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Local & National

Fresh moves on 26 controversial Troubles killings

Thursday, August 23, 2007

By Chris Thornton

More controversial episodes from the past are due to resurface next month as coroners begin dealing with 26 unresolved Troubles killings - including a case that has been on hold without an inquest for 17 years.

No new inquests have been scheduled yet, but preliminary hearings in the case of Pearse Jordan, an unarmed IRA member shot dead by the RUC 15 years ago, and other killings will take place next month.

The Coroners' Service says it is preparing to deal with 19 cases - some involving multiple deaths - that had been suspended because of a long-running legal dispute.

That dispute, which concerned the Human Rights Act and police supplying sensitive evidence, appears to have been resolved by House of Lords rulings issued earlier this year.

The rulings should pave the way for new hearings into the cases, which include several security force ambushes of IRA members and UVF murders of three Catholics.

However, coroners face obstacles from the passage of time - including retirement of investigating detectives and in one case the death of the primary witness to a UVF double murder.

The father of Kevin McKearney saw him and another relative, Jack McKearney, shot in the family's butcher shop in Moy, Co Tyrone in 1992. The witness died in 2000.

The murder of pensioner Roseanne Mallon in 1994 was first reported by an undercover Army unit who were ordered "not to react" to the UVF attack, and many of those soldiers are now believed to have left the Army.

In another case - the SAS ambush of IRA members Martin McCaughey and Desmond Grew - 17 years have passed without an inquest.

Other cases are currently being reviewed. However, the Coroners Service says "not all of the cases will necessarily require an inquest or to be dealt with in the same way".

The move towards dealing with the cases comes as the Government sets out on a review for suggesting ways of dealing with the past.

In March this year, the Law Lords ruled that the PSNI is obliged to hand over material related to a killing unless it can secure immunity from the Government.

However, they said they should not be subject to more sweeping requirements under the Human Rights Act, since the killings all took place before the Act was introduced in UK law.

Police insist they have already supplied all relevant material but the legal teams for the families of the deceased want intelligence reports and - in the Mallon case - a secret surveillance video handed over to the coroners hearing the cases.

In a statement, the Coroners Service said: "Although the House of Lords delivered its judgments on March 23, 2007, a number of preparatory steps require to be taken to ensure that the inquests are conducted in a manner that will observe the guidance and directions given in those judgments.

"Until these steps have been completed it will not be possible to schedule the inquests.

" There are added difficulties because of the dates of some of the deaths in respect of which inquests are to be held.

"Identifying and locating witnesses, collating and assembling relevant documents all require to be undertaken."

The statement said the Coroners Service is " reviewing the papers in each case and trying to make contact with the senior investigating officer and witnesses".

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