

Contact:

Tel: 028 9024 1888
Fax: 028 9024 4804
Email: office@krw-law.ie
www: www.krw-law.ie
Twitter: @krwlaw

KRW LAW - LLP

Belfast Office:
Floor 2, 9-15 Queen St,
Belfast, BT1 6EA

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Statement by KRW LAW on Ted Cunningham
Prison Compensation Settlement

We act on behalf of Ted Cunningham in relation to High Court civil proceedings arising from the period March to November 2009 when he was detained in Cork Prison. He sued the prison authorities; the Minister for Justice and the Attorney General for breach of his Constitutional Rights, negligence and breach of duty in relation to the inhumane conditions endured by him during that six month period.

We welcome the resolution of Mr Cunningham's case coming as it does after a decade long battle for justice with the announcement that his case has now settled for a significant five figure sum.

Speaking after the latest development Irish Human Rights Lawyer Kevin Winters of KRW LAW said,

“The inhumane prison regime endured by our client wouldn't have been out of place in the medieval era. At times it was bordering on the barbaric especially when it came to conditions for prisoners doing their ablutions. More specifically, like most other prisoners in Cork prison at that time, he was forced to carry his waste in a bucket with no handle; defecate by squatting in front of other prisoners and comply with the horrible daily ritual of ‘slopping out’. Medical evidence confirmed his life was at risk the longer he stayed in such an intolerable regime.

Although there was no admission of liability nor any apology the out workings of this litigation are highly significant for two reasons: -

Firstly, it's worth recording that this case was initiated in 2014 shortly after the release of some hard-hitting reports critical of the Irish Prison system. 10 years on and depressingly, it's clear absolutely nothing has changed. In fact, following revelations made by the Irish Penal Reform Trust just over a month ago, it would appear that prisoners' conditions have regressed. Lessons haven't been learned at all and that's simply unacceptable. To that end our client's case couldn't be any more timely as a potent reminder to all prison

Partners

Joseph D McVeigh | Gerard McNamara | Niall Murphy
Paul Pierce | Setanta Marley | Róise Fitzpatrick



Associates

Bary O'Donnell
Gary Duffy

Solicitors

Kevin Winters | Michael Clements
Owen Winters | Áine Rice

and justice authorities that radical overhaul of the system is urgently needed before it's too late.

Secondly, importantly the settlement goes a long way to endorsing Ted's credibility on his assertions about the reasons why he ended up pleading guilty. He has always made the case that the conditions of his detention were so bad that he would have done anything to get out of prison. That included him pleading guilty following the tipping point of yet another serious bout of untreated nosebleeds. We hope today's settlement will provide much needed leverage for our pending application to set aside his plea of guilty. “

Speaking announcement Mr Cunningham said,

“I'm happy to get this settlement. It's vindication for me because it helps explain why I ended up pleading guilty to something I didn't do. My life was at serious risk because of the terrible conditions I was forced to endure in the prison at that time. I would have done anything to get out of the hellhole that was Cork prison back then so much so that I'd no choice but to agree to a deal to get myself away from the inhumanity of that prison and protect my life. The plea created difficulties for me in my ongoing battle to have my Northern bank Robbery convictions overturned. However, the payment of this compensation now helps support what I've been saying for years. I am innocent of any wrongdoing in connection with the Northern Bank Robbery. The outcome of this case now reopens a route for me to try and clear my name in the court of appeal “

Kevin Winters

kevin@kevinrwinters.com

ENDS