

ICCL Opening Statement for the Joint Oireachtas Committee on Justice Hearing on the Operation of the Coroner Service

May 2022

Joint Oireachtas Committee on Justice
Hearing on the Operation of the Coroner Service

Opening Statement by the Irish Council for Civil Liberties¹
31 May 2022

ICCL published a report on the coronial system last year authored by Professor Phil Scraton and Dr Gillian McNaull. As part of the research for the report they interviewed coroners, bereaved families, lawyers and others involved in the coronial system and made 52 recommendations for root and branch reform. ICCL is now conducting a public awareness campaign on the need for reform.

Primarily, the coroners system must be properly resourced and put on a professional footing. Families and loved ones must be given more information and support and recommendations from coroners must be given the due attention required to ensure tragedies that can be prevented are prevented.

We need a nation-wide full time coronial service with fully trained and qualified coroners with adequate support staff – potentially organised on a regional basis. A Chief Coroner or Director should be appointed with responsibility for the management and operation of the service. An Inspectorate should be put in place and a Code of Practice should be developed. A formal jury selection process must also be established, and we call on all parties to support Senator Lynn Boylan's current Private Members Bill on this issue.

The lack of direct support to bereaved families was identified by the Department of Justice in the year 2000 as '[p]erhaps the most serious deficiency in the Coroner Service'. According to the interviews conducted for our report little has changed 22 years later. Most families we interviewed reported negative experiences. Some have faced long, unexplained delays. Families reported being marginalised, not having access to information they need and experiencing retraumatisation.

The steps that have been taken so far in preparation for the reopened Stardust inquests demonstrate, in our view, how the inquest process can be properly conducted in the most complex of cases, and we congratulate the Coroner and the State on the efforts being made to finally get to the truth of what happened on that tragic night.

But more information and support must be provided to all families who have lost loved ones. While we welcome the new guidance note published by the Irish Human Rights and Equality Commission on the current system, we consider more support is required. Families should have access to bereavement counselling; legal aid must be more widely available; and an independent family liaison officer should be appointed.

The absence of a structured process to follow-up on jury and coroner recommendations is of deep concern. This must be urgently addressed, and is particularly important for recommendations that could prevent future deaths. We note the Commitment by An Garda Síochána to review internal processes to implement such findings and we urge them to make such reviews public.

¹ Delivered by Doireann Ansbro, ICCL Head of Legal and Policy

For many families, structural failings mean the present system does not provide an effective mechanism to get to the truth about how and why their loved one died. These failings also mean that the public interest in getting to the truth of what happened, and in preventing future deaths, is not being met. We call for all-party support for our key recommendation of establishing a national fully professional coroner service in Ireland.