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Saturday, September 20, 2008

Orde fails to have files on shooting withheld

NORTHERN IRELAND'S chief constable yesterday lost a legal attempt to stop inquiry files on the police shooting of an unarmed IRA man being disclosed to a senior coroner.

Sir Hugh Orde had been resisting an order to hand over the investigating officer's report into the death of Pearse Jordan in Belfast nearly 16 years ago.

But his application for leave to seek a judicial review of coroner John Leckey's attempts to gain access to the documents ahead of a long delayed inquest next January was dismissed at the High Court in Belfast. Mr Justice Morgan ruled that no arguable case with a prospect of success had been put forward, despite lawyers for the chief constable insisting the files were based on an individual officer's subjective analysis.

The judge said: Although each document contains matters of opinion, comment, assessment, conclusion and recommendations, it is clear that the detailed analysis of the relevant material is likely to be extremely helpful to the coroner in defining the issues which he can expect to emerge in the hearing of the inquest.

"There is no basis for limiting the information to which the coroner is entitled by reference to whether it is factual, opinion or assessment."

Mr Jordan (21) was shot dead by police on west Belfast's Falls Road in November 1992.

Since then his family has battled to gain access to the relevant police documents, and last year the House of Lords ordered the police to provide the coroner with all relevant files.

Following an adjournment of several years the inquest was reopened and a request made for the investigation files to be handed over. Sir Hugh has resisted, however. He now has seven days to decide whether to challenge the judgment in the Court of Appeal.

Mr Jordan's parents, Hugh and Teresa, welcomed the ruling.

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Mr Jordan said: "They are trying everything they can to stop anything reflecting badly on the police and what went on before in the RUC. But after 16 years I would like the truth to come out. I don't think it's fair for any family to have to go through court after court."

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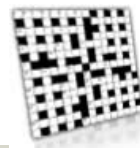
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