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## Wright case legal challenge refused

(Ashleigh Wallace, [Irish News](#))

A High Court judge has refused to grant leave for a legal challenge linked to the inquiry into the death of LVF leader Billy Wright.

The case was brought by six serving and former Prison Service employees who expressed fears they could end up in court as a result of the terms of reference of the inquiry.

The hearing was opened in front of Mr Justice Weatherup last week but yesterday (Monday) he refused to grant leave on the grounds the applicants failed to "establish an arguable case" that the inquiry would act in an improper manner.

LVF leader Billy Wright was murdered inside the Maze prison in December 1996. His father David has always maintained his INLA killers were assisted by the state.

The Wright inquiry, which is being conducted in Banbridge under the controversial Inquiries Act 2005, was opened earlier this year and is due to resume on September 10.

It is being held to try to determine whether any wrongful act was committed that facilitated the loyalist's death and, if so, whether the act was intentional or negligent.

The six applicants who sought a judicial review claimed the terms of reference under the Inquiries Act could enable the hearing to make a finding of criminal or civil liability – a move they fear could result in them being brought to court or be named as defendants in a civil case brought by the Wright family.

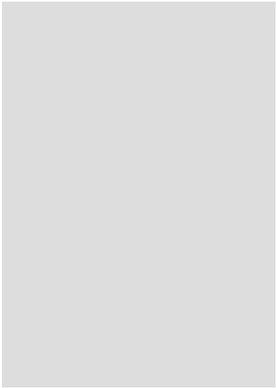
Mr Justice Weatherup said yesterday that correspondence from the Wright inquiry chairman stated the hearing had "no power" to determine civil or criminal liabilities, which he said "was a matter for the courts".

The High Court judge said inquiries such as the Wright case "are not courts" and "do not have legal effect" but are held "to restore public confidence".

"I am not satisfied the applicants established an arguable case that the inquiry has proposed to approach its task in an

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improper manner or in a manner incompatible with the 2005 Act," the judge said.

"Leave is refused."

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