

Judicial Communications Office

2 June 2021

LEGACY INQUEST REVIEW

Press Release

The Presiding Coroner, Mr Justice McFarland, today issued this statement following his review of legacy related inquests. He has identified a number of inquests which will be progressed by the Legacy Inquest Unit in Year 2 of the Lord Chief Justice's Five Year Plan:

"As Presiding Coroner, I have requested and received updated position papers on legacy inquests to inform a review of legacy related matters. I wish to thank the representatives of the families and the relevant agencies for providing me with the materials required.

The impact of the Covid 19 pandemic has caused delays and significant changes in the way inquests, and indeed all areas of legal work, have been progressed over the past year. This is likely to remain the case for some time and I have considered recovery and ongoing public health measures as part of my ongoing review.

Work is continuing on delayed Year 1 cases; of the ten inquests listed, findings have been delivered in the Patrick McElhone inquest, the inquest hearings relating to the death of Neil McConville have been completed and an additional four Year 1 inquests are listed for hearing between August and November 2021. The inquest hearings into the death of Kathleen Thompson should conclude this week. The remaining Year 1 inquests will be listed as soon as possible thereafter.

The current state of readiness has been the main factor in determining which inquests can be listed in Year 2. With that in mind, I have identified the following as suitable for listing in Year 2:

1. John Moran
2. John Dougal
Mary Gargan
Father Noel Fitzpatrick
Patrick Butler
David McCafferty
[The Springhill group of inquests]
3. Hugh Gerard Coney
4. Samuel James Marshall
5. Michael James Ryan
Anthony Patrick Doris
Laurence McNally
[The Coagh inquests]
6. Seamus Patrick Dillon

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7. Fergal McCusker
8. Desmond Healey

These inquests will now be managed to hearing.”

The Hon Mr Justice McFarland
22nd June 2021

NOTES TO EDITORS

1. Information about legacy inquests can be found on the JudiciaryNI website (<https://judiciaryni.uk/legacy-inquests>)
2. An inquest is an inquiry into the circumstances of a death. The purpose of the inquest is to find out who the deceased person was and how, when and where they died and to provide the details needed for their death to be registered. It is not a trial. It is not for the Coroner to decide, or appear to decide, any question of criminal or civil liability or to apportion guilt or attribute blame.
3. Article 2 of the European Convention of Human Rights imposes a positive duty to investigate deaths in which State agents may be implicated. The European Court of Human Rights as established that in order to satisfy the requirements of Article 2, any investigation must be independent, prompt and proceed with reasonable expedition, be open to public scrutiny, involve the next of kin of the deceased and be capable of leading to a determination of whether any force used was justified and to the identification and punishment of those responsible for the death. Case law has determined that an inquest can satisfy this investigatory obligation.

ENDS

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

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