



A RECIPE FOR DISASTER

THE MURDER OF BILLY WRIGHT IN THE MAZE PRISON



OCTOBER 2000

1. INTRODUCTION

1. British Irish RIGHTS WATCH is an independent non-governmental organisation and registered charity that monitors the human rights dimension of the conflict and the peace process in Northern Ireland. Our services are available to anyone whose human rights have been affected by the conflict, regardless of religious, political or community affiliations, and we take no position in the eventual outcome of the peace process.
- 1.2 This submission to the United Nations' Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions concerns the murder of Billy Wright, who was killed by other prisoners while himself an inmate of the Maze prison in Northern Ireland. The submission is made on behalf of his father, David Wright.
- 1.3 Billy Wright, a leader of the loyalist paramilitary group the Loyalist Volunteer Force (LVF), was murdered at around 10:00am on Saturday 27th December 1997 by three members of the republican paramilitary group, the Irish National Liberation Army (INLA): Christopher "Crip" McWilliams, John Kenneway, and John "Sonny" Glennon. Billy Wright was 37 years old. He was divorced and had three children. He was on his way to a visit from his girlfriend when the three INLA men climbed over the prison roof and shot him inside the prison transport van. The three men then gave themselves up and on 20th October 1998 they were convicted of murder and possession of a firearm and ammunition with intent to endanger life. They were sentenced to life imprisonment for the murder and 20 years on the firearms offence.
- 1.4 There are a number of disturbing factors concerning this murder. They include:
 - the decision to house LVF and INLA prisoners in the same block within the Maze prison;
 - the decision to transfer two of the murderers, Christopher McWilliams and John Kenneway, from another jail to the Maze despite their involvement in a hostage-taking incident in which they used a smuggled weapon, and despite INLA having uttered threats against Billy Wright following this incident;
 - the failure of the prison authorities to heed warnings about the insecurity of the roof area and the possibility of attack;
 - the ability of the murderers to gain access to weapons and wire cutters;
 - the fact that a breach in the wire went undetected;
 - prisoners were given the names of both LVF and INLA prisoners due to receive visits on the day of the murder;
 - a crucial security camera was out of action at the time of the murder;
 - a prison officer on duty in the watchtower overlooking the prison roof was called away from his post twice on the day of the murder, including the time of the murder;
 - LVF prisoners were not allowed into their exercise yard on the

morning of the murder but the INLA prisoners had access to their yard;

- unusually, the INLA prison visits bus was parked next to the LVF wing while the LVF bus was parked next to the INLA wing;
- INLA prisoners were not questioned by police until four weeks after the murder;
- key witnesses were not called at the inquest.

These factors have led David Wright to conclude that his son's murder was "state-arranged, state-sponsored and state-sanctioned, in collusion with some of those in the prison management"¹. British Irish RIGHTS WATCH is not in a position to say whether his suspicions are correct, but it is clear to us that there are a number of serious questions surrounding this murder that have not been adequately answered, despite a police investigation, an inquiry by a senior English prison official, a trial and an inquest. In such circumstances, only a public inquiry will suffice. Mr Wright is entitled to know the truth so that, if there was collusion in this murder, it is exposed and remedied, and so that the wider public can have confidence in the administration of justice and rule of law in Northern Ireland, without which there is little hope of it ever becoming a stable society.

2 SECURITY IN THE MAZE PRISON

- 2.1 Below we briefly outline some aspects of the situation in the Maze prison, without which background it would be difficult to comprehend some aspects of the murder of Billy Wright².
- 2.2 The Maze prison is unlike any other prison in the United Kingdom. At the time of Billy Wright's murder, it held more than 500 paramilitary prisoners from three loyalist (UDA, LVF and UVF) and two republican (IRA and INLA) factions. Two of these factions, the Loyalist Volunteer Force (LVF) and the Irish National Liberation Army (INLA) were not participating in ceasefires at the time, and were violently opposed to one another. Their prisoners were housed in the same prison block, H Block 6³, or H6. The INLA prisoners were in A and B Wings of the block and the LVF prisoners were in C and D Wings. These four wings formed the uprights of the H block, and were separated from one another by the administration area, which formed the horizontal bar of the H block, known as the circle. Each faction had their own canteen facilities, exercise yards and so on.
- 2.3 The history of the imprisonment of paramilitary prisoners in Northern Ireland has been fraught. At the beginning of the conflict, partly because of the decision to introduce internment without trial, paramilitary prisoners were recognised as having political status and were accorded various privileges not allowed to non-political prisoners. A decision in 1975 to remove this political status led to a republican hunger strike which significantly deepened the conflict. To this day, paramilitary prisoners from both sides, republican and loyalist, continue to regard themselves as political prisoners. Within the Maze prison they continue to insist on segregation into factions, act collectively,

communicate with the prison authorities via their O/Cs (officer commanding), and, as a result of successive campaigns of violence and conditioning of prison officers, have driven prison officers off the wings. Prison officers have been reduced to controlling prisoners' movements outside the wings, for instance to attend visits, the prison hospital, or courts. Inside the wings, prisoners have a high degree of autonomy.

- 2.4 The reason that paramilitary prisoners have been able to achieve such a high level of autonomy within the jail lies largely in the support that they enjoy outside the prison, where prison officers and their families live. 29 prison officers have been killed during the conflict, which has seriously affected morale among prison officers and has undermined their authority within the prison. Prison officers have also been placed under pressure by various unrealistic government policies – chiefly that of treating paramilitary prisoners as if they were ordinary criminals, and of attempting to achieve integration of prisoners from opposing factors within prisons – which they are unable to implement.
 - 2.5 Staff in Northern Ireland prisons, like their counterparts in Britain, have been strongly represented by their trade union, the Prison Officers Association (POA). Prison officers often challenge managers' decisions and orders as being in contravention of agreements made with the POA, and POA officials can and do act as intermediaries between staff and managers. This affects the day-to-day management of prisons and weakens managers' authority.
 - 2.6 All these factors have had serious implications for security within the Maze. In 1983 there was a mass break-out from the jail, but from then until 1997, its security record in terms of containing prisoners within its walls was good. However, in 1994 a decision was taken to withdraw prison officers from patrolling duties within the residential areas of the H blocks because of ongoing threats and intimidation against them, and this greatly facilitated attempts to escape. In March 1997 it was discovered that IRA prisoners had been excavating a tunnel for several months. The earth from the excavations had been dumped in empty prison cells, and the tunnel even had electric lighting. The escape bid was only discovered when part of the tunnel collapsed due to heavy rain. On 10th December 1997, IRA prisoner Liam Averill escaped disguised as a woman during a Christmas party for prisoners' children. An inquiry into his escape by Martin Narey, Director of Regimes in the Prison Service of England and Wales, was already under way when Billy Wright was murdered, and Martin Narey's terms of reference were extended to include the murder.
3. THE LVF AND INLA IN THE MAZE PRISON
 - 3.1 Billy Wright was the leader of the LVF within the Maze. An active loyalist for many years, in August 1996 he was told by the Combined Loyalist Military Command to leave Northern Ireland within 72 hours. It was generally believed that he was seen as a threat to the loyalists'

ability to maintain their ceasefire. Billy Wright refused to leave and he became a focal point for loyalists opposed to the peace process. On 7th March 1997, Billy Wright was sentenced to 8 years' imprisonment on charges of threatening to kill a woman and perverting the course of justice. The sentence seemed unusually heavy, and many observers suspected Billy Wright had been taken out of action in order to facilitate the peace process. His appeal was due to be heard in February 1998.

- 3.2 At the time of the murder, the LVF was a somewhat shadowy body. There were a number of dissident loyalist groupings, made up mostly of disaffected members of well-recognised loyalist groups who were now on ceasefire. Membership of these groups appeared to be fluid and new alliances were being formed. The government was unwilling to grant these groups any recognition, and dissident loyalists were being sent upon conviction to Maghaberry, an integrated prison. Billy Wright was sent there, where he was put on a 23 hour-a-day lock-up regime because the prison governor could not guarantee his safety within the prison, which also housed dissident republicans. Billy Wright sought to challenge the 23-hour lock-up regime through the courts, but was unsuccessful. He and other LVF prisoners began to campaign to be moved to their own wing, where they could enjoy their own company and take advantage of the benefits of segregation. In April they were moved to H6 in the Maze, which they shared with INLA.
- 3.3 Tension between the LVF and the INLA prisoners was inevitably high, both factions fearing each other and disliking their proximity to one another. The transfer of the LVF prisoners to H6 caused some logistical complications, owing to which LVF prisoners had to receive their visitors in the prison hospital instead of the visits area. According to LVF prisoners, between April and August 1997 they believed INLA prisoners attending the prison hospital during LVF visits were targeting them for attack. They complained about this to governor David Smith.⁴ According to INLA prisoners, they had been planning an escape, but had to abandon their plans when the LVF prisoners arrived.⁵ On the 13th of August 1997 the LVF prisoners staged a protest about their conditions, particularly the visiting conditions, during which they inflicted substantial damage on their own quarters and the INLA prisoners had to be evacuated from the block. Following this the LVF prisoners were moved to H Block 2 for two months and were placed on 23-hour lock-up. When they returned to H6 in mid October 1997, they were told by prison staff that INLA had issued a blanket death threat against all LVF prisoners.⁶ LVF prisoners allege that late in October and early November, INLA prisoners started sending home their music systems and boasted they were planning a "spectacular", which is a colloquial term for a high profile act of violence. LVF prisoners suspected INLA were getting rid of their music systems so that they would not be damaged in any search after the spectacular. They claim that the overall governor of the Maze, Martin Mogg, was aware of this development.⁷

4 THE MURDER OF BILLY WRIGHT

4.1 There is no dispute about who killed Billy Wright. Three INLA inmates, Christopher McWilliams, John Kenneway, and John Glennon have been convicted of the murder, and INLA has claimed responsibility for the shooting. There are, though, several aspects of the murder that raise serious questions about security in the prison and the possibility of collusion. These are:

- the decision to house LVF and INLA prisoners in the same block;
- the decision to transfer two of the murderers from another jail to the Maze despite their involvement in a hostage-taking incident in which they used a smuggled weapon, and despite INLA having uttered threats against Billy Wright;
- the failure to heed warnings about the insecurity of the roof area and the possibility of attack;
- the murderers had in their possession two guns and wire cutters, which they must have smuggled into the prison;
- they or their accomplices were able to cut through wire undetected;
- a prison officer included in a list given to prisoners the names of both LVF and INLA prisoners due to receive visits on the day of the murder;
- a security camera that was reported defective five days before the murder was not repaired;
- a prison officer on duty in the watchtower overlooking the prison roof was called away from his post twice on the day of the murder, in contravention of standing orders, and on the second occasion at the crucial time;
- LVF prisoners were not allowed into their exercise yard on the morning of the murder but the INLA prisoners had access to their yard;
- unusually, the INLA prison visits bus was parked next to the LVF wing while the LVF bus was parked next to the INLA wing;
- INLA prisoners were not questioned by police until four weeks after the murder;
- key witnesses were not called at the inquest.

Each of these matters is examined below.

4.2 THE DECISION TO HOUSE THE LVF AND INLA IN THE SAME BLOCK

The Narey report concluded that the decision to house the two factions in the same block at the Maze was not unreasonable. The LVF's demand for a segregated wing was alien to the integrated regime at Maghaberry and, according to the report, the prison authorities feared that the LVF would back their demand by a campaign of violence, or that Billy Wright would go on hunger strike just as the contentious parades season was reaching its height⁸.

The Narey team concluded:

"We are in no doubt that the Governor was aware of the potential for violence between the INLA and LVF factions located on opposite sides of the same H Block, neither of whom observed a cease-fire. Although the consequences were deeply regrettable,

we believe the decision to co-locate the two factions was not an unreasonable one for the Governor to make. The decision was taken only after the most serious consideration of its implications. It is important to stress that prisoners were in the same block but were on completely discrete wings, separated by steel gates.”⁹

While it is undoubtedly true that the political situation put the prison authorities under great pressure to accede to the demand for segregation, the decision to house two opposing factions, neither of which was on ceasefire, in the same block seems extraordinary.

4.3 THE DECISION TO TRANSFER CHRISTOPHER MCWILLIAMS AND JOHN KENNEWAY FROM MAGHBERRY TO THE MAZE

On Friday 26th April 1997, Billy Wright was moved from Maghaberry prison to the Maze. That weekend, Christopher McWilliams and John Kenneway took a prison officer hostage inside Maghaberry, using a miniature Walther semi-automatic pistol and an improvised “zip” gun. The officer was held hostage for several hours¹⁰. According to loyalist prisoners, McWilliams and Kenneway later stated that Billy Wright (whom presumably they did not know had been moved to the Maze) was their intended target. It was reported that INLA prisoners at the Maze had let Billy Wright know that the incident at Maghaberry concerned him and that “his safety was in jeopardy”¹¹. Despite all this, in June 1997 McWilliams and Kenneway were moved to the Maze¹² and housed with other INLA prisoners in the same block as Billy Wright.

4.4 THE FAILURE TO HEED WARNINGS

According to Prison Officer Brian Thompson, on 24th October 1997 he and PO Gillam warned Governor Eagleston, Acting Governor Ramsden and Governor Kenneth Crompton, who was Governor Mogg’s immediate subordinate, of the danger of a rooftop attack. The managers had asked for the meeting because they were concerned about LVF violence, but the POs insisted that INLA prisoners posed a greater threat. The POs told the governors that they feared there might be a shooting in H6. They pointed out that the roof was insecure. They expressed the strong opinion that the two factions should not be housed in the same block. They reminded them that Christopher McWilliams, an INLA prisoner who had transferred into the Maze in mid 1997, had been able to smuggle a gun into Maghaberry prison only a couple of months earlier. They described the deep hatred felt by the INLA for the LVF and expressly mentioned Billy Wright. They also mentioned the danger that a gun might be smuggled into the prison during the Christmas parties, because prisoners were not searched on those occasions. The meeting lasted about an hour. Governor Eagleston told them that their concerns would be reported to Governor Mogg, who wanted to get to grips with the problem. So far as PO Thompson knew, no action was taken.¹³ However, during a visit to the Maze prison on 1st February 2000, Governor Crompton denied to David Wright that this meeting ever took place. Martin Narey in his subsequent report on the murder, also noted prison officers’ concerns: “Staff and the Prison Officers Association (POA) had voiced their concerns to prison management in the months prior to the shooting

about the ease of access to H block roofs. In particular they told managers that they had observed certain INLA prisoners behaving suspiciously on the exercise yard as if discussing the security fencing, watchtower and roof areas."¹⁴

4.5 THE SMUGGLING OF GUNS AND WEAPONS INTO THE JAIL

The Narey report said very little about this aspect of the murder, merely stating:

"It has been impossible to establish how the firearms used in the shooting of Billy Wright entered the prison."¹⁵

However, the report goes on to identify numerous loopholes in the security systems within the prison, which show that either a visitor or even a member of staff would have had little difficulty in smuggling such items into the prison, and that, once inside, there was little risk of their being discovered. Given that the Maze housed such a concentration of paramilitary prisoners, this was a scandalous state of affairs. It was particularly serious given that Christopher McWilliams and John Kenneway were known to have smuggled in and used a weapon while imprisoned at Maghaberry. According to the evidence of Detective Superintendent Short at the inquest, one of the guns had been used before in a paramilitary attack in the Ardoyne area¹⁶. This may provide a lead as to how it came to be inside the prison.

4.6 THE CUTTING OF THE WIRE FENCE

It is obvious that the fence was cut prior to the morning of the attack. The Narey report went into some detail about this aspect of the murder:

"The H Block roofs are flat and low, separated from the exercise area by a weldmesh fence. But the roof areas are easily accessible once the weldmesh fence is breached. The INLA prisoners were able to climb onto the roof through a cut out section of fence just outside the A wing turnstile leading up to the INLA exercise area. It is likely that the fence was cut prior to the morning of the shooting and the cut section held in place by shoelaces. Some commentators, notably the LVF and DUP, have suggested that this hole should have been spotted from the exercise yard watchtower and that the failure to do so has led to suspicions within the Unionist community of collusion in Mr Wright's death. In fact, because of the angle of the fence, the hole is not visible from the tower. Similarly, it is out of the range of the CCTV [closed circuit television] cameras which cover the exercise area.

We have been unable to establish when the fence was cut. Given the infrequency of checks, it is not impossible that the fence was cut some days previously."¹⁷

4.7 It is not in fact the case that the portion of fencing that was cut is not visible from the watchtower. On 1st February, David Wright visited the Maze Prison to see for himself the scene of the crime. During his visit, photographs were taken from the watchtower by an official photographer, at David Wright's request. These photographs show

that the area of wire that was cut was clearly visible from the watchtower. It seems most likely, therefore, that the wire was cut during the hours of darkness after 8:00pm, when the officer manning the watchtower was stood down, and before 10:00 pm, when the H blocks were secured for the night. On 1ST February 2000 David Wright met Governors Mogg, Barlow and Crompton to discuss various aspects of the case. During the meeting, Governor Barlow confirmed from an official logbook that on a day in early December at 8:57 pm dog handler Officer McCarthy reported hearing "strange noises" from B Wing. We understand that what he heard was a rasping sound and that this incident was recorded in the night guard journal and was also reported to the Emergency Control Room. The Phase SO (the senior officer in charge of the H Block) was tasked to check what was happening. He recorded that all was secure and the noises were attributed to INLA prisoners working at handicrafts. It is possible that what Officer McCarthy heard was the fence being cut. Alternatively, he may have heard the wire cutters being manufactured. Security sources told the *News of the World*¹⁸ that the murderers had sawn the metal legs off a chair using hacksaw blades taken from a prison workshop and attached them to a small pair of pliers in order to give them better leverage. If this did happen some time before the attack, no prison officer appears to have noticed the damaged chair.

- 4.8 Governor Barlow also told David Wright that the last time the fence was inspected was in July 1997. Governor Davis told the inquest that the security cameras did not scan the area where the fence was cut. This raises the question of how the INLA men knew the precise spot where they would not be under surveillance during their breaching of the fence.
- 4.9 One of the INLA men who murdered Billy Wright, Christopher McWilliams, gave a newspaper interview in July 2000¹⁹, in which he gave the following account of the cutting of the wire:
"The night before Wright's murder the INLA men staged a Boxing Day party using home brew [alcohol] they had made on the wings (the authorities did not intervene in such events)... During the drinks party and while the tower was unmanned, McWilliams, Kenneway and Glennon climbed onto the roof that separated their exercise yard from the LVF and snipped through the barbed-wire fence to make their task easier."
The security source who talked to the *News of the World* gave a different account:
"The two-feet by two-foot section of the fence had been removed some days earlier and lightly fastened back on with pieces of cord to prevent it being uncovered by prison guards."²⁰
- 4.10 THE INCLUSION OF BOTH LVF AND INLA NAMES ON THE VISITORS LIST
On the 23rd December 1999, Auxiliary Prison Officer Jacqueline Wisely collated visitor lists for the prison for 27.12.97. They were done in advance because there were to be no visits on Christmas Eve, Christmas Day or Boxing Day. There were fewer visits than normal for a

Saturday, owing to Christmas parole and the holiday period. Two separate lists were sent to H6 because of the opposing factions in the block. Both sheets were sent to the PO in charge of "each respective block" in separate envelopes. APO Wisely told the inquest that INLA names appeared on the LVF sheet by mistake, but no LVF names appeared on the INLA sheet.²¹

4.11 Four sheets were submitted to the inquest, two of which purported to show the LVF visits for the day of the murder and two of which were said to show the INLA visits. These sheets were represented to the inquest as being the original sheets. However, we have seen a copy of a sheet showing LVF visits which was given to LVF prisoners on the day before the murder, 26th December 1999. There are 22 names on this list. 17 of the names are those of LVF prisoners, including Billy Wright, but 5 are names of INLA prisoners. The LVF list given to the inquest includes 25 names, including the same 5 INLA names but also including the names of 3 LVF prisoners not included on the list given to the LVF prisoners on 26th December. The INLA list given to the inquest contains the names of 9 INLA prisoners. Only one of the 5 INLA names included in the list given to LVF prisoners is included in the INLA list given to the inquest. The handwriting on all three lists is identical and was accepted by APO Wisely as being her own at the inquest. These discrepancies cast considerable doubt on the provenance of the lists given to the inquest. APO Wisely's assertion that, although she mistakenly included INLA names on the LVF list, she did not include LVF names on the INLA list does not stand up to scrutiny once the provenance of the lists produced at the inquest becomes dubious.

4.12 An explanation given to David Wright by the Secretary of State²² only compounds the confusion. He says that the list was given to the LVF prisoners on 24th December (they say they received it on 26th December), while the separate lists given to the inquest were the final lists used on 27th December, which had been amended to take account of visits arranged later than 23rd December. On the assumption that the list given to the LVF prisoners is a genuine document, this explanation does not answer two vital questions. First, why were LVF prisoners given a list with INLA names on it? Secondly, were INLA given the same list, thereby getting advance warning that Billy Wright was due for a visit the next day? The LVF prisoners believe that the list given to them was a photocopy and that it is most likely that the INLA prisoners were given an identical list. The Narey report concluded:

"It is probable that this list was, inadvertently, given to both INLA and LVF prisoners"²³

It is not clear on what basis Narey believed this to have happened inadvertently. However, he wrote his report before the inquest took place, so he would not have been aware of the discrepancies between the lists. Given the tension between the two factions, which must have been well known throughout the prison, APO Wisely's error, if error it was, seems very serious. It is not known whether APO Wisely faces any disciplinary action concerning this matter.

4.13 The Narey report had this to say about INLA's ability to plan the attack:
"Prior knowledge of the victim's movements

3.17 We are in no doubt that the shooting was carefully planned. It was well known that Mr Wright received regular visits, and it was possible for prisoners in the INLA wing to observe the circle area through the grilles so that a signal could be given as soon as Mr Wright entered it. We have seen a document listing the names of H Block 6 prisoners to be visited on Saturday 27 December. Mr Wright's name appears along with other LVF and INLA prisoners. It is probable that this list was, inadvertently, given to both INLA and LVF prisoners. This should not have happened but we do not think this was key to the subsequent killing. In reality, INLA prisoners did not need the list to be able to mount an attack. When an escort arrives to take a prisoner to visits, staff shout for the prisoners to come forward, such a shout being readily audible on the opposite wings. At that point an INLA prisoner hearing the call could have signalled the gunmen. INLA prisoners who had a view of the forecourt from their cells would then have been able to give a second signal, that Mr Wright had left the block and was boarding the prison van. Since our best estimate is that it would take little more than 30 seconds for the INLA prisoners to climb and cross the roof, there was ample time to mount the operation. We recommend that the practice of shouting prisoners for visits on mixed wings should cease."

4.14 There are two factors that the Narey team failed to take into account in this analysis. First, this was the first time since his move to the Maze that Billy Wright had ever received a Saturday morning visit²⁴. Secondly, however lax the security within the Maze, it seems unlikely that every time visits were in progress the INLA murderers would risk being found with weapons about their persons on the mere offchance that Billy Wright would be getting a visit. INLA's own account of the murder claims that the three assassins were "put on standby from 8.00am that morning"²⁵. Even if they were forewarned that Billy Wright would receive a visit that morning, there remained an element of uncertainty about the timing of the visit, since it would only be scheduled as a morning visit, without any time attached, and the actual timing of the visit would depend upon the time his visitor arrived at the prison and the time it took for her to clear security and for an escort to be arranged. The shouting out of Billy Wright's name therefore acted as the cue for the attack, as Narey recognised, but it does not follow that the murder team were not forewarned. In our view, the truth about the lists has yet to be established and its importance cannot be dismissed. If INLA were indeed forewarned, then it is vital to establish exactly how and why this happened, and why the inquest was misled.

4.15 THE DEFECTIVE SECURITY CAMERA

On 22nd December 1997, five days before the murder, the PTZ (pan tilt zoom) overhead security camera number 3 overlooking the rooftop of H6 was reported defective by the Senior Officer on Duty²⁶. It remained inoperative, with the consequence that the three murderers were able to traverse the roof of H6 undetected by any security camera. Once staff in the control room were alerted to the incident they trained another camera, number 4, on the roof of H6, but by then it was all over²⁷. The Narey report makes no mention of this aspect of the murder, which suggests that the Narey team were unaware of the problem. This puts the thoroughness of their investigation in doubt. The question also arises as to why no action was taken by the prison authorities to have the defective camera repaired.

4.16 THE MANNING OF THE WATCHTOWER

The Narey report dealt in some detail with this aspect of the murder:

“One of the more controversial issues surrounding the events of 27 December was the decision to stand down the watchtower officer overlooking the INLA exercise yard at 09.15 in order to help make good a shortfall of eight staff in visits. Concern over this was voiced by many of those who made representations to us. We understand that there was an agreement between the Governor and the POA that officers occupying towers overlooking the H Blocks could be removed at times of staff shortages with the exception of towers overlooking H Block 6 because it was the only block which accommodated two opposing factions. At 09.15, the officer in H6 A and B tower which overlooks the INLA yard apparently received an instruction to make his way to visits. The officer, unhappy with the order, contacted his POA representative who confronted the duty governor. The duty governor insists he instructed that watch towers overlooking all the H Blocks should be stood down with the exception of the H6 tower overlooking the INLA yard, but that this order had somehow been misinterpreted with the result that the H6 A and B tower was stood down. The duty governor ordered that the officer return to the tower and while he was doing so, Mr Wright was shot. As the officer entered the tower, he saw prisoners returning across the H Block roof to their exercise yard. The failure to have the post manned at a crucial time has damaged public confidence in the Prison Service, fuelling allegations of conspiracy.”²⁸

The report goes on to assert that there was no evidence to support those allegations and concluded:

“In our view, whether or not the tower was manned, Mr Wright would still have been shot. Even if the tower officer had raised the alarm immediately, only one member of staff could have gained access to the forecourt, and had he intervened to protect Mr Wright, it is likely that he too would have been shot. Moreover the fact that the alleged perpetrators made no attempt to disguise themselves indicates that potential detection or identification was of little concern to them.”²⁹

4.17 The prison officer on duty in the A/B watchtower was Raymond Hill. At around 8:50 am he received a call over the intercom to report to the prison officer's office. However, when he reached the main gate of H6 he was told by one of his colleagues to return to the watchtower after all. Then at around 9:30 am PO Hill was again contacted over the intercom and this time told to report to prison visits. He went to the prison officers' office in H6 and telephoned PO Blundell, an official of the POA, to complain about the order he had received. PO Blundell told him to sit tight while he raised the matter with the duty governor. At about 9:55 am PO Hill returned to the watchtower, but by then the murder was in progress.³⁰ The order to leave the watch tower and go to visits was made by Governor McKee³¹. David Wright has asked for a meeting with Governor McKee, but the Secretary of State has refused his request³².

4.18 We find the Narey team's conclusion that even had PO Hill been in the watchtower the murder would have gone ahead surprising. Timing is obviously of crucial importance here, but if PO Hill had been in the tower and raised the alarm as soon as he saw the murderers climbing onto the roof the murder might have been prevented. The cue for the INLA team to go into action appears to have been their hearing Billy Wright's name being called by a prison officer to tell him that the van had arrived to take him to his visit. Even if they were forewarned of the visit by the visits list, and thus expecting the call, it would still have taken them a certain amount of time to leave their block and get onto the roof. The hole in the fence was about two foot square and the three men would have had to go through the hole in single file³³. Equally, it would have taken Billy Wright a certain amount of time to reach the van. Had PO Hill been able to raise the alarm, it is conceivable that Billy Wright would not have left his block and could have been protected, because if the alarm had been raised, all gates would have automatically been locked. Even if Billy Wright had already been in the van by the time the alarm was raised, there might have been time for the doors of the van to be locked, which would have impeded the murder bid, and conceivably for the van to drive out of the yard, since the gates were already being opened when the attack took place³⁴. The Northern Irish branch of the Prison Officers' Association in a memorandum to the Select Committee on Northern Ireland affairs, said:

"In fact the murder of Billy Wright could have been avoided had the H6 observation tower not been stood down to allow staff to go on visits."

The Secretary of State for Northern Ireland, Peter Mandelson MP, disagrees. In a letter to David Wright dated 8th May 2000, he said:

"Depositions made available to the Court state that the INLA prisoners positioned themselves in such a way as to observe your son's departure from the block. The INLA prisoners did not move out of their wing until they were sure that your son had already emerged from the block."

It is vital that the truth about this aspect of the murder is established.

4.19 INLA say that the murderers did not know that the watchtower would be empty at the time of the attack. On the contrary, they say that their plan took account of there being a prison officer in the watchtower.

“The plan was to provide the prison officers on duty in H Block 6 the opportunity to spot the INLA Active Service Unit as soon as the operation was underway.

Intelligence had shown that the ASU would have been likely to have been spotted as they were attempting to pass through the hole in the fence in A wing exercise yard, as this movement would have served immediately to attract the attention of the prison officer occupying the observation post overlooking the immediate area.

In response to seeing the INLA ASU breaching the fence the prison officer would have automatically activated the alarm. Once the alarm had been activated normal procedure would have been to stop all movement in the block, all gates would have been locked down automatically and therefore movement could not recommence until the alarm alert had been investigated by the prison authorities.

Had this been the case on the morning of 27th December 1997, the van containing Billy Wright would have had to remain immobile inside the Block forecourt until the alarm had been cleared.

This delay would have presented the ASU with added time to successfully complete the operation.”³⁵

They go on to claim that their whole operation “took less than 90 seconds from start to finish”.³⁶ The Narey report said, “...our best estimate is that it would take little more than 30 seconds for the INLA prisoners to climb and cross the roof.”³⁷ However, we note that the Narey report records that the Emergency Control Room at the Maze was first informed of the shooting at 9:59 am³⁸ and that the INLA prisoners had returned to their wing over the roof by 10:07 am, a gap of eight minutes, to which at least one or two minutes must be added for the time that elapsed before the shooting. We believe that a public inquiry would need to establish as accurate a minute-by-minute account of events as possible before reaching any conclusion about what difference it might have made if the watchtower had been manned and the alarm raised.

4.20 THE PARKING OF THE BUSES

Normally, the bus conveying INLA prisoners to visits and that conveying LVF prisoners were parked adjacent to their respective wings. According to prisoner Norman Green, who was in the bus with Billy Wright when he was shot, this procedure had been adopted as a security measure following INLA threats against LVF prisoners³⁹. On the day of the murder, the positions of the buses was reversed, so that the LVF bus was beside the INLA wing and the INLA bus was beside the LVF

wing⁴⁰. Once again, this matter requires explanation. The INLA bus was the first to park⁴¹. It is important to know why it was parked on the LVF side, and whether the driver had instructions to park there, since it had the effect of forcing the LVF bus to park in proximity to the INLA wing, thus facilitating the murder. The Narey team did not comment on the unusual placement of the vans.

4.21 THE QUESTIONING OF INLA PRISONERS

Although the names of the three main perpetrators are known, it is obvious that other INLA prisoners in H6 would have known about the plan and may have acted as accessories before or after the crime. The jury at the inquest into Billy Wright's death made the following findings:

"We find, Mr William Stephen Wright died on 27 September 1997 as the result of a gunshot wound to the chest sustained whilst in the process of visitor transfer by van from H block 6 Maze Prison which at the time was inhabited by both LVF and INLA prisoners. His murder was carried out by three INLA inmates in an elaborate, pre-meditated and pre-planned act. Access to the murder scene, namely the forecourt of H Block 6, was gained by the cutting of a hole, by person or persons unknown, in an undetected and unobserved section of security fencing."

They clearly thought it possible that others were involved. The RUC thought so too. According to LVF prisoners who witnessed the murder and assisted the RUC in holding a reconstruction of the crime, the RUC team was of the view that at least 7 INLA prisoners were involved in the murder⁴². In a letter to David Wright dated 17th November 1999, Assistant Chief Constable White, in charge of crime, said:

"The police investigation was thorough and professional with all aspects of the murder included. Unfortunately, some were not satisfactorily resolved including how the guns were smuggled into the prison and that others involved in the murder have yet to be brought before the courts."⁴³

Yet the 13 other INLA prisoners were not arrested or interviewed by the RUC until 28th January 1998⁴⁴. While it might reasonably be anticipated that INLA would not have co-operated with the RUC, such a long gap certainly would have facilitated getting stories straight and the destruction of any evidence.

4.22 FAILURE TO CALL KEY WITNESSES AT THE INQUEST

David Wright attended the inquest on his son's death, and represented himself without benefit of a lawyer. Although there was no legal aid available for inquests, Counsel for the Northern Ireland Prison Service, Nicholas Hanna, objected to Mr Wright's participation. He also objected to Mr Wright's giving evidence about the murder.⁴⁵ He also persuaded the Coroner, John Leckey, to limit the remit of the inquest.⁴⁶ It is clear that the Northern Ireland Prison Service wanted as few questions as possible asked about the circumstances surrounding the murder.

- 4.23 The only senior prison officer to give evidence at the inquest was Governor Stephen Davis, who was not on duty on the day of the murder. David Wright wanted the Director of Operations and overall governor of the Maze, Martin Mogg, his deputy Governor Crompton, and the Director of Finance and Administration Alan Shannon called as witnesses, but the Coroner refused to do so, apparently because they were not on duty on the day in question, either. On 18th September 2000 David Wright attended the Coroner's office in order to inspect the inquest papers. If any of these three officials made depositions, they were not disclosed to Mr Wright during his visit. During the same visit, he discovered that Stephen Davis had made a deposition, which, although he was called to give evidence, was not read out at the inquest.
- 4.24 Two officers who were on duty on the day, Governor Barlow and Principle Officer Molloy, who was in charge of H6, were on the list of witnesses to be called but did not in fact give evidence. David Wright requested copies of the depositions before the inquest. Some of these were redacted before being given to him, usually by the removal of names. However, Senior Officer Gallagher's deposition had a portion of the text redacted which has nonetheless proved possible to read. This section confirms that Principle Officer Molloy received the call ordering the removal of the watchtower guards. When David Wright inspected the inquest documents on 18th September 2000, Barlow and Molloy's depositions were withheld on the grounds that since they had not given evidence their depositions could not be made available for inspection⁴⁷. When Mr Wright asked why SO Gallagher's deposition has been redacted, he was told that the Coroner did not consider his information to be relevant⁴⁸.
- 4.25 The identity of the duty officer in charge of the Maze on 27th December 1997 is unknown. No-one describing himself as having that function appeared at the inquest. Governor William McKee was on duty on the day, but he too was not called as a witness. Between them, Molloy, Barlow and McKee could have said who was the officer in charge of the prison in Governor Mogg's absence. On 22nd May 2000, Jeffrey Donaldson MP received an answer to his Parliamentary Question seeking the name of the duty governor in charge of the Maze on 27th December 1997. Junior Minister Adam Ingram replied:
"On security grounds. I am not prepared to name the Governor in question."⁴⁹
Jeffrey Donaldson pressed this matter again in a personal letter⁵⁰ to Adam Ingram in July 2000, but the Minister again refused to name the duty governor⁵¹.
- 4.26 According to the Prisons and Young Offenders Centres Rules Northern Ireland 1995:
"The governor shall attend any inquest following the death of a prisoner in his custody, or arrange for an appropriate officer to do so, and shall report to the Secretary of State on the findings of the inquest."⁵²

It is not clear whether this happened in Billy Wright's case. On 18th May 2000, David Wright wrote to the Coroner, John Leckey, and asked him why this rule had apparently not been followed. He also asked who was the governor in charge on the day of the murder. The Coroner declined to answer these questions⁵³. However, on 15th September 2000 the Solicitor to the Coroner wrote to David Wright and told him that Governor Davis attended the inquest. Her letter gives the impression that Governor Davis was in attendance in the role of "an appropriate officer", although she does not say so in so many words. While it is true that Governor Davis attended the inquest and gave evidence concerning the physical layout of the Maze prison, it seems strange that it should have taken so long to identify him as the governor's representative.

- 4.27 The failure to identify the governor in charge on the day, or to call him as a witness at the inquest, or to call Governor Barlow and Principle Officer Molloy, the redaction of SO Gallagher's deposition, the Coroner's refusal to answer his questions, and the withholding of depositions, has left key questions unanswered and has enhanced David Wright's conviction that there is an official cover-up of the facts.

5. THE GOVERNMENT'S RESPONSE

- 5.1 Despite repeated requests by David Wright, both the Secretary of State, Peter Mandelson MP⁵⁴, and the Prime Minister, Tony Blair⁵⁵, have refused to meet him personally to discuss his concerns. Both have said they see no grounds for an independent public inquiry.
- 5.2 Martin Mogg, the prison governor in charge not only of the Maze but of the operational management of the entire Northern Ireland Prison Service at the time of Billy Wright's murder, has admitted that it was a mistake to house INLA and the LVF in the same H block. He has also accepted that he failed to control the situation in the prison and that he was naïve in his belief that INLA would not launch an attack.⁵⁶ In June 2000, Martin Mogg was named in the Queen's Birthday Honours List as a Commander of the British Empire. The honour was conferred upon him in recognition of his public service.
- 5.3 Government agencies have also failed David Wright in ways that have caused great personal distress. Although he was Billy Wright's next of kin, he was not notified by the prison authorities of his son's death, an omission for which Governor Mogg has apologised⁵⁷. He learned of his son's death when his daughter telephoned him from America, having herself heard about it on the World Service.
- 5.4 Mr Wright only learned from television coverage⁵⁸ that traces of cannabis were found in his son's blood as a result of tests carried out after the post mortem. He was also horrified to discover that photographs from the post mortem were being circulated in north Belfast and offered to the media for sale. Such information can only have come from a limited number of persons with access to the post

mortem results and photographs, yet the Secretary of State steadfastly upholds the integrity of all those concerned. In a letter to David Wright, he said:

"I am assured that neither the Forensic Science Agency, the State Pathology Department nor the RUC made the information [concerning the traces of cannabis] available to the Press. Nor were they the source of the photographs. I am satisfied they are all highly scrupulous in their responsibilities."⁵⁹

When the circulation of the photographs was reported in the press⁶⁰, British Irish RIGHTS WATCH wrote to the Secretary of State demanding an immediate and rigorous investigation⁶¹. The Secretary of State replied that:

"... this matter is not new and has been thoroughly investigated and I am satisfied that the material did not enter the public domain via any official source."

Obviously such information is unlikely to be leaked officially. It is the fact that it has reached the public domain at all, by however unofficial a source, that gives rise to concern. The Secretary of State's indifference to this aspect of the case is reprehensible.

6. SUPPORT FOR AN INQUIRY

6.1 Both the Ulster Unionist Party and the Democratic Unionist Party, as well as a number of smaller unionist parties, have called for a proper inquiry into Billy Wright's death. Perhaps surprisingly, so have Sinn Féin. Such cross-party support is unusual in Northern Ireland.

6.2 In addition, Jeffrey Donaldson MP and four Borough Councils – Craigavon, Lisburn, Carrickfergus and Ballymena – have called for a public inquiry.

6.3 Two highly respected human rights groups, Amnesty International and the Committee on the Administration of Justice, have also voiced their concerns about the many unanswered questions surrounding this case.

6.4 According to the *Sunday Times*⁶², Christopher McWilliams backs David Wright's call for a public inquiry into his victim's death, saying that:
" 'The prison administration was inadvertently responsible for his death. The administration was naïve, negligent,' he says, adding, 'Wright's death was inevitable if they kept the LVF on the wing.' "

6.5 The loyalist prisoners who were in the Maze at the time of the murder also back the call for an inquiry. The senior LVF prisoner has been quoted as saying:

"We back David Wright's call for a public inquiry. We witnessed the killing, and the evidence of certain prison officers is incorrect. We ask why we were not called to give evidence at the murder trial. The Northern Ireland Office has repeatedly ignored calls for the truth to be made public."⁶³

7. CONCLUSION

- 7.1 When a person is imprisoned by the state that person is entitled to be incarcerated in conditions of safety. It is incumbent upon the prison authorities to do everything in their power to ensure the safety of prisoners. This is particularly the case when a prison houses prisoners from opposing factions.
- 7.2 The catalogue of concerns arising from Billy Wright's death indicate a complete failure by the authorities to protect Billy Wright's right to life, as enshrined in Article 3 of the Universal Declaration of Human Rights.
- 7.3 Many of the factors that contributed to the murder of Billy Wright stemmed from policy decisions concerning the running of prisons in Northern Ireland which cannot be said to have a direct impact on those particular events. However, two management decisions did have a direct impact i.e. the decision to house LVF and INLA prisoners in the same block, and the decision to transfer Christopher McWilliams and John Kenneway from Maghaberry to the Maze despite their past record of hostage-taking and gun smuggling. If those decisions were made after all due consideration, then the authorities should have been doubly alive to the risks they posed, and should have been highly alert to the possibility of an attack on such an obvious target as Billy Wright. In such circumstances, it is deplorable that warnings by prison officers should have gone unheeded; that a security camera should have been left unrepaired; that prisoners should have been able to smuggle guns and wire cutters into the jail, and to cut through the wire undetected; that a crucial watchtower should have been left unmanned; and that prisoners should have had access to the visiting schedule of an opposing faction.
- 7.4 Primary responsibility for Billy Wright's murder obviously resides with the three INLA men who killed him in cold blood. However, that such a notorious figure could have been so easily murdered within the confines of a prison also places a very high responsibility on the state, both in relation to Billy Wright himself and in relation to the terrible aftermath unleashed by his death, which led to a series of further murders. It may be that the state's responsibility lies in nothing more - or less - than mismanagement and incompetence. Even so, when the list of poor decisions and mistakes is as long as it is in this case, rigorous scrutiny is required to ensure no future repetition.
- 7.5 When someone with a profile as high as Billy Wright's is murdered by a group like INLA inside a jail, the question must arise as to whether or not there was any collusion in the murder. On the face of it, collusion between the prison authorities or individual prison officers with INLA may seem unlikely, since most prison officers come from a unionist or loyalist background and INLA is a republican group. Indeed, INLA has strenuously denied that any collusion was involved⁶⁴, but that is only to be expected. Nevertheless, there is a sense in which some loyalists and republicans had common cause in wanting Billy Wright

eliminated, given the attempts by the Combined Loyalist Military Command to exile him from Northern Ireland. There will be many, including Billy Wright's father, members of the loyalist community, human rights groups and others, who will find the coincidence of so many factors in one death highly suspicious. It is because of the suspicions engendered by this death that we have concluded that a public inquiry is necessary.

- 7.6 The government will no doubt argue that the Narey report has fulfilled the role that a public inquiry would play. We disagree. The Narey investigation was carried out very shortly after Billy Wright's murder. His death was tacked on to Narey's original terms of reference, which originally were confined to examining an escape attempt. As the Narey report acknowledged:

"We are conscious that the incident is the subject of an ongoing police investigation and it would be inappropriate for us to comment in detail on the precise circumstances or persons involved. We have therefore confined our inquiry to the background of the shooting and the general issues it raises, particularly the scope for illicit items to be smuggled into the prison..."⁶⁵

It is noteworthy that no fewer than 26 prison officers went off sick in the wake of the murder and were not available for questioning by the Narey team⁶⁶. As our report shows, some information came to light at the inquest which was apparently not available to the Narey team. However, the inquest did not constitute a comprehensive investigation of all the matters surrounding the murder, as the remit of inquests in Northern Ireland is severely limited⁶⁷. Equally, the trial of the three killers was solely concerned with the guilt or innocence of the three men, and did not consider the wider questions arising out of the murder.

- 7.7 British Irish RIGHTS WATCH believes that a public inquiry into the murder of Billy Wright should be established immediately with the following aims:
- to establish the full facts surrounding the murder, including whether there was any collusion,
 - to examine the policy decisions that contributed to the death and make recommendations, and
 - to establish responsibility for the various elements that contributed towards the death and make recommendations.

In our view, only such an inquiry can restore public confidence in the rule of law and the administration of justice and the prison service in Northern Ireland.

- 7.7 We respectfully request the Special Rapporteur to transmit this report to the government of the United Kingdom and call upon them to instigate an independent inquiry into the murder of Billy Wright.

OCTOBER 2000

1 Deposition of David Wright to the inquest on Billy Wright, February 1999
2 For a comprehensive description of the Maze and its regimes, see *Report of a*
3 *full announced inspection of HM prison the Maze 23 March – 3 April 1998*, HM
4 Chief Inspector of Prisons
5 The prison blocks at the Maze prison are known as H blocks because they are
6 built in the form of the capital letter H
7 Note by the Loyalist Volunteer Prisoners to the Narey Inquiry, 21.1.1998
8 *The Starry Plough*, March - April 1999, p. 12
9 Deposition of David Wright to the Inquest on Billy Wright, February 1999
10 Note by the Loyalist Volunteer Prisoners to the Narey Inquiry, 21.1.1998
11 *Narey Report*, paragraph 3.8
12 Ibid, paragraph 3,12
13 *Irish News* , 29.4.1997
14 Ibid
15 Deposition of Arthur Gallagher to the inquest on Billy Wright, February 1999
16 Deposition of Brian Thompson to the inquest on Billy Wright, February 1999
17 *Narey Report*, paragraph 3.14
18 Ibid, paragraph 3.6
19 Deposition of Detective Superintendent Short to the Inquest on Billy Wright,
20 February 1999
21 Ibid, paragraphs 3.15 – 3.16
22 *How they shot King Rat: Exclusive*, John Cassidy, 13.6.1999
23 *Sunday Times*, 30th July 2000
24 *How they shot King Rat: Exclusive*, John Cassidy, 13.6.1999
25 Deposition of Jacqueline Wisely to the Inquest of Billy Wright, February 1999
26 In a letter dated 8th May 2000
27 *Narey Report*, paragraph 3.17
28 Deposition of David Wright to the Inquest on Billy Wright, February 1999
29 *The Starry Plough*, March - April 1999, pp. 10 - 11
30 Deposition of George Patient to the Inquest of Billy Wright, February 1999
31 Ibid
32 *Narey Report*, paragraph 3.18
33 Ibid, paragraph 3.19
34 Deposition of Raymond Hill to the Inquest on Billy Wright, February 1999
35 Deposition of Brian Thompson to the Inquest on Billy Wright, February 1999
36 Letter from Peter Mandelson to David Wright, 8th May 2000.
37 Deposition of Stephen Davis to the Inquest on Billy Wright, February 1999
38 Deposition of John Park to the Inquest on Billy Wright, February 1999 – the
39 gates were closed again once the attack began
40 *The Starry Plough*, March - April 1999, p. 10
41 Ibid
42 *Narey Report*, paragraph 3.17
43 Ibid, paragraph 3.3
44 Deposition of Norman Green to the Inquest on Billy Wright, February 1999
45 Ibid
46 Deposition of John Park, who drove the LVF bus, to the Inquest on Billy Wright,
47 February 1999
48 *Additional points of relevance*, LVF prisoners, undated
49 In a further letter to Mr Wright of 5th January 1998, the RUC said, “The
50 investigation did not discover any evidence to suggest any other person,
51 other than those convicted, were [sic] involved in the murder.” It is clear,
52 though, from their earlier letter, that they suspected others were involved,
53 even though they had failed to obtain any evidence.
54 Deposition of Detective Superintendent Short to the Inquest on Billy Wright,

February 1999 - he gives the date as 28th January 1997 , but this is clearly a mistake

45 *Irish Times*, 23.3.1999

46 *Irish Times*, 25.3.1999

47 Letter from Siobhan Broderick, Solicitor to the Coroner to David Wright, 22nd September 2000

48 Ibid

49 *Hansard*, 25th May 2000

50 7th July 2000

51 Reply to Jeffrey Donaldson, 24th July 2000

52 Rule 120 (6)

53 Letter from John Leckey to David Wright, 23.5.2000

54 Letter to David Wright, 8th May 2000

55 Letter to David Wright 4th May 1999

56 BBC News, 21st January 1998, reporting on an interview with Martin Mogg in a BBC TV documentary

57 Letter to David Wright, 12th January 1998

58 *Spotlight*, BBC, broadcast 8th February 2000

59 Letter from Peter Mandelson to David Wright, 8th May 2000

60 *Belfast Telegraph*, 7th August 2000

61 Letter from Jane Winter to Peter Mandelson, 8th August 2000

62 30th July 2000

63 *Irish Times*, 16.11.1998

64 *The Starry Plough*, March - April 1999, p. 9

65 *Narey Report*, paragraph 3.2

66 Examination of Martin Narey by the Select Committee on Northern Ireland Affairs, 15.7.1999, paragraph 3.2

67 Inquests in Northern Ireland are restricted to establishing the identity of the deceased and how, when and where he died