

IN THE SURREY CORONER'S COURT

BEFORE HM CORONER FOR SURREY, MR RICHARD TRAVERS

IN THE MATTER OF THE GUILDFORD PUB BOMBINGS 1974

AND IN THE MATTER OF THE INQUESTS TOUCHING AND CONCERNING THE DEATHS OF:

(1) MR PAUL CRAIG (DECEASED)

(2) GUARDSMAN WILLIAM FORSYTH (DECEASED)

(3) PRIVATE ANN HAMILTON (DECEASED)

(4) GUARDSMAN JOHN HUNTER (DECEASED)

(5) PRIVATE CAROLINE SLATER (DECEASED)

JUNIOR COUNSEL NOTE OF PRE-INQUEST REVIEW

26th February 2020

1. Abbreviations

1.1 The following abbreviations may be used herein:

Current Situation Report

Leading counsel to the inquests, Oliver Sanders QC

HM Coroner for Surrey, Mr Richard Travers

Interested Person

2. Attendance

2.1 HMC began the Pre-Inquest Review by inviting those representatives of IPs who were

leading counsel for Surrey Police, and Edward Pleeth, counsel for the Ministry of Defence. Also in attendance was leading counsel to the inquests, Oliver Sanders QC, and junior counsel, Matthew Flinn.

2.2 Written submissions had been provided in advance of the hearing by James Berry for

was confirmation from Surrey Police that no documentation had been destroyed.

d) HMC had been sent written submissions on behalf of the family of Private Ann Hamilton (see further below). Those submissions, along with brief submissions in response from the Metropolitan Police, had also been circulated to IPs.

e) Junior CTI had recently prepared a report on relevant materials held by the Home Office, which is the Government Department responsible for

background to that report. He explained that the Home Office had provided the HMC with an index of the entirety of the May Archive. From that index, CTI identified categories of potentially relevant documents. Junior CTI then attended on the Home Office to review the identified documents in detail. The report produced was the result of that review.

f)

had been established that there was likely to be significant duplication of material. Separately to that process, the Metropolitan Police and the Ministry of Defence are each continuing to search for documentation to be made available to HMC. It was emphasised that all documentation of potential relevance to the inquests was being preserved; nothing was being destroyed.

- b) It was also confirmed that HMC was seeking copies of materials provisionally identified as relevant during the review of Home Office materials carried out by Junior CTI.

3.2.3. Submissions on behalf of Private Ann Hamilton:

- a) CTI noted that the submissions filed on behalf of the family of Private Ann Hamilton by KRW Law (for convenience, expressed concerns about the role of Surrey Police, in particular, it was said that Surrey Police were effectively taking the lead in what ought to be HMC with the Metropolitan Police and the Ministry of Defence. They had engaged in discussion with the National Archives about the release of the May Archive. The submissions argued that, as Surrey Police was an IP which could be subject to scrutiny in these inquests, these aspects of its involvement were unsatisfactory.
- b) CTI noted that the process for gathering and subsequently disclosing documentation was being carried out in accordance with the Memorandum of Understanding between HMC and Surrey Police, which had previously been circulated to all IPs and their representatives. That Memorandum was based upon disclosure processes successfully implemented as part of the inquests into the Birmingham Pub Bombings.

Much of the material will be out of order, or with pages missing etc. The process will therefore inevitably take some time.

3.3.4. HMC expressed the view that piecemeal disclosure does not help the exercise of gathering and organising the evidence. On the contrary, it was prone to lead to confusion and complication. That did not mean that no disclosure could take place until the very end of the work being carried out by Surrey Police. If it was possible to break down the material into tranches, that would be done.

3.4. CTI responded to HMC

3.4.1. HMC -feed disclosure process. Any particular document disclosed could contain references to various other documents or materials which become the subject of further queries or specific requests for disclosure. Those queries would need to be dealt with, in a situation where the referenced materials may not have been located and/or organised. This would in fact prolong the disclosure exercise.

3.4.2. CTI confirmed that nothing was being destroyed, and importantly, nothing was being withheld from CTI or HMC. Further to discussions between Surrey Police and CTI, a system had now been set up whereby CTI could access documents electronically whilst the work of Surrey Police was ongoing. It was also confirmed that Surrey Police are prioritising the processing of materials relating to the Horse and Groom pub, and it was hoped that such material would be ready for review sooner rather than later. CTI said that insofar as the KRW Law submissions argued that Surrey Police have a conflict of interest due to their actions in relation to the criminal convictions arising from the bombing, those matters were not within the scope of the inquest.

3.4.3. It was not the intention of CTI to wait for Surrey Police to process the entirety of their material, and then disclose everything at once. The latest CSR from Surrey Police -

3.6.2. Ms Fiona Barton QC for Surrey Police addressed the Coroner:

- a) Surrey Police supported the documentation process currently in place.

- 3.7. HMC indicated that he would fix another Pre-Inquest Review so that these matters could be addressed regularly and in public. It was likely to be in the week commencing 18 May. He noted that the time estimate provided by Surrey Police would mean documentation would be processed by the end of August. Whilst it was important to set expectations realistically, he would prefer to bring that date forward if possible, noting that once the documentation had been provided to him and his team, there would need to be a further window of time before the documentation could be disclosed to other IPs. He signalled that he wanted a more definite commitment on a date for disclosure to HMC from Surrey Police at the next Pre-Inquest Review.

[A further Pre-Inquest Review has subsequently been fixed for 20th May 2020]

MATTHEW FLINN
26th February 2020