

BEFORE HM HBTT54 00e7IOR

“PIRA” the Provisional IRA;
“RARDE” Royal Armament Research & Development Establishment;
“RSCH” Royal Surrey County Hospital;
“SECAmb” South East Coast Ambulance Service;
“SP”

Tranche 2

- Date provided to CTI:** 25th August 2020
- Nature of material:** Witness statements from those who assisted in the aftermath of the HGPH bombing, and other core documentation relating to the blast.
- Contents:** 140 witness statements, a schedule of 270 exhibits, 8 reports from Op IGIL officers and 320 other documents, including plans, incident room messages and images.¹

Tranche 3

- Date provided to CTI:** 16th December 2020
- Nature of material:** Witness statements from those who attended Guildford town on 5th October 1974, sketch plans of the SSPH and Op IGIL analytical reports mostly relating to identification of persons in the HPGH and SSPH.

Nature of material: Material relating to the contemporaneous SP investigation and original criminal processes relating to the Guildford Four and Maguire Seven.

Contents: 1,564 witness statements, a schedule of 200 sensitive

formation of the team and the searches/tracing activities carried out.

Contents: 37 documents, 23 Op IGIL reports.

Disclosure to Interested Persons

3.2 As set out in CTI's previous written submissions, Batch 1 of disclosure (disclosed to IPs on 18th June 2021) encompassed:

3.2.1 relevant material from Tranche 1,

3.2.2 relevant witness statements, floorplans, and a selection of core documents from Tranche 2; and

3.2.3 relevant documentation provided by the MOD and the May Inquiry Archive.

3.3 It has taken longer than anticipated to process material for Batch 2, however that work is now substantially complete. Batch 2 encompasses remaining relevant documents from Tranche 2 (save for documents relating to incident room messages – see further below), and relevant material from Tranche 3, namely:

3.3.1 34 witness statements;

3.3.2 44 marked up floorplans; and

3.3.3 128 other documents, one of which is a Schedule created by CTI listing physical exhibits obtained at the time of the original investigation, but, for the most part, not retained.⁴

⁴ These figures are accurate at the time of writing but may change subject to a final check (e.g. to see if any of the documents are duplicates or were disclosed with Batch 1).

- 3.4 The only work outstanding on Batch 2 is to assess a small number of redactions proposed by SP, the MOD and/or the Home Office. Once that is complete, the material will be uploaded to Caselines for IPs to access.
- 3.5 As explained in CTI's previous written submissions, Batch 2 contains a number of photographs, including post mortem photographs taken of each of the Deceased. These images may be distressing to family members. It was

thousands of messages were received and recorded by police personnel at that time. Due to the nature of the communications, they are also, at times, somewhat difficult to follow. Op IGIL staff have explained to CTI that when a message was received by the incident room, it would be reviewed by staff, an “action” would be generated, which would then lead on to an enquiry and, if fruitful, an end product such as a witness statement. Where relevant, such witness statements will have been disclosed and it is necessary to carefully consider whether these messages will add anything to the evidence in these inquests. The provisional view of CTI is that they are unlikely to assist, however in view of the further work involved in confirming that view, it is proposed that HMC makes a decision when the contents of Batch 3 of disclosure is finalised.

3.7.2 Any relevant material from Tranches 4 – 7. CTI have already made substantial progress in reviewing Tranche 4, which is the largest tranche of material. Based on the scope of the inquests as set out in HMC’s Ruling on Resumption, no relevant material has been identified thus far. However, that work is ongoing and Tranches 5 – 7 are yet to be considered.

3.7.3 Any other relevant documentation provided to HMC.

Outstanding Enquiries

3.8 CTI have pursued enquiries with the National Archives to establish whether any relevant documentation was deposited by predecessor bodi923he c55ona

service records of this type, which are usually deposited with county or local record offices. However, the National Archives does offer a hospital records database search function which assists in identifying where certain categories of documents are held. A search of this database established that:

- 3.9.1 Records relating to RSCH are held at the Surrey History Centre. Junior Counsel subsequently wrote to the Centre and was informed that it does not hold any documents for either RSCH or the Surrey Ambulance Service relating to GPB. The only documents of relevance (consisting of albums of photographs) were obtained by SP in 2019, and CTI can confirm that those documents have since been processed, provided to HMC and have formed part of the disclosure process for these inquests.

- 3.9.2 A file of correspondence entitled "*Major Accidents Procedure correspondence file*" covering the period January 1974 to December 1975 is held in the London Metropolitan Archives. The description of this file indg txjt» in ndcerop» P_ oroy» ic

3.10 Accordingly, it now appears that the process of searching for and gathering

that barracks in the area ought to have been locked down. However, the lead-

expand upon particular matters first. However, the report will be available in advance of a proposed final PIR (see further below).

6. The Habershon Report

- 6.1 At the last PIR, CTI addressed HMC on recent media reporting about the potential relevance of a document known as the Habershon Report. It was explained that the report had been obtained and reviewed by CTI and that it was not considered relevant to the inquests. In particular, it did not contain information on PIRA activities before the GPB such as to raise questions about whether the attack could have been foreseen or prevented, or show that police were aware of prior relevant or connected offences (see §§5.1 – 5.11 of CTI’s previous written submissions).
- 6.2 Reference was made at §5.10 to a chart linking fingerprint samples, 59 premises, objects or incidents and 30 suspects. It was explained that although the chart did not appear to be relevant, some of its entries were illegible and a further copy was being sought for confirmation. A more legible version was subsequently obtained with the assistance of Op IGIL, and further review of the chart has not changed CTI’s analysis as to the relevance of the report generally.
- 6.3 However, in an effort to assist Professor Hennessey in the preparation of his report, CTI have collated a list of materials which may help put the GPB into context. These include e.g. chronological schedules of incidents and reports from explosives experts from RARDE involved in investigations at the time (Douglas Higgs and Donald Lidstone) drawing out themes and links between various attacks. It was considered that one of the documents appended to the Habershon report could be of use to Professor Hennessey, namely “*Document*

7. Witnesses

7.1 At the previous PIR it was explained that a colour-coded list of 196 potential witnesses had been prepared by CTI, divided into 30 green witnesses (central), 44 amber witnesses (borderline) and 122 red witnesses (unlikely to be required). To date, no IP has made submissions on changing the designated colour for any particular witnesses.

7.2 In terms of tracing witnesses, it was agreed that:

7.2.1 Op IGIL would assist with tracing witnesses who attended the HGPH on the night of the attack on 5th October 1974.

7.2.2 In respect of witnesses employed by or associated with emergency services or organisations that were involved after the attack, HMC would request that initial tracing efforts be made by those entities in the first instance. SP kindly agreed that Op IGIL would then provide additional assistance with these witnesses if reasonable efforts were made but proved unsuccessful.

7.3 Since the last PIR hearing, SP has provided CTI with a list indicating the results of their tracing enquiries thus far. In conjunction with the further information obtained by CTI and HMC's officer by making enquiries with Surrey County Council (Fire Brigade personnel), Royal Surrey Foundation NHS Trust (medical personnel) and SECAMB (ambulance personnel), that list currently indicates that:

7.3.1 Of the 30 green witnesses, 11 are deceased, 12 are alive and 7 are TBC.

7.3.2

7.4 The majority of the “TBC” witnesses are medical or ambulance personnel.

(2) An inquest into a death must be held with a jury if the senior coroner has reason to suspect—

(a) that the deceased died while in custody or otherwise in state detention, and that either—

(i) the death was a violent or unnatural one, or

(ii) the cause of death is unknown,

(b) that the death resulted from an act or omission of—

(i) a police officer, or

(ii) a member of a service police force, in the purported execution of the officer's or member's duty as such, or

(c) that the death was caused by a notifiable accident, poisoning or disease.

(3) An inquest into a death may be held with a jury if the senior coroner thinks that there is sufficient reason for doing so.

(4) For the purposes of subsection (2)(c) an accident, poisoning or disease is “notifiable” if notice of it is required under any Act to be given—

(a) to a government department,

(b) to an inspector or other officer of a government department, or

(c) to an inspector appointed under section 19 of the Health and Safety at Work etc. Act 1974.

8.3 If this Td[(c)7 () to CID 11 30)7 () (rn)4 (r (3i)-offse)TJE TJE30)7(i tosumede)TJE30sstsJE281

where criminal charges may be brought, or where criminal proceedings have been brought. Paragraphs 7, 8 and 11 apply to the resumption of coronial processes where there has been such a suspension/adjournment, and paragraph 8(1) was cited by HMC in his Ruling on Resumption when resuming these inquests.

- 8.5 That being so, it is likely that paragraph 11 is in fact the operative provision in these inquests. In relation to a jury, paragraph 11(2) provides that the provisions of the paragraph are to apply in place of section 7 for inquests resumed under that paragraph. Paragraph 11(3) provides only one relevant criterion for the empanelment of a jury:

The resumed inquest may be held with a jury if the senior coroner thinks that there is sufficient reason for it to be held with one.

- 8.6 The views of IPs on whether that threshold is crossed in this case are welcomed. The following factors may be relevant to consideration of that issue:

- 8.6.1 Although the events of 5th October 1974 gave rise to a large amount of documentation, it is not anticipated that the issues in these i0 612 792 0 612 79thesex

preparatory work to be completed by 31st March 2022 whilst most of the Op IGIL contracts remain current. SP also proposes an additional PIR to be listed in the week commencing 7th March 2022. CTI are in agreement with those proposals.

9. Conclusion

9.1 Although there has been some delay in providing Batch 2 to IPs, satisfactory progress continues to be made towards the final hearings for these inquests. The next PIR has been scheduled for 14th January 2022, by which time it is hoped that:

9.1.1 The disclosure process will have been completed. IPs will have had access to all three Batches of disclosure and should be in a position to make submissions on the scope of the inquest and the engagement of Article 2.

9.1.2 The court will be in receipt of a draft report from Professor Thomas Hennessey.

9.1.3 The majority (if not all) of likely witnesses for the final hearings will have been traced and contacted.

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