

Neutral Citation No: [2023] NICoroner 18

Ref: NICoroner 18

*Judgment: approved by the court for handing down  
(subject to editorial corrections)\**

ICOS No:

Delivered: 27/11/2023

IN THE CORONER'S COURT IN NORTHERN IRELAND

BEFORE THE CORONER  
MR JUSTICE HUDDLESTON

IN THE MATTER OF AN INQUEST INTO THE DEATHS OF  
DANIEL DOHERTY AND WILLIAM FLEMING

RULING ON ANONYMITY AND SCREENING APPLICATIONS -  
PW7

*Context*

[1] This Ruling deals with the application made by PW7 for anonymity and screening in relation to her provision of evidence to the Inquest into the deaths of Messrs Doherty & Fleming.

[2] The Ruling is a definitive ruling in respect of PW7 who is imminently scheduled to provide her evidence. I do not have the benefit of a threat assessment, but I have confirmation from those that represent the NoK that they do not wish to make submissions in opposition to the application.

[3] I have already given a detailed Ruling in respect of A&S (see [2023] NI Coroner 5) and where relevant rely on the legal basis which I set out there for my approach to this similar application. Broadly, consistent with my approach there, I consider that:

- (a) the security risk that prevails in Northern Ireland remains 'severe' - as determined by the NIO in March 2023;
- (b) the risk to *former* members of the security forces (including former police officers) remains both subjectively and objectively something that is real and not fanciful - adopting the terminology of Girvan LJ in *Re Officer C & Ors* [2012] NICA 47;

- (c) one could not discount the possibility that giving evidence without the benefit of special measures could increase the security risk to those giving evidence – when in many cases they often have spent their working life, and since it ended their retirement, in making personal and family adjustments to protect both their identity and security.
- [4] I have also given a ruling – [2023] NI Coroner 17 – in relation to the provision of evidence by other DMSU officers. Those Rulings set out the basis of my approach and I adopt them as the foundation for this Ruling.

### *Submissions by the Next of Kin*

[5] As I have said the NoK helpfully have indicated that they have no submissions to make in opposition to the granting of A&S for this witness.

### *Ruling*

[6] In my previous Rulings I have said that I intended to adopt a cautionary approach. That applies to this Ruling.

[7] In the case of PW7 her application discloses a number of instances of harassment and attempts on her life. I do not intend to rehearse these, for obvious reasons, but suffice to say they are significant both in terms of number and severity. They have had an impact on PW7 who was medically retired from the Service as a direct result.

[8] I have seen a medical report dated in or around 2001 which confirms ‘serious psychological injury’ arising from the course of her duties and confirming a diagnosis of post-traumatic stress disorder (PTSD). More recently her GP has confirmed the continuing effects of what he describes as ‘very severe PTSD as a result of her service as a police officer.’ Even though I do not have a threat assessment I am satisfied that a threat exists and that it is a real one which continues to impact upon PW7.

[9] My Ruling, therefore, is that PW7 is granted A&S which means she is to attend to give her evidence in person but that she is to benefit from the cipher used to protect her anonymity to date and is to be screened in such a way that she is to be visible only to the professional representatives of the Coroner and the PiPs but otherwise screened from the court.