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Local & National

Coroner seeks Colombia Three fugitive to testify in 'shoot-to-kill' hearing

Wednesday, October 10, 2007

By Chris Thornton

Northern Ireland's Senior Coroner appealed yesterday for one of the Colombia Three fugitives to contact him to testify in a 25-year-old "shoot to kill" case.

Coroner John Leckey told a preliminary hearing in Belfast he will revive inquests into three controversial RUC shootings that left six people dead in 1982.

And he said he will require police to hand over the top-secret Stalker and Sampson reports into the killings.

Legal representatives of PSNI Chief Constable Sir Hugh Orde said he is taking legal advice about giving Mr Leckey access to the reports.

Mr Leckey said the three inquests should be heard in 2009 and indicated that, together, they could take the year to complete.

He also said Martin McCauley - one of three republicans wanted in Colombia for allegedly aiding FARC terrorists - is a "crucial" witness to one of the killings.

But McCauley's status as a fugitive from the Colombian authorities could raise extradition issues about an appearance in a Northern Ireland inquest.

McCauley and 17-year-old Michael Tighe were shot in a hayshed where IRA explosives were stored near Lurgan on November 24, 1982. The shooting is believed to have been tape-recorded by MI5.

McCauley and two other republicans were arrested in Colombia in 2001, but later skipped bail and reappeared in the Republic two years ago.

"I do not know where Mr McCauley is but I will make every effort to contact him," Mr Leckey said.

"It is my hope that he will make direct contact with me as a result of media coverage of today's hearing. I would regard it as crucial that he give evidence at this inquest."

Thirteen years ago, Mr Leckey abandoned inquests into the deaths of Michael Tighe, IRA members Eugene Toman, Sean Burns and Gervaise McKerr, who were shot on November 11, 1982, and INLA members Roderick Carrol and Seamus Grew, who were shot on December 12, 1982.

He dropped the cases because he could not force the police to hand over the results of investigations into the killings by English policemen John Stalker and Colin Sampson.

But a House of Lords ruling earlier this year said police should supply all material relating to killings, unless they get an official Government gag.

As a result, Mr Leckey said he can "see no reason why I should not now be provided with access to both reports".

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He indicated that the main aim of the inquests is put into the public domain any new evidence the Stalker team uncovered.

Bernard McCloskey QC, appearing for the chief constable, said police now "believe" they have found full versions of the Stalker and Sampson reports.

But he said the chief constable is reserving his legal position at this stage - indicating he could challenge whether Mr Leckey has the power to hold the inquests after abandoning them.

Another hearing will be held in December to hear the chief constable's position.

In response to concerns raised by the dead men's families, Mr Leckey noted he has the power to subpoena the reports if the chief constable refuses to give them.

Jonathan McKerr, who was nine when his father Gervaise was killed, said: "The police position doesn't surprise me at all. All along their position has been to hold up and stall."

In a separate hearing, Mr Leckey announced that an inquest into the 1992 shooting of IRA member Pearse Jordan will start in February.

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