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OFFICE OF THE MINISTER FOR JUSTICE AND EQUALITY

Mr. Jim Allister QC MLA
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23 FEB 2015

19 February 2015

Dear Mr. Allister,

I write further to your letter to me of 16 October 2014 with regard to the ongoing Coroner's Inquest in Northern Ireland into the murders of ten men at Kingsmill in January 1976.

I would say at the outset that the murder of the ten innocent working men at Kingsmill was a callous and unjustifiable act of brutality committed by the Provisional IRA during a particularly bloody period of the troubles on this island. My thoughts are with the survivor of this outrage and the families of the victims who were killed.

The Northern Ireland Senior Coroner, Mr. Leckey, has contacted the Garda Síochána to seek access to material in their investigation files that might be relevant to the inquest.

You will, of course, appreciate from your professional experience that the context in which a request for documentation is made by a coroner in one jurisdiction to the police service in another jurisdiction, such as in this case, raises specific and complex legal issues with regard to disclosure, particularly when the documentation may form part of an open criminal investigation, may be security sensitive and may contain personal information.

I am sure you will appreciate also that An Garda Síochána must be guided by their legal advice in respect of the issues arising.

That said, the Garda Authorities are anxious to co-operate with the Northern Ireland Coroner to the fullest extent that is possible for them while conscious of the legal obligations on them with regard to information which they hold.

I am informed by the Garda Authorities that they have been in correspondence with the Coroners Service for Northern Ireland in respect of the request for the release of information. The Garda Authorities have also met with the Northern Ireland Coroner's counsel and solicitor and are in discussions with them as to the legal issues arising. They are jointly exploring ways in which they can support the work of the Northern Ireland Coroner in this case to the fullest extent compatible with the legal requirements to which An Garda Síochána must have regard.

The Garda Authorities remain in ongoing contact with the Northern Ireland Coroner's office and his legal representatives. The aim of this process is to achieve a mutually acceptable arrangement in respect of providing the Northern Ireland Coroner with access to Garda information.

I know you will appreciate that any such process must be in accordance with the law in both jurisdictions and will join with me in the hope that the current discussions bring about a resolution which is acceptable to all parties.

Yours sincerely,



Frances Fitzgerald T.D.
Minister for Justice and Equality