
Inquiries Update

On 1st April 2004, Canadian Judge Peter Cory announced the findings of his investigations into three (out of a total of six) deaths where collusion between State forces and both loyalist and republican paramilitaries had been alleged. The murders to be investigated concerned the following victims: Lurgan defence solicitor Rosemary Nelson; Portadown Catholic man Robert Hamill; and, LVF leader and Maze prisoner Billy Wright. Judge Cory recommended the establishment of separate public inquiries to examine collusion allegations further, as he believed that in all three cases it was possible to find evidence of collusion.

As a result, the public inquiries were set-up in 2005 and continue investigations at present. Currently, the Billy Wright Inquiry is nearing completion of oral hearings set to conclude in February 2009. Similarly, The Rosemary Nelson Inquiry is expected to complete hearings in April 2009. The Robert Hamill Inquiry will begin hearing oral evidence on 13 January 2009 and will continue to hear evidence throughout 2009.

The Billy Wright Inquiry

On 20 November 2008, Billy Wright's father, Mr David Wright held a press conference at Stormont to highlight concerns which he and his legal team had over the thoroughness of Inquiry investigations into intelligence matters surrounding his son's death in 1998. Mr Wright and his representatives felt that they were faced with no other option as they had received a request from the Inquiry to cease correspondence relating to such concerns.

Evidence was also given in the same month to the Inquiry by the former Controller of Prisons for Northern Ireland, Mr Alan Shannon. An important question regarding the murder of Billy Wright is whether or not prison management fulfilled their duty of care obligations to Billy Wright who was a prisoner in custody at the Maze when he died. Mr Shannon relied on the assertion that the wings of the prison block were designed to keep prisoners apart as an assessment of the risks involved in housing the INLA and LVF in the same block (H6). Mr Shannon said he had received this response from former Director of Operations Management at the Maze, Martin Mogg (now deceased) when he queried if risk assessments had been performed. However there is no official record of this conversation. It was also highlighted that the International Committee of the Red Cross (ICRC) raised concerns about relocation despite arguments that the factions were housed on separate wings of the block.

In December Sir Richard Tilt, former Director General of Prisons in England and Wales, gave evidence based on his extensive experience managing prisons. He told the Inquiry

that he believed that '24-hour unlock' resulted in the loss of the prisoner cell as a key security mechanism and form of control. Furthermore, he felt that an assessment of the potential risks to Billy Wright had not taken place.

The Rosemary Nelson Inquiry

During recent months, the Inquiry has been hearing evidence on intelligence information. The majority of witnesses called have been granted anonymity, with several giving evidence in closed sessions where legal representatives and public audience is not permitted. Of these closed sessions, the transcript for day 84, Tuesday 2 December 2008, will not be published and as a result no public record of this hearing will be made available.

The Inquiry heard accusations from witnesses that Rosemary Nelson was providing false alibis for republicans and passing information on the police to them. The former Head of the Intelligence Management Group of Special Branch also claimed that Rosemary Nelson was a terrorist. Adding to the views of Mrs Nelson which Security Force and RUC personnel have expressed, a civil servant (who was formally the Director of Policing and Security) said that the former Chief Constable of the RUC, Sir Ronnie Flanagan, referred to her as an 'immoral woman'.

In November 2008, questioning highlighted that a report from UN Special Rapporteur Mr Cumarswamy, raised concerns that defence solicitors should be protected when threatened and that threats and the assessment of them should be investigated independently.

The issue of whether or not Rosemary Nelson was afforded sufficient protection touched upon the RUC's assessment of whether the leaders of the Garraghy Road Residents Coalition (GRRRC) were eligible for the Key Persons Protection Scheme (KPPS). Despite being the GRRRC's legal representative, Rosemary Nelson was not included in this assessment and former Associate Director of Security and Policing, Stephen Leach, would not speculate as to her eligibility had she applied individually.

The Robert Hamill Inquiry

The Robert Hamill Inquiry commenced oral hearings on Tuesday 13 January 2009 at the Interpoint in Belfast. The Inquiry will normally sit from 10.30 am until 4.30 pm four days per week from Tuesday to Friday. On Thursday 8 January, a reconstruction of the murder took place in Portadown town centre.

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