

INQUEST TOUCHING UPON THE DEATH OF NEIL McCONVILLE

VIDEO-LINK PROTOCOL

A. Context

1. The inquest touching upon the death of Neil McConville on 29th April 2003 has been listed for hearing commencing on Monday 12th April 2021 at Laganside Courthouse.
2. Due to the ongoing COVID-19 pandemic and the associated social distancing requirements, capacity within the courtroom is limited. Any person who 'attends' this inquest via video-link, may do so only with the express permission of the Coroner and subject to the conditions set out in this Protocol.

B. Purpose

1. The Coroner wishes to take all reasonable steps to ensure this inquest is an open and transparent process and, in particular, that family members of the deceased have the opportunity to participate in these proceedings where they are unable to attend the physical courtroom.
2. The Coroner further wishes to establish a robust process through which any concerns held by witnesses regarding video-link access are allayed.
3. The purpose of this Protocol is to establish a process through which the above may be achieved while setting out clearly and unequivocally the conduct expected of any person attending this inquest via video-link.

C. Procedure

4. Any person attending this inquest via video-link may only do so with the express permission of the Coroner. Individuals seeking such permission must provide the Legacy Inquest Unit with the following:
 - i. Their full name and address;
 - ii. The reason they wish to attend this inquest, for example their relationship to the deceased;
 - iii. Details of where they will be when watching the video-link;
 - iv. Details of any and all persons who may also be present, including the reason for their presence;
 - v. Any other information sought by the Coroner.
5. The Coroner will take any steps he considers necessary in order to determine whether an individual should be permitted to attend the inquest by way of video-link.

6. Where the Coroner permits an individual to attend the inquest in this way, they will be provided with the necessary details by the Legacy Inquest Unit, along with a copy of this Protocol.
7. Any person who has been permitted to attend via video-link must connect to the link 10 minutes before each court sitting commences.
8. The court clerk will then check those seeking admittance against the list of approved attendees, admitting only those individuals who have been permitted to attend the inquest. The link will then be locked, meaning that no other person will be able to join.

D. Conduct of Video-Link Attendees

9. Video-link attendees are reminded that this inquest is a solemn court proceeding and therefore they must conduct themselves as if they were in the physical courtroom.
10. Attendees should ensure that their microphone is muted at all times, unless invited to speak.
11. Attendees must not interrupt proceedings in any way.
12. There must be no other unauthorised person present with the attendee. Attendees may be required to turn their cameras on so that the Coroner, or his staff, can satisfy themselves that the attendee is duly complying with this Protocol.
13. In relation to any screened witness, the Coroner may direct that any person attending remotely, do so by audio only.
14. Under no circumstances should an attendee take, or attempt to take, a 'screenshot', 'screengrab', photograph or any other method of capturing/preserving an image that appears over the video link nor make, or attempt to make, an audio, video or other form of recording of these proceedings.
15. Any attempt to do so will result in the immediate removal of the attendee and is likely to be considered contempt of court (the result of which can include imprisonment or other penalty) and a criminal offence under The Coronavirus Act 2020.
16. A member of the Legacy Inquest Unit will monitor the live-link feed and should any inappropriate behaviour be observed, this will be brought to the immediate attention of the Coroner.

E. Further Guidance

17. Individuals attending this inquest via video-link should familiarise themselves

with the following guidance available on the JudiciaryNI website:

- i. Remote Court Hearings - Quick Guide for Court Users¹
- ii. Guidance on Remote Hearings.²

His Honour Judge Philip Babington, Recorder of Londonderry
23rd March 2021

¹ [Remote Court Hearings - Quick Guide for Court Users.pdf \(judiciaryni.uk\)](#)

² [Guidance on Remote Hearings in the County and Magistrates Courts 211020.pdf \(judiciaryni.uk\)](#)