

THE PRESIDING CORONER FOR NORTHERN IRELAND

LEGACY INQUESTS

WITNESS PROTOCOL

A. ROLE OF THE CORONER AND PURPOSE OF THIS PROTOCOL

1. The role of the Coroner is to conduct an independent investigation in order to determine the facts surrounding an unnatural, sudden or unexplained death. The conduct of a coronial investigation, including engagement with witnesses, is a matter for the Coroner and accordingly, the procedural guidance in this Protocol is at all times subject to the exercise of the Coroner's discretion.

2. Witnesses, state bodies, assisting organisations and any other person or organisation who comes into contact with a coronial investigation are expected to co-operate fully with the Coroner at all times in order to ensure that the Coroner's investigation is progressed in a timely and effective manner.

3. The purpose of this Witness Protocol is to provide a general guide to the processes used in legacy inquests for:

- a. identifying and tracing of witnesses;
- b. taking statements from witnesses;
- c. disclosure of witness statements given to the Coroner; and
- d. applications for anonymity and/or screening of a witness.

B. APPLICATION OF THIS PROTOCOL

4. This Protocol applies as appropriate to all outstanding legacy inquests.

5. This Protocol should be read in conjunction with the Presiding Coroner's Case Management Protocol of September 2019.

6. Decisions on the application of this Protocol to other inquests may be made by the Coroner on a case by case basis.

C. GENERAL PRINCIPLES

7. The overriding objectives of this Protocol are to ensure that:
- a) each legacy inquest is fully and properly investigated in accordance with relevant legal principles;
 - b) each legacy inquest is managed in a way that is transparent, fair and proportionate;
 - c) there is full and effective participation of all Properly Interested Persons in each legacy inquest, particularly bearing in mind the needs of the next of kin;
 - d) a timely and effective approach is taken to disclosure to the Coroner in each legacy inquest in accordance with the Presiding Coroner's Case Management Protocol; and
 - e) each legacy inquest is progressed to hearing and conclusion as promptly and expeditiously as possible, with minimal delay, taking into account the Lord Chief Justice's five year plan.
8. This Protocol is not intended to cover every circumstance that may arise in a legacy inquest. Where necessary, matters relating to individual legacy inquests will be dealt with on a case-by-case basis taking into account this Protocol as appropriate.
9. This Protocol may be subject to amendment, revision or expansion from time to time at the discretion of the Presiding Coroner and after such consultation, if any, that the Presiding Coroner deems appropriate.

D. THE LEGACY INQUEST UNIT

10. The role of the Legacy Inquest Unit ('LIU') is to support, as required, the Presiding Coroner and the Coroners assigned to particular legacy inquests. This includes ensuring adherence to all applicable protocols. The Presiding Coroner and the Coroners may be supported also by counsel instructed by LIU legal advisers to act in a legacy inquest. All members of LIU staff and Coroners' counsel are security cleared to requisite levels.

11. Correspondence with the Presiding Coroner or an assigned Coroner shall be through LIU. Correspondence from LIU is issued on behalf of the Presiding Coroner or assigned Coroner.

12. Where required, contact details for relevant LIU staff will be provided in each legacy inquest. Members of LIU staff are available to meet with legal representatives and witnesses as appropriate to facilitate the smooth operation of all applicable protocols.

E. TERMINOLOGY

13. References in this Protocol to 'witness' mean a witness or a potential witness in a legacy inquest. A witness is a person who has given or is going to give evidence, initially in the form of a witness statement, to assist the Coroner's investigation in a particular legacy inquest. A potential witness is a person whom the Coroner considers may have information that is potentially relevant to the Coroner's investigation in a particular legacy inquest and from whom the Coroner may wish to take evidence, initially in the form of a witness statement.

14. Properly interested persons ('PIPs') are persons designated as such by the Coroner in a particular inquest. Their role is to assist the Coroner in conducting a full and proper investigation in accordance with the relevant legal principles. Designated PIPs in a particular inquest usually include the next of kin of the deceased.

F. SUPPORT FOR WITNESSES

15. The Coroners are aware that witnesses in legacy inquests may require support. Accordingly, LIU will seek to assist witnesses to ensure they can identify and access appropriate support services.

G. IDENTIFYING AND TRACING WITNESSES

16. It is for the Coroner to determine the witnesses who may be able to assist with his/her investigation in a particular inquest and, if the Coroner sees fit, to develop a witness strategy. Due to the nature of a legacy inquest, in particular the time that may have lapsed since the relevant events occurred, it may be necessary for the Coroner to undertake a process to identify witnesses and/or to trace them. The Coroner may seek

observations from PIPs to assist with ensuring that all witnesses are identified at an early stage.

17. Where possible, witness identification and tracing will be undertaken by LIU at the direction of the Coroner. In some instances, it may be necessary for the Coroner to require the assistance of another organisation ('assisting organisation') to identify and trace a witness.

18. Many witnesses that the Coroner will require to be identified and traced will have been members or employees of the Royal Ulster Constabulary, the Police Service of Northern Ireland ('PSNI'), the armed forces or other state bodies at the time of the incident ('state body witness'). Where the Coroner requires a state body's assistance with identifying and tracing a current or former member or employee, he/she expects full co-operation in ensuring that such exercises are progressed as expeditiously as possible. Additionally, where a state body has conducted any relevant witness identification and tracing exercises prior to the commencement of this Protocol, the Coroner may require to be provided with the information that has been obtained.

19. Where the Coroner requires assistance to identify and trace a witness, he/she will issue a request in writing to the assisting organisation or, as appropriate, its legal representatives. Such requests shall be responded to within 28 days of issue unless the Coroner indicates otherwise. The Coroner will provide the assisting organisation with any available information which may aid its enquiries, such as, but not limited to, the witness's name, date of birth, national insurance number, last known address and where appropriate, rank or last known rank and service number.

20. The assisting organisation shall start immediately to conduct all reasonable enquiries to confirm the identity of and/or trace a witness as requested by the Coroner. Reasonable enquiries to be made by the assisting organisation shall include, but not be limited to, searching of:

- a. investigation files on the index death or a linked death;
- b. pension records;
- c. personnel and/or human resources records;
- d. occupational health records;
- e. service records; and
- f. regimental service records and military, police and other museum records,

as the context requires.

21. Where the details of a witness are not known because they have been referred to by a cipher in an earlier investigation and the cipher key has not been retained, all reasonable enquiries shall be made by the assisting organisation to identify the witness. This may include cross-referencing of original papers gathered from previous investigations or searching of other materials, such as the London Gazette for medal citations or personnel files to confirm a service record.

22. The outcome of an assisting organisation's enquiries shall be reported to the Coroner within 28 days of the request having been issued. The report shall indicate whether the witness is believed to be alive or is deceased. Where the witness is deceased, the date of death and a certified copy of the death certificate shall be provided. Where the witness is believed to be alive, all available current or last known contact details (by reference to the date they were checked) shall be provided to the Coroner including, where possible, the witness's postal address, landline number, mobile phone number and email address together with their national insurance number.

23. Where an assisting organisation requires further time to complete its enquiries, it shall seek an extension of time from the Coroner within 28 days of the request having been issued. Unless the Coroner directs otherwise, a request for an extension shall be made in writing and shall set out details of the searches undertaken to date, the outcome of those searches, the reason why further time is required and a reasoned estimate of the additional time required.

24. The Coroner may require at any stage that an affidavit be provided on behalf of an assisting organisation regarding steps taken on foot of a request from the Coroner to identify and trace a witness. Unless the Coroner directs otherwise, such affidavit shall be provided within 14 days of being directed by the Coroner. The Coroner may at any time require an appropriate person to appear before him/her to explain the steps that have been taken by the assisting organisation and the reason why further time is sought.

25. At any stage, the Coroner may require further enquiries to be undertaken by the assisting organisation and, if so, will expect full co-operation in ensuring that such enquiries are progressed as expeditiously as possible.

26. The Coroner may provide updates to PIPs regarding progress in identifying and tracing a witness. Such updates may include confirmation of whether the witness has been traced and whether they are believed to be alive. Updates may be issued by reference to a cipher in order to ensure that any potential anonymity application is not compromised.

27. Witness contact details will be held in confidence by and on behalf of the Coroner in accordance with the relevant data protection requirements. Absent a cogent reason to do so, contact details will not be disclosed to a third party without the express permission of the witness.

28. Any request by a witness for details of their personal data held by or on behalf of the Coroner will be dealt with as a subject access request under the Data Protection Act 2018.

29. It is of paramount importance that all hard copy and electronic records in the custody and control of state bodies which contain information which may assist with identifying and tracing witnesses are preserved until after the conclusion of all legacy inquests. Any automatic destruction, weeding or archiving of such potentially informative material shall be paused immediately (if that has not occurred already) until after the conclusion of all legacy inquests.

H. CONTACTING A WITNESS

30. In accordance with the overriding objectives of this Protocol and in particular the need to ensure that each inquest is managed in a way that is transparent, first contact with an identified witness will be made by the Coroner. The Coroner may require to be provided with details of any person not acting under his/her direction who has had contact with a witness in respect of the Coroner's investigation together with information about such contact and how it came about, cognisant of any legal professional privilege that may exist.

31. The purpose of first contact with a witness is to inform them about the inquest and to request their assistance. The assistance requested may be (i) that the witness

agrees to provide a witness statement to the Coroner or (ii) that the witness completes a questionnaire ('potential witness questionnaire') designed to provide information to assist the Coroner in assessing whether a witness statement should be taken.

32. Wherever possible, first contact with a witness will be in writing and will provide the witness with contact details for a named person in LIU. The first contact letter will include a basic factual background to the Coroner's investigation, provide information about the coronial process, including disclosure, and inform the witness of their right to seek independent legal advice. Where appropriate, the letter will contain information about available legal and other support services. The witness may be invited to complete and return in a stamp addressed envelope a Witness Information Form to confirm basic contact information, their position and role in the relevant event, their rank if relevant and whether they intend to seek independent legal advice or, if they have already obtained legal representation, details of their legal representative. The witness will have the opportunity to draw the Coroner's attention to any health or other issues that may impact on the assistance the witness can provide. As appropriate, the witness may be asked to provide details of availability for interview or to complete a Potential Witness Questionnaire. Samples of a first contact letter, the Witness Information Form and the Potential Witness Questionnaire that the Coroner may use are at Appendix 1 to this Protocol.

33. It is important to the Coroner that a witness is able to engage in a manner that is not unnecessarily burdensome. If a witness is unable to complete the form provided, the information may be provided by telephone.

34. Any witness who wishes to take independent legal advice is entitled to do so. The cost of legal advice and representation will not be met by the Coroner. Where a witness instructs a legal representative, all future contact with the witness will be through the legal representative and not with the witness directly.

35. Where a state body witness indicates that they wish to access legal support provided by their present/former employing state body, the Coroner will inform the relevant state body or its legal representative promptly. Should the state body wish to liaise with the witness prior to their interview with the Coroner's representatives, it shall contact the witness as soon as possible to ensure that no delay is caused to the interview. The cost of legal representation may be met by the relevant state body.

36. On receipt of the Witness Information Form, the Coroner will contact the witness to make arrangements for the witness to be interviewed. Where a witness has completed a Potential Witness Questionnaire, the Coroner will determine whether the witness should be interviewed and the witness will be informed of the Coroner's decision and if necessary, an interview will be arranged. Where a witness has not indicated that they intend to seek legal advice, LIU staff will remind the witness orally or in writing of their right to do so when making the interview arrangements.

37. At any stage, the Coroner may provide a witness with a copy of any previous statement or account they made relating to the legacy inquest and/or any other documents the Coroner determines are relevant to the statement-taking process. Where these are provided, the witness will be required to hold the information confidentially and use it only for the purposes of the inquest.

38. A record of all contact with a witness will be maintained on behalf of the Coroner.

I. INTERVIEW OF A WITNESS AND TAKING OF A WITNESS STATEMENT

39. The purpose of an interview with a witness is to hear the witness's recollection of the relevant events and facilitate the witness in making a statement for the assistance of the Coroner.

40. Unless the Coroner directs otherwise, interviews will be conducted on behalf of the Coroner by an appropriately trained member of LIU. Wherever possible, interviews will be conducted in person at a location convenient for the witness. If this is not possible or practicable, alternative arrangements may be considered, such as conducting the interview by telephone or video-link. Interviews will be conducted in a polite and professional manner and the purpose of the interview and the potential for any statement or, where applicable, any audio recording made, to be disclosed by the Coroner will be explained clearly to the witness at the outset.

41. Interviews may be audio recorded at the discretion of the interviewer. Any such audio recordings will be held and processed in accordance with all relevant data protection requirements.

42. A witness may choose to be legally represented at the interview. The Coroner expects a legal representative who attends an interview to co-operate with the interview process and with the taking of the witness statement. Where the witness is not legally represented, at the outset of the interview, the interviewer will remind the witness of their right to be legally represented.

43. During the interview, any previous account the witness gave will be available so that the witness may refresh their memory. The witness may be asked to comment on matters outlined in any previous account to confirm their accuracy. The witness may be shown other materials, such as maps and photographs, to assist their recollection.

44. At the end of the interview, the witness will be invited to sign and date a witness statement setting out their account. The Coroner fully expects that the statement will be signed by the witness at the conclusion of the interview. The form of the witness statement will be based on the template contained in Appendix 2 to this Protocol and will include a statement of truth. Any previous account or other material shown to the witness during the interview will be exhibited to the witness statement.

45. The witness will be asked if they have any concerns about their identity being disclosed to PIPs, or more widely, and if so, whether they intend to make an application to the Coroner for anonymity. The purpose of these questions is to enable the Coroner to determine whether information in the statement which identifies the witness should not be disclosed pending the outcome of an anonymity application.

46. It is the Coroner's aim that a witness should be interviewed only once in order to obtain a witness statement, however, the Coroner may require a witness to be interviewed again, for example, where the Coroner's investigation would benefit from taking a statement from a witness which deals with assertions made by another witness.

J. DISCLOSURE OF A WITNESS STATEMENT

47. It is for the Coroner to determine whether a witness statement is potentially relevant to the inquest. Where a witness statement has been drafted but not signed, the Coroner will determine, using whatever process he/she considers necessary, whether the unsigned statement is potentially relevant to the inquest and should be disclosed.

48. Where the Coroner determines that any witness statement is potentially relevant, the statement will be disclosed by the Coroner to the PIPs after the statement has been considered for ciphering and has been subject to the redactions process set out below.

K. REFERRING TO A WITNESS BY A CIPHER

49. It is for state bodies to maintain a complete cipher list for each legacy inquest in which ciphers are used and to ensure that the Coroner has access to the up-to-date complete cipher list for a legacy inquest at all times. For the avoidance of doubt, it remains the case that it is for state body disclosure providers to ensure that all known ciphers are applied to disclosure provided to the Coroner for onward dissemination to PIPs.

50. The remainder of this part of this Protocol applies to statements taken, or information obtained, on behalf of the Coroner under this Protocol.

51. Where a witness has been allocated a cipher previously in connection with the incident(s) with which the Coroner's investigation is concerned, that cipher will continue to be used on a provisional basis until the Coroner has determined finally whether the witness is to be granted anonymity.

52. Where the Coroner is aware that a witness intends to apply for anonymity or where the Coroner considers that the identity of the witness should be protected provisionally, the witness will be allocated a provisional cipher. The provisional cipher will be allocated taking account of any existing relevant ciphers.

53. Where the Coroner allocates a cipher, he/she will so inform all relevant state bodies who shall immediately update the relevant cipher list.

L. APPLYING REDACTIONS TO A WITNESS STATEMENT OBTAINED UNDER THIS PROTOCOL

54. Before a witness statement obtained under this Protocol is disclosed, the Coroner will determine whether it is necessary for provisional redactions to be applied to the copy of the statement which is to be disclosed. Redactions are applied by the marking out of text within a statement so that the marked text cannot be read. The Coroner will always retain an unredacted version of a statement.

55. Redactions may be applied for a number of reasons. These include to avoid unnecessary disclosure of personal information, for example, the witness's home address, or to avoid disclosure of the witness's identity pending the outcome of an anonymity application. Redactions will be clearly identified as such on the statement. All redactions remain provisional and under review until the conclusion of the inquest.

Non-state body witnesses

56. The Coroner will identify and apply such redactions as he/she considers appropriate and disclose a redacted copy of the statement to the PIPs. Should the Coroner consider it necessary, the Coroner will ask a state body to conduct a sensitivity review in accordance with the procedure for sensitivity reviews set out below.

State body witnesses

57. Where the witness is a state body witness, the witness statement will be provided to an appropriate state body for a sensitivity review.

58. The purpose of a sensitivity review is to facilitate the state body in identifying for the Coroner's consideration provisional redactions to the statement. In order to ensure that the inquest process is as transparent as possible, the Coroner expects any redactions which are proposed to be reasonable and proportionate and in accordance with any redaction strategy which the Coroner may see fit to apply.

59. The provisionally redacted statement or confirmation that no redactions are proposed shall be provided to the Coroner within 5 working days, unless the Coroner specifies otherwise, of a witness statement being provided for a sensitivity review. Any request for an extension of time shall be made in writing to the Coroner before the end of the deadline and shall include reasons for the request. In the absence of a response or a reasoned request for extension of time to respond, the Coroner will proceed to disclose the statement to PIPs.

60. The Coroner will determine whether each proposed provisional redaction is to be applied to the witness statement. The process for determining whether proposed redactions are to be accepted is for the Coroner and may include liaison with the state body should the Coroner consider that would be of assistance.

61. Once the Coroner has determined which provisional redactions, if any, are to be applied to a witness statement, a redacted copy of the statement shall be prepared by

the state body in accordance with the time limit specified by the Coroner and returned to the Coroner for onward disclosure to the PIPs.

Public Interest Immunity

62. Matters concerning potential public interest immunity ('PII') issues are beyond the scope of this Protocol, however, the Coroner expects to be informed promptly where potential PII issues arise in respect of a witness statement in order that the statement can be protectively marked and handled and stored appropriately pending the outcome of any PII process.

M. MAKING AN APPLICATION FOR ANONYMITY AND/OR SCREENING

63. The process set out below is intended to act as a guide for applicants. The Coroner may adopt alternative processes as he/she considers appropriate.

64. Where the Coroner is informed that a witness intends to seek anonymity and/or screening ('A&S') during the inquest, the Coroner will direct PSNI and the Security Service to each provide an objective threat assessment in respect of the applying witness.

65. The threat assessment provider shall provide the Coroner with the full threat assessment together with extracts which may be disclosed to the witness in order to inform the A&S application. The Coroner will send the disclosable extracts to the witness and will inform the witness of the timescale within which the A&S application must be made.

66. The A&S application shall be made to the Coroner using the Anonymity and Screening Application Form set out at Appendix 3. The application shall be accompanied by any medical evidence upon which the applying witness wishes to rely. Medical evidence shall be submitted along with the application or no later than 5 working days after the application has been made unless the Coroner directs otherwise and shall contain sufficient detail to enable the Coroner to determine the application.

67. An A&S application shall also be accompanied by a detailed general statement, and relevant legal authorities, unless these have already been provided to the Coroner in that particular inquest and do not require updating, in which case they may be incorporated into the A&S application by reference. Accordingly, when a detailed

general statement and legal authorities are being provided to the Coroner, they should be in a format that enables the Coroner to refer to them when considering other A&S applications in the same inquest.

68. The A&S application shall be accompanied by a sufficient number of appropriately redacted copies of the application, fully sealed, for onward dissemination by the Coroner to PIPs. A redacted copy shall also be provided for the Coroner to retain. Where the Coroner concludes that any redaction made to the application is unnecessary, he/she may require a revised copy to be prepared after hearing representations from the applying witness.

69. Where the Coroner is minded to grant the A&S application in whole or in part, the Coroner will make a provisional reasoned decision available to the applying witness and the PIPs. They shall make any representations regarding the provisional decision in writing within a timescale set by the Coroner. The Coroner will then confirm, review or amend the provisional decision which will then stand as the reasoned decision. An applying witness or a PIP who disagrees with the reasoned decision may make oral representations after which the Coroner will issue a reviewed reasoned decision. If, subsequent to the reasoned decision or reviewed reasoned decision, there are new grounds or grounds that could not reasonably have been advanced previously, the Coroner may be asked to review the A&S decision.

N. WITNESSES UNABLE TO ASSIST THE CORONER

70. All witnesses are encouraged to participate voluntarily in an inquest as far as they are able to do so. The Coroner will make reasonable efforts to accommodate a witness insofar as it is appropriate to do so.

71. Where a witness informs the Coroner that they may be unable to assist an inquest for health reasons, the Coroner may obtain medical evidence from the witness's GP or other medical professional. Additionally, the Coroner may obtain an independent expert medical report regarding the witness's fitness to assist. The purpose of obtaining such a report will be to assist the Coroner in determining how to proceed in relation to the witness. The Coroner expects the witness to comply fully with any direction the Coroner may give in this regard and, if requested, to give consent in a timely manner to the release of their medical notes and records.

72. Where a witness is unable to assist an inquest for non-health reasons or refuses to do so, the Coroner will take any steps he/she considers appropriate to obtain the assistance of the witness.

The Hon. Mr Justice Huddleston
Presiding Coroner for Northern Ireland
6th October 2020

APPENDIX 1
SAMPLE FIRST CONTACT LETTER

Dear [name],

Re: Inquest touching on the death of [name]

I am a Coroner's Investigator in the Legacy Inquest Unit ('LIU') of the Northern Ireland Courts and Tribunals Service. The LIU provides assistance to Coroners in conducting inquests into Northern Ireland Troubles-related deaths which have been referred to them.

The Coroner, [name], is investigating the death of [deceased] on [date] following a [shooting] incident in [location], Northern Ireland. The Coroner intends to list the inquest into [name]'s death for hearing in [indicative date].

As part of her investigation, the Coroner is seeking assistance from soldiers who were in the area at the time of the incident. In [year], you made a statement about this incident to [insert] and you gave evidence to the [year] inquest. You also gave a statement to the Historical Enquiries Team in [year]. The Coroner has been provided with these documents together with a record of your evidence at the [year] inquest and she has asked me to seek your help in confirming that they are accurate. She has also asked that I find out whether you have any further information which may be of assistance to her investigation. In order to do this, it would greatly assist the Coroner if you would meet me to discuss these matters and so that, if necessary, I can take a further statement from you for the Coroner.

I am conscious that you may be concerned about the ongoing COVID-19 pandemic. Please be assured that I will follow all requisite public health guidance at our meeting.

I will come to meet you at a location that suits you and I will make all the necessary arrangements. I hope to be able to go through everything with you in no more than one day. If you cannot meet in person, I can make alternative arrangements, including using the telephone or video technology and again, I will make all the necessary arrangements for that. If you incur any expenses, for example by travelling to our meeting, the Coroner will reimburse these, provided they are reasonable and that you keep receipts. I hope that we can minimise, or avoid, any costs to you by my travelling to meet you. To help with making the arrangements, I have enclosed a witness information form for you to complete and return to me or, if you prefer, you can contact me by telephone on [direct landline] or [mobile number].

The Coroner is aware that her investigation concerns an event which occurred many years ago. She wishes to ensure that you have the opportunity to provide a full account, as far as you are able, about what happened and so, to assist you, if you wish, I will provide you with a copy of your [year of previous statements] statements and the record of your evidence to the [year] inquest along with other connected documents so that you may refresh your memory.

Should the Coroner decide that any statement you give now is potentially relevant to the inquest, a copy of it will be disclosed to the various parties involved in the inquest. They have already been provided with your previous statements and the other documents I have referred to above.

The Coroner has not yet decided who she will ask to give evidence at the inquest. It is possible that she may ask you to give evidence at the inquest and if so, we will be in touch with you again at that stage.

Legal support

You are entitled to take independent legal advice before we meet and you are entitled to be legally represented at our meeting. Please note that, because the role of the Legacy Inquest Unit is to assist the Coroner, we cannot give legal advice to witnesses or potential witnesses. If you instruct a solicitor to act on your behalf, all our future contact with you will be through your solicitor.

You may approach a solicitor yourself or, alternatively, the Ministry of Defence has indicated that it is willing to pay for a solicitor to provide you with independent legal representation.

If you wish to take up MoD's offer, please note this in the appropriate box in the witness information form. If you would like us to contact MoD on your behalf, there is place on the form for you to consent to us giving your contact details to MoD so they can get in touch with you directly. If you prefer to contact MoD yourself, the person to contact there is [name]. His direct phone number is [insert] or you can get in touch with him by email at [insert].

Support services

The Coroner is aware that being asked to assist with her investigation may be difficult and that is no less the case even though the event happened so many years ago.

If you wish to use it, there is free and confidential support for anyone who is asked to assist the Coroner. The Ministry of Defence can provide you with a list of support services for veterans. This can be obtained by contacting [name] on [insert] or by email at [insert]. Alternatively, if you prefer, I am happy to put you in contact with MoD or with an appropriate support service.

Your information

You may be concerned about what will happen to any personal information the Coroner may hold about you. Please be assured that this will be held and processed in accordance with all relevant statutory requirements, including the Data Protection Act 2018.

Next Steps

I would be grateful if you would fill out the enclosed witness information form and return it to me in the prepaid envelope provided within 7 days of the date of this letter. If you would prefer to contact me by phone or email rather than filling out the form, please do so.

Once I have heard back from you, I will arrange a convenient date for us to meet.

My contact details

I can be contacted by email at legacy@courtsni.gov.uk and by telephone on [direct landline] or [mobile number]. If I am not available, please leave your details and I or another coroner's investigator will call you back.

Thank you in advance for your help and I look forward to hearing from you.

Yours sincerely,

[NAME]
CORONER'S INVESTIGATOR

SAMPLE WITNESS INFORMATION FORM

In the matter of the inquest touching upon the death of [name] on [date]

Witness Name:	
Home address:	
Home telephone number:	
Mobile telephone number:	
Email address:	
Where relevant - Rank and Service Number:	
Please provide details of any factors, such as health conditions, that may impact on your ability to assist the Coroner. If there are any such factors, please provide details, if any, of support that may facilitate you in assisting the Coroner.	
Please provide details of any dates when you are unavailable between [date] and [date] due to, for example, a pre-booked holiday or a medical appointment.	
Have you, or do you intend to, seek legal advice regarding this matter? If so, please provide contact details for your solicitor.	
Where relevant: do you wish to access the free witness support, including legal support provided by [MoD] [PSNI]? If yes, do you consent to the Legacy Inquest Unit providing your contact details to the [MoD]/[PSNI] so they can contact you?	

Signed:

Dated:

SAMPLE POTENTIAL WITNESS QUESTIONNAIRE

In the matter of the inquest touching upon the death of [name] on [date]

Name:	
Home address:	
Home telephone number:	
Mobile telephone number:	
Email address:	

When answering the following questions, your answers should focus on the time period from [date] to [date]. Please provide as much detail as possible in your answers.

As appropriate:

Non-State Body Potential Witnesses:

Please provide a brief summary of your role or what you witnessed on [date]. A more detailed account of your recollection may be sought by way of a written statement.	
Please provide basic details of any other relevant information that may assist the Coroner's investigation. If you hold any documents that may be of potential relevance to the inquest, please provide details of the basic nature of those documents.	

Potential Military Witnesses:

Rank and Service Number:	
Regiment, Battalion and Company:	
Platoon:	
What was your role within the regiment?	

<p>Who were your superior officers, including the NCO in charge of your platoon, the Company CO and any other senior officers?</p>	
<p>Please identify by name the soldiers who were the same rank as you within your company.</p>	
<p>If not answered elsewhere, please identify by name any other soldiers or officers in your platoon, company or regiment with whom you served in Northern Ireland?</p>	
<p>Where were you stationed in Northern Ireland?</p>	
<p>How long had you been in Northern Ireland before [date] and when did your operational tour end? Please provide a start and end deployment date.</p>	
<p>Were you involved in, or did you witness any of the events in [location] between [date]? Please answer YES or NO.</p>	
<p>If you answered YES, please provide a brief summary of your role or what you witnessed. A more detailed account of your recollection may be sought by way of a written statement.</p>	
<p>Please provide basic details of any other relevant information that may assist the Coroner's</p>	

investigation. If you hold any documents that may be of potential relevance to the inquest, please provide details of the basic nature of those documents.	
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Potential Police Witnesses:

Rank and Service Number:	
Station/Unit:	
What was your role within the Station/Unit?	
Who were your superior officers within the Station/Unit?	
Please identify by name the officers who were the same rank as you within your Station/Unit.	
Were you involved in, or did you witness any of the events in [location] between [date]? Please answer YES or NO.	
If you answered YES, please provide a brief summary of your role or what you witnessed. A more detailed account of your recollection may be sought by way of a written statement.	
Please provide any other relevant information that may assist the Coroner.	

Signed:

Dated:

APPENDIX 2

Witness Statement and Exhibit Page Template

Name - First Statement: Pages x to x - Date - Exhibits attached

**IN THE MATTER OF THE INQUEST
TOUCHING UPON THE DEATH OF [NAME] AT [LOCATION], [DATE]
BEFORE [CORONER]**

WITNESS STATEMENT OF XXXXX

I, XXXX, of an address known to the Coroner, **will say as follows:**

Statement of Truth

I believe that the facts stated in this statement are true.

Signed.....

Dated.....

IN THE MATTER OF THE INQUEST

TOUCHING UPON THE DEATH OF [NAME] AT [LOCATION], [DATE]

BEFORE [CORONER]

EXHIBIT XX/1

APPENDIX 3

Application for Anonymity and/or Screening

In the matter of the inquest touching upon the death of [name] on [date]

Full name of witness (or cipher):	
Legal representative's contact details (where relevant):	
Current home address:	
Current work address:	

1. Extract from threat assessment provided by PSNI:

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2. Extract from threat assessment provided by Security Services:

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3. Do you have any concerns of a risk of harm to you or your family's safety if your name or identity was to be disclosed in the inquests? If yes, please explain in as much detail as possible. Please explain why.

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4. Do you have any other concerns about your name and/or identity being known in relation to the inquest? If yes, please explain those concerns in as much detail as possible. This may include, but is not limited to, information about any possible impact on the safety and private life of your family or your ability to do your job.

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5. Would disclosing your name or identity impair or risk disclosing sensitive operational or national security information about your current or former job? If yes, please provide details.

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6. Please outline the special measures you wish to request to protect your identity and why those measures would allay the concerns you have outlined above. Special measures may include, but are not limited to, using a cipher to replace your name, withholding your identity, the redaction of your personal information from documents, and/or permitting you to give oral evidence from behind a screen or by video link.

7. Please provide any other details you consider to be relevant to this application.

8. Please list below documents you are enclosing with this application.

Statement of Truth

I believe that the facts stated in this document are true.

Signed:

Dated: