

# Judicial Communications Office

19 December 2018

## R v IVOR BELL DECISION

### Summary of Judgment

Mr Justice Colton, sitting today in Belfast Crown Court, found Ivor Bell unfit to be tried in accordance with Article 49(4)<sup>1</sup> of the Mental Health (Northern Ireland) Order 1989. The judge refused an application to stay the proceedings for abuse of process. He ordered the criminal trial shall not proceed further but that it shall be determined by a jury on such evidence as may be adduced by the prosecution, or adduced by a person appointed by the court under Article 49 to put the case for the defence whether it is satisfied as respects the counts on which the accused was to be tried that he did the act or made the omission charged against him.

Ivor Bell is charged with two counts:

- Count 1 – Encouraging persons to murder;
- Count 2 – Endeavouring to persuade persons to murder.

Both counts relate to the murder of Jean McConville in December 1972. The evidence upon which the counts are founded was based on audio interviews said to have been conducted in Northern Ireland by Anthony McIntyre and recorded as part of the Boston Tapes. Part of the audio material obtained by the PSNI includes interviews between Anthony McIntyre and “Z”. The prosecution case is that Z is Ivor Bell.

**Mr Justice Colton ordered that there is to be no reporting of today’s decision or the subsequent proceedings apart from the above information<sup>2</sup>. This Order will remain in place until the completion of the proceedings or until further order of the court.**

#### NOTES TO EDITORS

This summary should be read together with the judgment and should not be read in isolation. Nothing said in this summary adds to or amends the judgment. The full judgment will be available on the Judiciary NI website (<https://judiciaryni.uk>).

ENDS

If you have any further enquiries about this or other court related matters please contact:

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<sup>1</sup> <https://www.legislation.gov.uk/nisi/1986/595/part/III/crossheading/procedure-during-trial-on-indictment>

<sup>2</sup> The Order was made under s.4(2) of the Contempt of Court Act 1981.

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