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15 May 2020

Our Ref: INQ/C000512-0001/KRW/KMW

Johnny Mercer MP  
The Office for Veterans' Affairs  
The Cabinet Office  
70 Whitehall  
London  
SW1A 2AS

Dear Sir,

**Re: THE GUILDFORD PUB BOMBINGS 1974**

KRW LAW LLP is instructed by the family of Ann Hamilton, who was killed in The Guildford Pub Bombings 1974. Ann Hamilton and three other victims were serving in the British Army when they were killed. This was a PIRA bombing.

In 2019 the Senior Coroner for Surrey decided he had the jurisdiction, power and reason to resume the original inquest into the bombings. There are now a series of pre-inquest hearing reviews taking place to determine the extent of disclosure and the scope of the inquest.

This is a Northern Ireland Legacy inquest. We note from the "Strategy for our Veterans" (Armed Forces Covenant) Consultation Response at page 30 that "The Operational Legacy Support Team provides support to veterans and Service Personnel with regard to legacy operations."

Further, the MOD and Veterans UK states:

"Serving and retired Army personnel are engaged in various legal processes arising from legacy operations. The operational legacy is multi-faceted and includes criminal investigations under the Service Justice System (SJS), civilian criminal investigations, civil litigation, inquests and, when directed, public enquiries.

The Operational Legacy Support Team within the Army Personnel Services Group is a small, dedicated team which provides the Army's lead for support and advice to veterans and serving personnel on matters relating to legacy operations. Our purpose is to provide assistance to personnel affected by the legacy processes arising from operations in Northern Ireland (Op BANNER), Iraq (Op TELIC) and Afghanistan (Op HERRICK)."

"Northern Ireland. Legal advice and support for individuals affected by the Northern Ireland

**Partners**

Kevin R Winters | Joseph D McVeigh | Gerard McNamara  
Niall Murphy | Michael Crawford | Paul Pierce

Solicitors  
Barry O'Donnell | Colin O'Neill | Owen Beattie



Litigation Consultant  
Christopher Stanley (London)

legacy cases is provided by the MOD. In relation to the inquests, and while there is no provision for individual representation for those summoned to appear as witnesses, the MOD has full legal representation and advice is offered to individuals at no cost by the MOD's legal team. For those under investigation or being prosecuted as part of a Troubles criminal case, full legal costs will be met by the MOD."

This will be the last time the family of Ann Hamilton to be able to effectively participate in an independent investigation into her death and four others, four of whom, including Ann Hamilton, were serving members of the British Army.

On 23<sup>rd</sup> August 2019, the Legal Aid Agency refused an application for legal aid which means that the family of Ann Hamilton will not be able to effectively participate into the inquest into her death with the benefit of independent legal representation. This will be a complex investigation with extensive disclosure and complex disclosure.

KRW LAW LLP has been on the record in this inquest for over two years and has to date acted *pro bono*. This is not sustainable going forward. This is a complex historic multi-death inquest. The bombing led to a miscarriage of justice and no one has ever been convicted for this attack despite an admissions of responsibility by the Balcombe Street PIRA Active Service Unit.

We note the comment of a former Minister of State for Justice in relation to The Birmingham Pub Bombing Inquest (1974):

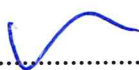
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*"What is important is that there should be an element of equality of arms in the sense that the work that needs to be done for the families should be done effectively and in accordance with the funding arrangements put in place by the Legal Aid Agency .... The issue is not so much whether the funding is through the legal aid fund or through a Hillsborough-type approach as the fact that the families should be represented if the case requires. That is the system we are trying to create."* (Hansard 26 10 2016)

The Interested Persons (all of who are state agencies) are being represented by counsel. The family of Ann Hamilton request an equality of arms by way of the continuing representation of KRW LAW LLP and by Senior and Junior Counsel.

We would welcome your views on this matter and whether you, in discussion with colleagues, can suggest a way of providing a funding mechanism to enable the family of Ann Hamilton to effectively participate in the inquest into her death whilst a soldier serving with the British Army with independent legal representation.

Yours faithfully

  
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KRW LAW – LLP