



PAT
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CENTRE



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KRW Law act on behalf of the family of Joe McCann who was killed by the British army in April 1972. The family has also been supported by the Pat Finucane Centre for over 15 years. We can confirm the Attorney General, Brenda King, has announced that an inquest into his death is advisable.

The decision comes after an earlier prosecution against soldiers was dismissed at Belfast Crown Court in 2021 due to the Court ruling that the 1972 military statements taken by the Royal Military Police (RMP), and statements gathered by the Historical Enquiries Team (HET) in 2010 were inadmissible.

In her reasons for granting the inquest, the Attorney General stated that *'an inquest would not be inhibited from considering the soldiers' written statements and could potentially receive oral evidence from military and other witnesses and would thereby be able to provide a public record of what occurred.'*

Crucially the Attorney General recognised that the impending impact of the Legacy Act means that there is currently no possibility of a fresh inquest being concluded before the cutoff date of 01 May 2024. She nevertheless indicated her commitment to continuing to exercise her discretion to determine requests up until she loses her power to order new inquests in Troubles related cases.

Aine, Joe McCann's daughter, said:

"We welcome the decision by the Attorney General to direct a new inquest into the circumstances of our father's death. However, like so many other bereaved families we face the reality that as it stands this inquest will not happen, and we could once again be left with the bitter taste of injustice and unanswered questions.

We remain steadfast and determined to continue in the fight for truth about what happened to our father and this decision gives us renewed hope that this will one day happen.

Our family reject any attempt to persuade us that the ICIR would provide a suitable alternative to a new inquest. This is not something our family is willing to accept, and we join the voices of other victims and survivors across the north in stating that we will not engage with it."

Speaking after the announcement Solicitor Gary Duffy KRW LAW said:

"There's a real sense of poignancy to this news coming as it does within days of the Government's shut down on all legacy legal processes. It debunks the State propagated myth that Conflict - related cases can't be dealt with properly. This case is yet another, albeit very late, example why the Government has seen fit to end anything that puts a spotlight on its oversight of the Conflict. Significantly the decision means that, in the event of a repeal of the legacy Act or its ending as a result of legal challenge, the family of Joe McCann can rightly take their place in a Coroner's court to have their inquest."

Sara Duddy from the Pat Finucane Centre said:

"With this direction the Attorney General has recognised that there are still unanswered questions to be addressed into the death of Joe McCann, and an inquest would have the power to get to the truth about what happened.

She is sending a clear message that her office will continue to direct inquests in cases requiring judicial scrutiny until she is stripped of this power by the British government's Legacy Act. We welcome this decision and will continue to support the McCann family in their fight for truth and justice."

Ends