

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)

JUNIOR COUNSEL NOTE OF PRE-INQUEST REVIEW HEARING

14th January 2022

1. Abbreviations

1.1 The following abbreviations may be used herein:

“CTI”	Leading counsel to the inquests, Oliver Sanders QC;
“GPB”	Guildford Pub Bombings of 5 th October 1974;
“HMC”	HM Senior Coroner for Surrey, Mr Richard Travers;
“HGPH”	Horse & Groom Public House;
“IP”	Interested Person;
“MOD”	Ministry of Defence;
“MPS”	Metropolitan Police Service;
“PIR”	Pre-Inquest Review;
“PIRA”	Provisional Irish Republican Army;
“SECAMB”	South East Coast Ambulance Service NHS Foundation Trust.

2. Attendance

2.1 HMC began the PIR by welcoming the attendees. The legal representatives in attendance (in person) were:

2.1.1 Oliver Sanders QC, leading counsel to the inquests;

2.1.2 Matthew Flinn, first junior counsel to the inquests;

2.1.3 Alice Kuzmenko, second junior counsel to the inquests;

2.1.4 Fiona Barton QC, leading counsel for Surrey Police;

2.1.5 Robert Cohen, junior counsel for Surrey Police

2.1.6 James Berry, counsel for MPS;

2.1.7 Edward Pleeth, counsel for MOD; and

2.1.8 Emma Galland, solicitor for Royal Surrey NHS Foundation Trust.

3. Summary note of hearing

3.1 HMC checked that those attending had received a copy of the agenda, written submissions from CTI, MPS, MOD, Surrey Police, and KRW Law LLP (on behalf of the family of Private Ann Hamilton). There had also been a recent letter from the Government Legal Department (for MOD) dated 12th January 2022.

3.2 HMC turned to CTI for an update on progress since the last PIR.

General Update

3.3 CTI addressed HMC on various points set out in his written submissions:

3.3.1 CTI noted that the last PIR took place on 8th October 2021, and that after the present hearing, the next PIR was scheduled for 25th March 2022. He confirmed that the substantive inquest hearings were currently listed for 6th June to 15th July 2022, but it was not anticipated that the entire hearing window would be required.

- 3.3.2 CTI referred to the instructions sent to Professor Hennessy, expert historian, who had been asked to provide contextual evidence about The Troubles and the activities of the PIRA on the Great Britain mainland. His report had not yet been prepared due to his other commitments, but it was now hoped that it would be ready in advance of the next PIR in March. HMC's officer was trying to agree a specific date, but the absence of his report for the present hearing did not mean that consideration of any other items on the agenda needed to be deferred.
- 3.3.3 CTI noted that that a South West Surrey Health District report from 1974 had been obtained from the London Metropolitan Archives, dealing with the implementation of Major Incident procedures following the GPB from the hospital and ambulance service perspectives. That report will form part of Batch 3 of disclosure.¹ It has also given rise to some further names of relevant individuals.
- 3.3.4 It was reported that Surrey Police are continuing to provide assistance with tracing witnesses, concentrating on those identified in CTI's Evidence Overview document. HMC's team had a reasonably clear idea of which potential witnesses were still alive, although work was continuing in relation to obtaining contact details in some instances.
- 3.3.5 Regarding disclosure, CTI confirmed that Batch 3 was essentially ready for provision to IPs and should be uploaded to Caselines in the week following the hearing. This would complete disclosure, subject to additional relevant documents being located and disclosed subsequently, on an *ad hoc* basis.
- 3.3.6 As to obtaining evidence about the backgrounds of each of the Deceased, CTI explained that questionnaires had been prepared for each family, along with a pack of relevant documents. HMC's team would use those materials to assist each family with the preparation of a "Pen Portrait" statement. CTI hoped this

¹ D4781.

would be done before the next PIR in March, at which point an indication could be given as to whether any family wishes to give live evidence, or whether they prefer the evidence to simply be read out in court.

- 3.3.7 Lastly, CTI confirmed that a 1989 Thames Television documentary had been found at the British Film Institute, which includes some relevant evidence about the Deceased, including interviews with witnesses. HMC's team was in the process of obtaining and reviewing it for potential disclosure. Consideration will also be given to the option of playing the footage in court during the hearings.

Engagement of Article 2 ECHR

- 3.4 CTI explained that Article 2 of the European Convention on Human Rights confers the right to life on individuals, and puts corresponding obligations on the State both to refrain from taking lives (a negative substantive obligation) and to protect lives (a positive substantive obligation). If it was arguable that one of those substantive obligations had been breached, then Article 2 requires an enhanced investigation (a procedural obligation), commonly referred to as an "Article 2 inquest". In relation to the GPB, CTI submitted that the inquests did *not* need to proceed on an Article 2 basis.
- 3.5 CTI submitted that the question is whether, in relation to GPB, there was a "real and immediate" risk of death that public authorities knew or ought to have been aware of at the time, and arguably failed to take reasonable measures to prevent. It was accepted that there was a general risk from the PIRA to all members of society in 1974, but CTI submitted that it was not specific enough to constitute a "real and immediate risk", as there was no intelligence or warning to suggest that pubs or the armed forces would be targeted in the period leading up to the blast.
- 3.6 Accordingly, CTI submitted, based on the totality of the evidence that HMC's team had reviewed thus far, that it appeared that there were no grounds for concluding that it was arguable that Article 2 had been breached, and that the inquest should therefore proceed (at present) on the basis that it is not an Article 2 case. However, CTI noted that this would not significantly impact the depth or breadth of the inquiry that HMC would be conducting.

- 3.7 HMC noted that CTI had addressed the “operational” aspect of the positive substantive obligation arising under Article 2 i.e. a duty to take steps when a specific threat to life arose. However, he asked to be addressed, in addition, on the “systemic” aspect of the positive substantive Article 2 obligation. CTI explained that the positive obligation to protect life includes a requirement to have systems in place to protect life generally. In relation to terrorist attacks, this essentially entailed general measures to address that risk, and deal with any crimes committed. CTI explained that in 1974 there was a functional police force and a criminal justice system. As such, as it was high-level obligation, it did not appear to be arguable that there were no mechanisms in place to prevent or respond to terrorist attacks, and the systemic aspect of the positive substantive Article 2 obligation appeared to be satisfied.
- 3.8 HMC then turned to Mr Pleeth for MOD. Mr Pleeth confirmed that MOD agreed with CTI’s submissions on Article 2, referring specifically to §§3.7 and 3.10 - 3.11 of CTI’s written submissions. He submitted that the evidence from Batches 1 and 2 of disclosure do not provide an evidential basis for the engagement of Article 2 obligations, although he accepted that the issue should be kept under review as the inquests progressed.
- 3.9 Expanding on MOD’s position, he submitted that there was no evidence that there was advance intelligence or warning about the GPB, and no evidence of similar attacks on mixed venues (i.e. those containing both armed forces personnel and civilians) by the PIRA outside of London, prior to the index attacks. In that regard, he noted that there is a helpful MPS document in the disclosure² which sets out a list of all PIRA incidents outside the Metropolitan Police District between 1973 and 1975. Between 1st January 1974 and 4th October 1974 (the day before GPB), there were 50 IRA incidents outside of London, and only two of those incidents occurred in Surrey: on 13th April 1974 a civilian from Northern Ireland was shot in the Chipstead area, and on 12th August 1974, an incendiary postal device was detected at a commercial premises in Leatherhead. Mr Pleeth noted that there were no explosive incidents in Surrey, and no attacks on military

² D3807.

targets in Surrey, before those on 5th October 1974. He further noted that in the whole of the mainland (between 1st January and 4th October 1974) there were six attacks on military targets outside of London, but that none of those incidents bore any resemblance to the GPB.

3.10 As the Sir John May Inquiry identified at §14.1 of the report (and as noted by CTI), the GPB were the first of a “new wave” of PIRA attacks in England. The blast at HGPH was the first attack of its kind i.e. an attack on military and civilians mixing in a civilian social setting. MOD agreed with CTI, MPS, and Surrey Police that there was no evidence that public authorities knew, or ought to have known, that there was a real or immediate risk to the lives of off-duty military personnel from the PIRA, so as to engage the operational aspect of the State’s positive obligations under Article 2 ECHR. Whilst he accepted that there was a general, non-specific risk from the PIRA’s campaign, he submitted that it was too general to be characterised as “real and immediate”.

3.11 HMC asked: what measures were in place to deal with the general risk posed by the PIRA at the time? Mr Pleeth explained that there had been some difficulty in locating security threat documentation which existed at the time, although he submitted that extensive efforts had been made. In 1974 the BIKINI alert system (similar to the current terror threat system) was operating. Local security advice was promulgated by way of “Part 1 Orders”, which were prepared on typewriters and disseminated in hard copy, then kept locally for one year, and retained centrally for five years. Accordingly, it was believed that no Part 1 Orders from the relevant time now survived. Mr Pleeth stated that MOD believes that some limited evidence may be available at the National Archives in the form of general advice and information on the threat level system operating at the time, and in that regard searches are ongoing.

3.12 HMC recognised the efforts that had been made, and emphasised the importance of that further research. It was necessary to understand, to the extent possible, what measures were in place at the time and how they operated, and so if evidence going to that issue existed, it had to be found. Mr Pleeth accepted the relevance of enquiring into measures to address the general threat posed by the PIRA, and confirmed that efforts to locate

relevant material would continue. However, he emphasised that those enquiries did not change the position in relation to there being no “real and immediate” risk (as opposed to a generalised threat) so as to engage the operational aspect of the positive Article 2 obligation.

3.13 For Surrey Police, Ms Barton QC reiterated the position set out in her written submissions – that Surrey Police agreed with the analysis set out by CTI in his written submissions in relation to Article 2. She highlighted that CTI’s written submissions had been available since 23rd December 2021, and that no one, including the families, had suggested that, contrary to those submissions, Article 2 was in fact engaged. HMC acknowledged that, though observed that it is important to recognise that the families of the Deceased remain unrepresented, and accordingly, that there must be an emphasis on exploring all the possible arguments for their benefit and assurance.

3.14 Mr Berry for MPS agreed with CTI that there is insufficient evidence in the disclosed material to suggest that the substantive obligations imposed on the State under Article 2 ECHR had arguably been breached. Further, however, he agreed that this question must be kept under review. Finally, he agreed that in an inquest of this scale, the only difference between an Article 2/*Middleton* inquest³ and a non-Article 2/*Jamieson* inquest⁴ is that the available conclusions in a *Middleton* inquest are broader. Accordingly, any decision that these inquests did not engage Article 2 (to date) had not affected the preparatory work being done, which had been very thorough indeed.

3.15 HMC acknowledged that this point (the lack of substantive difference between the two types of enquiry) was a valid and important point to recognise. Although he did not consider Article 2 to be engaged based on the evidence reviewed thus far, whether or not that was the case would not have any real impact on the breadth of the inquiry he was intending to undertake. Accordingly, he regarded the substance of his investigation as being Article 2-compliant in any event.

³ *R (Middleton) v HMC West Somerset* [2004] UKHL 10.

⁴ *R v HMC North Humberside and Scunthorpe, ex parte Jamieson* [1995] QB 1.

Disclosure

3.16 CTI reiterated that Batch 3 of disclosure (the general contents of which was set out in CTI's written submissions) would be on Caselines in the next week. That would complete the disclosure process, save for further odd documents that may be located or may later be deemed to require disclosure after further review and consideration.

The scope of the inquests

3.17 CTI proposed to deal with scope and evidence together, by reference to the Evidence Overview document prepared in advance of the PIR and circulated to IPs. That document identified 14 issues which it was proposed the inquests should deal with. For each issue, the document identified relevant disclosure materials and witnesses, and whether those witnesses ought to have their evidence read, or heard live in court (either in person or via video link).

3.18 After listing some documents which could be used to establish the general background and context to events (such as contemporaneous reports, maps of Guildford Town Centre, floorplans of HGPH and photographs), the Evidence Overview identifies the issues within scope as follows:

3.18.1 **Issue 1 – the backgrounds of the Deceased:** it was hoped that evidence about each of the Deceased would be provided by family members in the form of “Pen Portraits”. A family member to assist in this regard had been identified for the family for Paul Craig, and HMC's team was in the process of identifying family representatives for each of the other four Deceased. The documents identified in the Evidence Overview were the materials that would be provided to each family member. CTI invited IPs to identify any additional documents that should form part of the Pen Portrait evidence pack, but no IPs in court had any additional proposals to make.

3.18.2 **Issue 2 – the Northern Ireland Troubles and the PIRA campaign (the historical and political context to events):** this would be dealt with in Professor Hennessey's report. CTI noted that there might be a few additional documents identified more recently by HMC's team that could be provided to Professor

Hennessey (e.g. the transcript of a television interview with a member of the PIRA about the organisation's policy on warnings prior to attacks on military personnel, which would form of Batch 3 of disclosure).

- 3.18.3 **Issue 3 – official security alerts, advice and warnings:** CTI noted that, at the present time, there was a gap in the evidence, although he acknowledged the efforts to obtain more information outlined by Mr Pleeth in his written submissions, and in MOD's letter of 12th January 2022. CTI proposed that if there was no further documentary evidence forthcoming, it would be possible to ask each armed service witness what they could remember of any advice being given at the time, in relation to the threat posed by the PIRA and how to manage their own safety.
- 3.18.4 **Issue 4 – the Horse and Groom Public House:** CTI explained that this issue, which would be addressed through e.g. floorplans, photographs and the recollections of bar staff, included examining the layout of the pub, and the fact that it had (and was known to have) military clientele on a Saturday night (so that it might have been seen as a military target). CTI also noted that there was a statement from the now-deceased cleaner who cleaned the pub that morning, including under the benches.
- 3.18.5 **Issue 5 – Ann Hamilton and Caroline Slater trips into Guildford:** It was proposed to *briefly* consider their trip into Guildford to buy train tickets earlier in the day on 5th October 1974, before returning to camp and then heading back into town. Again, the purpose of such evidence was to provide context for the events of later that night, and to assist HMC in understanding the narrative of each of the Deceased. This would involve reading three short witness statements.
- 3.18.6 **Issue 6 – events in HGPH - the “Burns party”:** It was hoped that HMC would hear evidence from three live witnesses (former service personnel) about the birthday party of Carol Burns, which was attended by Paul Craig, Ann

Hamilton and Caroline Slater. This issue would cover the sequence of events in the HGPH leading up to the bomb blast itself.

- 3.18.7 **Issue 7 – events in HGPH - the Forsyth and Hunter group:** CTI was optimistic of getting live evidence from this group (which also attended HGPH) about the evening in question, both before and after explosion. He noted that all members of this group, consisting of ex-military personnel, are alive and only one is overseas.
- 3.18.8 **Issue 8 – the time and nature of the explosion in HGPH:** this did not involve consideration of technical evidence, but more the *experience* of those in the pub at the point of the explosion. CTI reported that there are a number of living witnesses who will be able to help with what it was like in HGPH at the moment of the blast, where the explosion came from, and the time at which it occurred. In relation to timing, CTI explained that there is an overwhelming amount of evidence pointing to the explosion taking place around 20:50 hrs, though some materials give slightly earlier or later times. Questions about timing had arisen in proceedings relating to the Guildford Four and the alibi evidence of Carole Richardson, but the inquests would not be exploring those issues; instead, they would focus on the timing of the blast itself.
- 3.18.9 **Issue 9 – the bomb itself and the damage caused:** Major Henderson, Mr Higgs, and Mr Lidstone were the experts who attended HGPH after the blast and pieced together forensic evidence as to the nature and size of the explosive device, and how it worked. CTI confirmed that they are all sadly deceased, but MOD had identified a current expert from the Defence and Science Technology Laboratory, Ms Lorna Hills, who would be able to speak to their evidence. There was some discussion as to the practicalities of eliciting that evidence:
- 3.18.9.1 CTI queried whether the reports of the deceased witnesses should first be read, and then evidence be heard from Ms Hills,

or whether she should be provided with the previous reports and then asked to produce her own superseding/summary report.

3.18.9.2 Mr Pleeth explained that Ms Hills, Principal Case Officer at the Defence Science and Technology Laboratory (Forensic Explosives Laboratory), is experienced in giving evidence of this nature, having done so recently in the Manchester Arena bombing inquiry. He had not yet discussed with Ms Hills her thoughts as to the best way of giving her evidence in this particular case, though was able to confirm that she would not be able to conduct a direct analysis of the bomb herself. Rather, she could attend to speak to, explain and translate into plain English the reports of Major Henderson, Mr Higgs, and Mr Lidstone.

3.18.9.3 HMC stated that his preference was for the materials to be provided to Ms Hills in advance, and for her to produce her own report, rather than hear what she had to say for the first time in court. That indication was supported by Ms Barton QC for Surrey Police, although she confirmed it was a matter for HMC.

3.18.9.4 HMC indicated that it would be helpful if Ms Hills' report could be ready by the time of the next PIR in March. Mr Pleeth did not anticipate a problem with that timeframe, but asked if, in setting that as a due date, MOD could have two weeks to return to HMC if there were any issues with meeting that deadline. That was agreed by HMC.

3.18.9.5 CTI added that the materials to be provided to Ms Hills were those listed in in section 10 of the Evidence Overview, namely the previous reports and statements of Major Henderson, Mr Higgs and Mr Lidstone, some further witness statements discussing a green plastic bag under the bench where it was

believed the explosion was centred, and a number of documents giving some indication of the power of the explosion (many of which simply contained photographs of debris). It was not anticipated that they would take a long time to review.

- 3.18.10 **Issue 10 – the emergency response (service personnel in HGPH)**: it was hoped that some live witnesses would be able to talk about the immediate aftermath of the explosion and assistance they gave to those injured and those who died.
- 3.18.11 **Issue 11 – the emergency response (the police)**: CTI indicated that a number of these witnesses are still living, and one had independently emailed HMC’s officer with an offer to give evidence.
- 3.18.12 **Issue 12 – the emergency response (the ambulance service, medical personnel and the fire brigade)**: CTI explained that the people attending the HGPH when the explosion occurred (a Saturday night) were mostly younger people, and the police on duty at that time were more junior staff, and thus also relatively young. Accordingly, there was a good number of live witnesses remaining from those groups. However, the medical personnel (particularly those at the hospital) were inevitably more senior and thus older at the time, so very few are still alive and able to assist. Most medics are now deceased, or very elderly and unable to assist. At present, it appeared that there remained one nurse, one member of the ambulance service and one member of the fire brigade who *might* be able to assist.
- 3.18.13 **Issue 13 – identification of the deceased**: CTI did not propose that live evidence needed to be heard on this issue, but that relevant statements and documents could be read.
- 3.18.14 **Issue 14 – post-mortem evidence**: CTI proposed reading the evidence of Professor Arthur Mant (now deceased) on the cause of death of each of the Deceased.

- 3.19 CTI submitted that, subject to any submissions from other IPs, the foregoing list ought to cover all the issues properly within the scope of the inquest, and confirmed that the issue as to which specific members or supporters of the PIRA were responsible for the GPB ought *not* to form part of the scope.
- 3.20 Mr Pleeth for MOD referred to §20 of his written submissions on scope and witnesses, and emphasised MOD's position that the only two witnesses who must be called to give live evidence are Professor Hennessy and Ms Lorna Hills. He submitted that, beyond those two witnesses, it appeared that many facts were not likely to be in dispute, which HMC should take into account when considering which evidence could be read under Rule 23 of the Coroners (Inquests) Rules 2013, and how many and which witnesses should be called.
- 3.21 No oral submissions were made by MPS or Surrey Police on scope/evidence.

Witness contact

- 3.22 As significant progress had been made in tracing and confirming the status of witnesses, the court was able to consider *how* potential witnesses ought to be contacted with a view to organising their participation in the final hearings. In that regard:
- 3.22.1 In respect of witnesses connected to MOD (former service personnel), Mr Pleeth explained that the Department's Defence Inquest Unit manages defence-related inquests and provides support to veterans attending them. He proposed that HMC's counsel team make first contact with potential witnesses, but that this contact could include an offer of pastoral support from MOD by way of a letter which could be provided. HMC confirmed that he was content with that approach for this cohort of witnesses.
- 3.22.2 Regarding police witnesses, Ms Barton QC for Surrey police informed HMC that Surrey Police has an inquest team in place, and it was their preference to contact police witnesses themselves, and provide them with materials and a welfare package at the outset. She confirmed that all such contact would be wholly transparent i.e. HMC would always be informed as to who will make

contact, when, and the materials being provided. HMC considered this to be a sensible approach.

3.22.3 In respect of medical witnesses:

3.22.3.1 CTI informed HMC that Ms Emma Galland (representing Royal Surrey NHS Foundation Trust) had made contact with a Ms Jennifer Waring (nee Austin), whom CTI had identified as a potential witness for the hearings. Ms Galland explained that Nurse Waring had only recently retired from Royal Surrey County Hospital, and as such she proposed to contact Nurse Waring herself, give her the documents in CTI's Evidence Overview, and ensure her availability. Ms Galland added that Nurse Waring is aware of the inquest and the likelihood that she will be contacted.

3.22.3.2 CTI noted that Mr William Edwards (employed by the Surrey Ambulance Service at the relevant time) was alive and seemed able to assist. SECAMB was not an IP and not represented at the PIR, but CTI would contact the Trust to confirm how best to contact Mr Edwards and obtain his evidence, as he did not make a witness statement to police at the time. However, it appeared that he would be able to assist.

3.22.4 CTI said that further steps would be taken by HMC's counsel team to confirm the best way of contacting Mr Andrew Saunders, the surviving fireman who had been identified as a potential hearing witness.

3.23 CTI also queried whether it would be possible to find someone to speak to the report that had been obtained from the London Metropolitan Archives (see §3.3.3 above). It was understood that Ms Galland had the name for a person responsible for such matters at the present time.

3.24 Ms Galland then confirmed that she had made contact with a Ms Charlotte Freeman, who does current emergency response planning the Royal Surrey Foundation NHS Trust, and who had been provided with the South West Surrey Health District report. She was intending to establish if Ms Freeman had any comments on that report in the first instance and felt able to speak to it, before reverting to HMC with an indication as to whether Ms Freeman might be able to assist with evidence for the inquest hearings. It was anticipated that she was unlikely to be able to assist.

3.25 Finally, CTI noted that institutional IPs who were contacting witnesses might find D785 (an album of contemporaneous photographs of witnesses) a useful document to jog the memories of those they contacted.

Empanelment of a jury

3.26 CTI confirmed that the relevant statutory provision is §11 of Schedule 1 to the Coroners and Justice Act 2009. The legislation provides that the default position is for a coroner to sit without a jury, and the question is whether there is sufficient reason to depart from that approach.

3.27 It was noted that:

3.27.1 KRW Law's written submissions on behalf of the family of Private Ann Hamilton said that there *should* be a jury.

3.27.2 Other written submissions received by the court were either neutral or submitted that there should *not* be a jury.

3.28 CTI was neutral on the issue, although observed that there did not appear to be persuasive reasons in favour of calling a jury, and there were some downsides. Ultimately, however, it was a matter in the discretion of HMC. No further submissions were made by other IPs present in court.

3.29 HMC confirmed that this was a case in which §11 of Schedule 1 to the Coroners and Justice Act 2009 applied, rather than section 7 of that Act. He accepted that the starting position was that he ought to sit without a jury, unless there was sufficient reason to depart

from that approach (i.e. there was no legal *requirement* to sit with a jury in this instance). He agreed with CTI that there did not appear to be strong reasons in favour of calling a jury, and to the contrary he felt there were good reasons not to, in particular the quantity of documentation to be considered, and the fact that a coroner sitting alone had more scope to give detailed explanations when making factual findings and delivering conclusions.

3.30 Accordingly, in the absence of further submissions from any other IPs, he confirmed that he did not intend to sit with a jury for these inquests.

Approach to admitting findings from Sir John May's inquiry

3.31 CTI highlighted one “finding” that could usefully be admitted under Rule 24 of the Coroners (Inquests) Rules 2013: that the GPB were the first attacks in a new wave of PIRA attacks beginning in late 1974 and continuing into 1975. It was not a disputed fact, but could give the inquests a useful starting point and some context. CTI did not feel that any other findings from the Sir John May Inquiry warranted admission as evidence in the inquests.

3.32 HMC indicated that he was content to adopt that proposal, and noted that he would also have the evidence of Professor Hennessey going to that issue. No IPs made submissions on the issue.

4. Other business

4.1 CTI floated the issue of the best approach to hearing bundles. Caselines currently holds Batches 1 and 2 of disclosure, and will shortly hold Batch 3, but that is a larger quantity of material than is proposed to be used in the final hearings.

4.2 HMC stated his preference for an inquest bundle containing the documents that would be used, but was unsure if that was possible due to technical limitations with Caselines. If there were obstacles, it might be necessary to treat the disclosure Batches as a hearing bundle, albeit only specific parts of it would be deployed in court.

4.3 Ms Galland noted that Royal Surrey NHS Foundation Trust was not an IP in the inquests, and she was not making an application for the Trust to be recognised as such, but it needed access to certain documents in order to assist HMC’s preparations (in particular in relation to the potential witnesses it was liaising with). She canvassed what would be the best approach to obtain the necessary documents. HMC indicated that, rather than granting the Trust full access to disclosure on Caselines, it would be preferable if Ms Galland could identify the specific documentation the Trust required.

5. Next steps

- 5.1 CTI emphasised that, for the next phase of preparations, the priority would be contacting witnesses, and confirming how many live witnesses will be heard, as this would impact the time estimate and timetable for the final hearings. Further, once it is established when witnesses are available, dates for the substantive hearings can be fixed. HMC agreed that this work needed to begin immediately and enquired how this should be done in practical terms. CTI suggested that HMC’s office could be the first point of contact (where it has been agreed that the court would make first contact with witnesses), but that HMC’s counsel team could assist with drafting the correspondence.
- 5.2 CTI reminded the court that Professor Hennessey’s report should be received in advance of the next PIR (with a draft to be circulated in advance to IPs), as there may be issues that he will be asked to add to the report. Otherwise, it was anticipated that the next PIR will simply involve a further general review of progress and preparation for the final hearings.
- 5.3 HMC concluded by noting that he would circulate any necessary directions arising from the PIR, and reminding the IPs that the next hearing had been fixed for 25th March 2022.

MATTHEW FLINN
ALICE KUZMENKO

25th January 2022