



KRW LAW response to Legacy Bill

The manner in which the draft Bill has been introduced is disingenuous. There was no indication either last night or beforehand that a section would be inserted to exclude any civil action issued on the day of the First Reading of the Bill before Parliament. Yet section 38 of The Bill does exactly that and more.

In our view this breaches article 6 of the ECHR (Right to a fair Hearing).

Our entire office staff were involved throughout the day in issuing of over 70 emergency High court actions against the State alleging various torts including misfeasance (collusion), failure to investigate and extra judicial killings and executions. At the start of the day we had no inkling that a crude and unjust line would be drawn to guillotine any cases issued on the day of the First Reading. It will lead to inevitable judicial review challenge if there's an attempt to exclude these freshly issued cases.

To compound the problem the Government is now trying to shut down inquests which haven't reached a certain advanced status. That's nothing short of disgraceful when you consider that it's the State itself which has delayed the Inquest system by systemically refusing resources to allow inquests to take place. Now it's purporting to pull the shutters down on all inquests which aren't sufficiently advanced. It's no coincidence that collusion is alleged in the bulk of those extant inquests with many British Army killing cases having already been through the Coronial system.

Standing back it all smacks of Governmental sleight of hand designed to stop a repeat of the sort of Bad News Days seen only last Thursday when the PSNI were forced to issue a public apology to the family of murdered GAA official Sean Brown over a hopelessly failed murder investigation.

Our suspicions following the publication of the Command Statement issued in July 2021 that civil cases and inquests were the real target of the Government legacy proposals have now been confirmed.

-ENDS-

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