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## Local & National

### The burning issue: lost files or a smoking gun?

Tuesday, June 05, 2007

Papers lost or up in flames are still plaguing the Billy Wright Inquiry. Chris Thornton reports on the significance of the missing links

Wether regarded as staunch defenders of the realm or a brutal tool of repression, the RUC was never accused of being a bunch of librarians. A reminder of that - if one was really needed - came last week when the Billy Wright Inquiry began full hearings on whether the state had a role in Wright's death. They began by chastising the police for being sluggish about handing over documents.

This wasn't the first time paperwork became an issue for the inquiry. Files about Wright's murder in the Maze in 1997 now appear to have gone missing from every security agency dealing with the killing.

The Prison Service was hauled before the inquiry last year to explain why security files and other documents relating to the murder had gone missing, some clearly destroyed.

Last week, it emerged that MI5 has also been unable to locate material from the time of the murder that, intelligence chiefs acknowledge, should normally have been retained.

But the lead counsel for the inquiry laid the blame for "delays and difficulties" in obtaining paperwork firmly at the door of the PSNI.

Four times, Derek Batchelor QC announced, legal notices have been served on the PSNI to stump up RUC files concerning the murder of the LVF leader. The first was issued in November 2005. Some papers delivered last month contained material that had been called for at that time.

Or so the inquiry says. The plea from police is that it's just not that easy - an organisation that generates mountains of paperwork in a multitude of locations can't be expected to lay its hands on everything that quickly. If, indeed, the paperwork still exists 10 years after the murder.

Before the inquiry's hearings began last week, Assistant Chief Constable Alistair Finlay - the PSNI officer in charge of producing police documents to the collusion inquiries - said police in the nineties had "a whole host of things that came as more important to do rather than the maintenance of libraries."

"No-one I think at a particular time went about thinking 'there's going to be a public inquiry over this, we better keep all this together'," he said. "The consequence of that is we've had to search the estate for records, some of which we've found, some of which we haven't found."

The PSNI will now get the chance to tell it to the judge. Lord MacLean, the retired Scottish judge leading the inquiry, has scheduled hearings about PSNI's handling of documents, to take place possibly later this year.

The loss of paperwork, especially after a decade, is perfectly plausible, as indeed is the idea that INLA prisoners wanted to kill the notorious loyalist housed in the same block of the Maze.

But what raises questions about the Wright case is the accumulation of coincidences.

From the fact that his killers could smuggle guns into prison twice in one year (the first time in Maghaberry) to the security failures on the day of the murder, there have been enough irregularities to raise suspicions.

The absence of key documents across the agencies tends to fuel those suspicions. In addition, some of the documents - some Prison Service papers - were destroyed after it became clear there would be a public inquiry into the murder. Some went missing after being seen by the judge who recommended the inquiry in the first place.

Gaps in the files can be covered by material from another department, indeed some familiar with the material available to the inquiry say that has already been the case. But some gaps remain notable. Some of the missing Prison Service material should have been duplicated in the police file on the murder

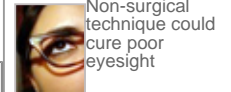
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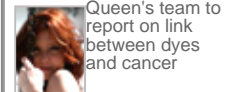
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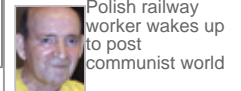
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investigation. But it appears the police file may have the same gaps.

The real meat of the Wright case won't be tackled until the autumn, so last week's criticism appears to have been an attempt to light a fire, so to speak, that will recover more files.

If they don't turn up, the inquiry is entitled to draw inferences about what their absence means, including a possible cover-up. That seems unlikely at this stage, but every missing paper makes it harder for the inquiry to kill the conspiracy theories, or even prove them right.

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