hydebank Wood, and states “*I did not consider the regime at Hydebank to be very abusive*”. I do not accept that staff knew pressure points that they could use to get an inmate to fall to their knees. I certainly have no knowledge of this.

19. **HIA 434**

19.1. **HIA 434** was at Hydebank in 1989.

19.2. Paragraph 16 – I accept there was a requirement for inmates to maintain accommodation areas to a high standard. This could have involved activities such as that outlined in paragraph 16.

19.3. Paragraph 17 – I have no knowledge of the fire mentioned.

19.4. Paragraph 18 – NIPS is very aware of the need to ensure prisoners are satisfied with the food. It is rare to receive complaints that prisoners have insufficient to eat.

19.5. Paragraph 19 – During the first number of weeks at Hydebank, at committal it is likely that inmates spent time cleaning.

19.6. Paragraph 20 – Inmates normally shave prior to unlock, it is unlikely that a member of staff would know whether an inmate had shaved or not if they have no requirement to shave. From my calculation given **HIA 434**'s DOB and time at Hydebank he was 17 years of age at the time.

20. **Governor's Journal**³²

20.1. During my period in Hydebank I was aware of inmates making allegations against members of staff. Each allegation had to be viewed on its own merits and a decision taken on what action followed. On occasions allegations were referred to the RUC for investigation. Hydebank had a permanent RUC Liaison Officer who worked in the establishment and who

³² Exhibit TBC

had access throughout the Centre. In my Governor's Journal from January 1st 1986 until my transfer in April 1997 I recorded a number of allegations including:

- i. **Friday 17 January 1986** – AG Stephens and Chief Officer Elder carried out an investigation into allegations made by inmate **HB 15** that Officers had assaulted him. Due to the serious nature of the charge this allegation has been referred to RUC Carryduff. Mr Hilditch (Deputy Director – deceased) and Mr G Horner NIO informed. POA Committee consulted. This follows 790/85 **HB 15** being admitted to Ulster Hospital, Dundonald with a fractured jaw. I have no recollection of the outcome of the Police or internal investigation. In my Journal I do record on 20 January that I met with Sergeant Rainey RUC Carryduff to discuss the allegation. I also met with Detectives on Wednesday 22 January from Castlereagh RUC, I presume to also discuss the investigation. On Tuesday 24 June 1986 I met with Constables McDermott and Dempster, Strandtown RUC reference the investigation into alleged assault on inmate **HB 15**. Staff to be interviewed in the presence of legal advisors. STO Mills, a POA representative, informed by RUC that staff would require to be interviewed.
- ii. **Wednesday 2 April 1986** - RUC Newtownards advised Deputy Governor Stephens that inmates had made a formal allegation of assault which was being investigated by RUC, further details unknown.
- iii. **Monday 21 April 1986** – Inmate **HB 16** made allegations against a member of staff to Acting Deputy Governor Stevens. Inmate **HB 16** was subsequently interviewed by Carryduff RUC reference allegations against staff in the YOC. No further information available.
- iv. **Friday 3 October 1986** – Interviewed inmates **HB 17** and **HB 18**, on allegations against staff. Refused to put complaints in writing but did give their allegations verbally. Advised **HB 19** of allegation.
- v. **Monday 6 October 1986** – Interviewed **HB 20** in presence of Chief Officer Kerton and Mr Stevens. Advised him of allegations from inmate **HB 18** and instructed that **HB 20** should not be detailed to work on Willow 3.

- vi. **Friday 10 October 1986** – Informed Deputy Governor Stephens to have inmate **HB 21** medically examined reference allegations of assault made by a member of Probation. Enquiry to be set up next week. Visited Cedar and interviewed inmates reference allegations made against Officers.
- vii. **Monday 13 October 1986** – Initiated enquiry into allegations made to Probation Staff by inmate **HB 21** on Elm 1 conducted by Mr Stephens and Chief Officer Elder.
- viii. **Wednesday 15 October 1986** - Deputy Governor Stephens interviewed parents of inmate **HB 21** reference allegations made by inmate.
- ix. **Thursday 16 October 1986** – Interviewed **HB 19** and **HB 20** reference allegations.
- x. **Wednesday 29 October 1986** – Interviewed **HB 19**, **HB 22**, **HB 23** and PO **HB 24** reference allegations. Followed by interviews with inmates **HB 17** and **HB 18**
- xi. **Wednesday 12 November 1986** - Wrote up enquiry findings into recent allegations/forwarded to NIO.

Inmate **HB 21** had not made a formal complaint on his allegation against staff and refused to participate fully in the subsequent investigation. The POA raised concerns with Management and asked that the Probation Officer who raised the allegation be excluded from the Centre, and when refused, that the same Probation Officer be confined to his office. The POA were advised that the Probation Officer concerned had my full confidence and would remain a valued member of staff within the Centre. Subsequently all complaints against the Probation Officer were withdrawn by the POA. The POA subsequently made representations that it was unfair to penalise staff where inmates refused to make a formal complaint. The requirement to carry out an investigation into any circumstance within the Centre remains the responsibility of the Governor irrespective of whether a member of staff or an inmate decides to co-operate.

- xii. **Tuesday 16 December 1986** – Mr Kendrick Director of Operations advised that no action would be taken against **HB 20** and

HB 19 as a consequence of enquires into allegations made verbally to the Visiting Committee by inmates **HB 18** and **HB 17**.

xiii. **Saturday 17 January 1987** – Inmate **HB 27** made a number of complaints to members of the Visiting Committee Mrs Shillington and Mr McAlpine. Acting Governor Stephens was tasked to investigate by the new Governor who took up post on 19 January 1987.

xiv. **Saturday 14 January 1987** – Inmate **HB 25** – new committal made allegations of assault by prison staff before leaving Belfast Prison to Centre hospital pending medical examination. **Tuesday 17 February 1987** – Inmate Spence complained to the Governor that he had been assaulted by the new VT Instructor; AG Smyth was delegated to carry out an investigation.

xv. **Monday 23 February 1987** – Allegation of assault by inmate **HB 26** reported to the Governor - Assistant Governor Smyth delegated to investigate.

20.2. On 17 April 1987 I transferred on detached duty to work in Prison Service Headquarters for the Northern Ireland Office.

20.3. During my time in Hydebank I was impressed with the commitment and dedication of staff. The emphasis was on changing lives of young people in our care. The overwhelming majority of young people fully participated in the regime and many benefited significantly from the experience. I remember visits from Barry McGuigan, Pat Jennings, Gerry Armstrong and others who spoke with all inmates in the gymnasium about their hopes and aspirations and what they can achieve. I firmly believe some of that confidence will have rubbed off. Inmates did develop their self-esteem and improve their self-worth and self-confidence.

Max Murray

11 September 2015

170 young people.

INTRODUCTION

1.01 Hydebank Wood Young Offenders Centre was built on the outskirts of Belfast and opened in 1979. It accommodates young men under the age of twenty-one who are serving custodial sentences of three years or less, as part of a policy to ensure that they are not sent to prison. It also contains a Junior Remand Unit for boys aged 14 to 17. The centre has approved accommodation for 297 and at the time of our inspection it held 268 sentenced young men and 19 boys on remand.

1.02 The trainees live in five separate houses and, with the exception of two small dormitories, all have single rooms, with either integral sanitation or access to night sanitation. The centre cost £7 million to build, but we were told before our inspection that a large number of serious defects in both design and construction had emerged.

1.03 The regime at Hydebank Wood was intended to be lively and brisk and to keep the trainees' fully and constructively occupied. There was a programme of conventional education, physical education, vocational training, and domestic work at the Centre, as well as special courses in life skills.

1.04 The Governor, Mr D McMullan, had been in charge since Hydebank Wood opened. He was supported by four other members of the Governor grades, one of whom was under training, and had an authorised discipline staff of 153 together with specialist and administrative staff. At the time of our inspection there was a shortfall of 30 discipline staff, while seven other officers were away on detached duty. The remaining staff were called upon to work long hours of overtime, often on rest days.