

# Ian Brady seeks legal aid in fight for right to die

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The Moors murderer Ian Brady is seeking legal aid so he can argue that he is no longer psychotic and can be moved from a mental hospital to prison.

Liz Truss, the lord chancellor, has been asked to approve the special funding because of the “unique” nature of the case over the future of Britain’s longest-detained prisoner.

Brady, 78, has consistently argued for a return to prison so he cannot be force-fed against his will, as has happened in hospital, and be allowed to die if he



**Ian Brady could avoid being force-fed if he were moved to a prison**

wished. He failed in a review before a mental health tribunal in 2013. He has said that will not co-operate with a new review hearing unless his lawyer is Robin Makin, the Liverpool-based solicitor who has represented him for 20 years.

A mental health tribunal is due to sit in December to review whether he should remain at Ashworth hospital in Merseyside, where his care costs £300,000 a year compared with £50,000 for a prison place. The tribunal has indicated that it has an open mind and that the case “could go either way”, raising the real prospect of Brady being

transferred to prison after 30 years at Ashworth. After a recent preliminary hearing the tribunal reported that staff there “were aware that Mr Makin was likely to be the only lawyer that the patient was prepared to see. They felt that it was in the interests of the patient, and of justice, that the patient should be given at least an opportunity to consider participating in the proceedings and of being legally represented.”

Brady believes there is no prospect that the tribunal would undertake a fair and balanced assessment of his case.

Judge Mark Hinchliffe, the tribunal chairman, said in his ruling on the preliminary hearing that it would approach the case “with a completely open mind”, saying that the outcome of its decision was not a “foregone conclusion”.

Brady was convicted with Myra Hindley of the murders between July 1963 and October 1965 of five children aged between 10 and 17. At least four of the children were sexually assaulted.

Three of the victims were found in graves dug on Saddleworth Moor and a fourth is thought to be buried there. Hindley died in 2002, aged 60.

Brady, who was in prison for 20 years before being transferred to a mental unit, argued at his last review hearing that he was not suffering from paranoid schizophrenia and had never been mentally ill since he was jailed for life in 1966. He claimed he was sectioned only after pretending to be psychotic, believing that life would be better in hospital than in jail.