

21 August 2024

Note of telephone conversation between Sarah Huntbach (SH) (Higgs LLP) and George Burrell (GB), Acting Dep Governor HMP Wymott

SH explained the purpose of the call, following the exchange of email on 19th & 20th Aug, was to explore whether there were options that could be explored that would be workable, meet the requirements the prison must adhere to in the safe and secure running of a prison and would facilitate Mr Paterson's ability to prepare for the Inquests.

HMP Wymott is not a remand / reception prison. Therefore, it is very unusual for a prisoner to need to prepare for defending a criminal prosecution so there are not the facilities as in remand prisons for legal visits and consideration of documents and electronic material. So the same applies to facilities for Ian Paterson to have access to material in connection with the Inquests.

1. Access to the laptop in a room other than his cell. This is not possible from the perspective of running the prison because a prisoner must at all times be supervised. To be in a room would require a member of staff to be allocated to him. They do not have such a staffing resource.
2. Ability to have paper files in his cell. This would depend on how much paper. SH enquired whether 1 lever arch could be accommodated. GB said he did not know and would need to find out. He did not think it would be anymore than that, and perhaps not as much as that because the lockable facilities in a cell are very small.
3. Facility for a solicitor appointed by HM Coroner to come in to prison for the purpose of taking a witness statement. Due to this not being a remand prison such visits are limited. There are slots on a Tuesday and Thursday between 9.30am – 11am. They get booked up very quickly. However, before a visit can be booked Mr P would need to put in an application. That application would need to name the solicitor. The application would need to be approved. Only then can a visit be booked. There is no way of avoiding this process. Before an application can be made HM Coroner would need to write to Mr P explaining what is proposed. This would all need Mr P's co-operation. Even with co-operation it is unlikely a visit could be accommodated before 7/10/24
4. Is Mr P likely to be moved before 7/10/24. He had his re-categorisation review on 8.8/24. This was not accepted. Mr P is appealing. Unlikely that there will be a move in the near future

GB explained that he felt HMP Wymott have been willing to engage with the Coroner to ensure they are supporting this enquiry whilst maintaining the security of the establishment . The measures they are proposing are not usual and are for the purpose of assisting Mr P with preparing for the Inquests. Those measures necessitate Mr P moving wings, whereupon he could have unrestricted access to material as he would have a lockable cell, but Mr P refuses to move cells and the prison could not move him forcibly. SH confirmed that HM Coroner remains entirely neutral on the position of the prison regime.

Finally, GB said that he considered everyone was trying to do something to assist Mr P but that the only person not engaging with the process is Ian. GB went on to say that

after the hearing (on 14 June) Ian asked to speak with him. GB went to speak to him. Ian said – if I am not given time to properly review the documents then I am not going to engage. If I do not have a lawyer then I am not going to engage. I will not be moving location in the prison.

GB again emphasised his request that we do not send anymore USB sticks to the prison. They are in a drawer in his office. He does not want to have the responsibility or practicality of storing them. This would be changed if circumstances change that allow Mr P to have access to the laptop.

SH thanked GB for his time. She explained that she will prepare a note of the discussion. The note is likely to be disclosed to Interested persons in these Inquests. SH will be reporting our conversation to HM Coroner.