

LONDONDERRY INQUESTS

1. The holding of a Coroner's inquest on the 13 deaths in Londonderry on 30 January 1972 was discussed at the Morning Meeting on 25 April 1973. The following questions were raised:-

(1) It was suggested that an inquest might be avoided altogether if the Coroner exercised his discretion under the Coroners Act (NI) 1959 to certify deaths on the basis of evidence already available. We are now advised that this is a discretion he would be unable to exercise in the present case.

(2) It was thought that where inquiries were held into disasters involving multiple deaths inquests were little more than a formality. It appears that this is normally so. The practice is for an inquest to be opened and immediately adjourned pending the inquiry; it is then re-opened to receive formal evidence and is thereupon closed. This assumes there is still no matter still in contention. No inquest has so far been opened into the Londonderry deaths, and representatives of the deceased are apparently intent on using the opportunity to review the findings of the Widgery Tribunal.

(3) It was difficult to understand why such a long time had elapsed since the Widgery Tribunal before arrangements were made for an inquest. It now appears that the police had to examine the full transcript of the Widgery proceedings in order to prepare depositions for the Coroner. Special priority was not given to this in view of the fear that an inquest following too closely on Widgery would revive local memories.

(4) It was agreed, and has since been confirmed, that the use of S.10 of the Special Powers Act to prohibit the holding of an inquest, either at all or in the Londonderry area, is out of the question.

(5) It was assumed that the Coroner would wish to curtail the proceedings so far as possible and it was suggested that he be consulted on the point. This is being done today and his views will be reported verbally at the meeting.

2. The question of the date for the inquest will still arise. We are informed that the depositions, which still have to be signed by Army witnesses, will not be available in time to enable the inquest to be held before the week immediately following the local government elections.

3. As to venue we understand that the Courthouse in Londonderry would be convenient for all concerned and that the RUC would not object to this location. The Army would, however, prefer a location outside Londonderry. The Coroner is entitled to hold an inquest elsewhere in his district if he so chooses and his views will also be reported on this.

CENTRAL SECRETARIAT
STORMONT CASTLE

1 May 1973.