

**IN THE SURREY CORONER’S COURT**  
**BEFORE HM SENIOR 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)**

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**WRITTEN SUBMISSIONS ON BEHALF OF**  
**COUNSEL TO THE INQUESTS**  
**For Hearing at a Pre-Inquest Review: 6<sup>th</sup> May 2022 at 10:00am**

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**1. Abbreviations**

“CJA 2009”	Coroners and Justice Act 2009;
“CSR”	Current Situation Report from Surrey Police;
“CTI”	Counsel to the Inquests;
“ECHR”	European Convention on Human Rights
“GPB”	the Guildford Pub Bombings 1974;
“HGPH”	the Horse & Groom Public House;
“HMC”	HM Senior Coroner for Surrey, Mr Richard Travers;
“IP”	Interested Person;
“MOD”	Ministry of Defence;
“MPS”	Metropolitan Police Service;
“PIR”	Pre-Inquest Review;

“PIRA”	the Provisional IRA;
“RARDE”	Royal Armament Research & Development Establishment;
“RSCH”	Royal Surrey County Hospital;
“SECAmb”	South East Coast Ambulance Service;
“SP”	Surrey Police;
“SSPH”	the Seven Stars Public House.

## **2. Introduction**

2.1 Further to written submissions from CTI dated 24<sup>th</sup> March 2022 for the previous PIR on 25<sup>th</sup> March 2022, these brief written submissions provide a final update on completed and ongoing work prior to the evidential hearings for these inquests, which are scheduled to commence on Monday, 20<sup>th</sup> June 2022.

## **3. Evidence collation and disclosure**

### *Disclosure to Interested Persons*

3.1 A small number of documents continue to be added to Batch 4 on Caselines as and when they become available. As of 4<sup>th</sup> May 2022 a further nine documents have been disclosed, consisting of:

- 3.1.1 two witness statements;
- 3.1.2 a pen portrait for Paul Craig;
- 3.1.3 the report of Ms Lorna Hills; and
- 3.1.4 five other documents.

3.2 An updated CTI Evidence Overview note has been circulated to IPs reflecting the further disclosure.

- 3.3 The remaining disclosure is likely to consist of the remaining pen portraits for the Deceased, and a small number of further witness statements and miscellaneous documents. It will also include the report of Professor Thomas Hennessey.

#### *Further evidence*

- 3.4 A draft report from Professor Hennessey was received by the court on 4<sup>th</sup> May 2022 and has been circulated to IPs. At the time of preparing these submissions CTI have not yet had an opportunity to carry out a detailed review to ensure that all matters outlined in the instructions are addressed. However this work will commence immediately, and CTI will liaise with Professor Hennessey to finalise his report for disclosure on Caselines as soon as possible. IPs are invited to make any submissions orally at the PIR or subsequently via email.
- 3.5 CTI understand that the MOD has continued to make extensive efforts to locate information in respect of security advice and the threat level system in place around the time of the GPB. Unfortunately, these enquiries have unfortunately yielded limited results. Efforts are also continuing to identify a suitable witness to speak to the information that has been obtained. A written update was provided on 5<sup>th</sup> May 2022 and CTI anticipate that MOD will address the court further at the PIR hearing.

#### **4. Witness update**

##### *Hearing running order*

- 4.1 Further progress has been made in terms of tracing and contacting witnesses. CTI have now attempted to contact a total of 60 witnesses (an increase of 5 witnesses since the last PIR hearing) not including family representatives, Ms Hills and Professor Hennessey.
- 4.2 Based on those efforts, it has been possible to create a witness running order. An initial version was sent to IPs on 14<sup>th</sup> April 2022. An updated version with

minor amendments has been circulated along with these written submissions. The following key points are of note:

- 4.2.1 The hearings commence on 20<sup>th</sup> June 2022 and are listed for 20 days (15<sup>th</sup> July is the final day of the listing).
- 4.2.2 The running order envisages 37 called witnesses; 51 read witnesses, and 7 TBC witnesses.
- 4.2.3 CTI anticipate that of the remaining TBC witnesses, up to 3 may be deceased/uncontactable. Accordingly, the numbers of called and read witnesses are now unlikely to change significantly.
- 4.2.4 As matters stand, the evidence is scheduled to conclude on Monday, 11<sup>th</sup> July 2022 (day 16). This has enabled a number of reserve days to be provided for towards the end of the listing.
- 4.2.5 Further, the latter part of the evidence consists mainly of read statements which CTI anticipate will not require significant court time. Combined with the reserve days, these factors mean that if sudden changes are required to the running order, or the called witnesses take longer than anticipated, this should be manageable.

*Medical excusals / videolink*

- 4.3 Of the witnesses who are in the UK and who have previously been identified by CTI as potentially suitable for calling to give live evidence:
  - 4.3.1 three seek to be excused from giving evidence for medical reasons; and
  - 4.3.2 three have indicated difficulties with travelling for medical reasons, and sought to be excused from giving evidence in person.

- 4.4 A summary of the reasons for each witness and CTI's proposed response are contained in a confidential Schedule which will be circulated to IPs with these submissions.

## **5. Other issues**

### *BBC application*

- 5.1 On 14<sup>th</sup> April 2022 HMC received a request from Ms Tanya Gupta of the BBC for the report of Ms Lorna Hills, which has been circulated to IPs and was discussed at the previous PIR hearing. As an evidential document, the report falls within the scope of §9 of HMC's ruling on a previous application from the BBC for access to materials, dated 14<sup>th</sup> September 2020. Accordingly, it is not subject to release in accordance with the provisions of §7(2) of that ruling.
- 5.2 HMC invited Ms Gupta to set out her request in writing, with reasons, so that the matter could be considered by IPs and determined by the court at the PIR hearing. A written request was duly provided on 20<sup>th</sup> April 2022 and subsequently circulated to IPs. This request was expanded to include the report of Professor Hennessey.
- 5.3 The BBC refers to the Chief Coroner's Guidance Note No. 25 ("Coroners and the Media") and in particular §§27 – 29. It emphasises that in accordance with that guidance the BBC is a "proper person", that there is a public interest in the material at issue, and that it is not seeking access to distressing or sensitive subject matter such as would intrude on the grief, trauma or privacy of any witness. It explains that it needs access to the material in order to understand and report upon the proceedings properly. It cites wider issues it is reporting on (beyond the scope of the inquest) which could be assisted by the report of Lorna Hills, and notes its previous reporting on IRA chronology issues which will be addressed in the report of Professor Hennessey.

5.4 CTI note that the report of Professor Hennessey is currently in draft form and accordingly, it would not be appropriate to disclose it to the media at this time. More generally, as to both reports, although Ms Gupta emphasises that the BBC is “not asking for these reports now with the intention of pre-empting the full hearing this summer”, CTI consider that there is nevertheless some risk of that occurring if the contents of the reports are reported on or discussed in the public domain prior to being introduced and explored in court. CTI also note that these two reports go to some of the core issues being explored in these inquests. In this regard, it is important that the evidence of Ms Hills and Professor Hennessey is not and will not be contained in their written reports - these indicate what they are likely to say - but will be given by each of them live in open court. The media’s primary interest is in reporting the proceedings of the inquests and they will be able to hear and report on the evidence of both witnesses as it is given.

5.5 For those reasons, CTI would not advocate the disclosure of these reports in advance of the inquest hearings commencing. However, the need for reputable organisations such as the BBC to follow and report on proceedings accurately is acknowledged, particularly when many persons with an interest in the inquest – including some family members – will not be attending. The reports may also be considered “core materials” and the court has previously recognised the desirability of making such materials available. For those reasons, it may be appropriate to release these materials (in their final form) shortly before or after the witnesses give evidence. IPs are invited to make submissions on that proposal at the PIR hearing if so advised.

*Hearing logistics and final preparatory steps*

5.6 Matters remain largely as set out at §5.3 of the CTI’s written submissions for the previous PIR. Of note:

- 5.6.1 HMC has previously confirmed that a transcript will be provided for the hearings. The timing of the transcript delivery is yet to be determined.
- 5.6.2 All witnesses whose evidence is to be introduced during the hearing have been contacted, informed whether their evidence is to be called or read, and provided with a copy of the first version of the running order. Called witnesses have also been provided with an expenses claim form. It is proposed that there is a further round of contact prior to the hearing in order to confirm the finalised dates and requirements for attendance (where applicable). This will include a copy of the final running order.
- 5.7 CTI do not feel that another PIR is necessary. On any other matters arising, the junior counsel team and HMC's officer will continue to correspond with IPs and witnesses as appropriate.

**OLIVER SANDERS QC**

**MATTHEW FLINN**

**ALICE KUZMENKO**

*1 Crown Office Row, London*

5<sup>th</sup> May 2022