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# The Bloody Sunday Inquiry

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## PRESS NOTICE

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### **RULING ON THE APPLICATION OF WITNESS X FOR THE SUBPOENA DATED 20 JANUARY 2004 TO BE SET ASIDE**

Following an application from solicitors acting for Witness X, the Tribunal of the Bloody Sunday Inquiry has ordered that the subpoena dated 20 January 2004 be set aside.

The Tribunal will nevertheless require Witness X to attend to give oral evidence before the Tribunal at a date and time which will be notified to him and to all parties.

Witness X will remain entitled to anonymity and will be screened while giving evidence.

Full details have been posted on the Inquiry website under Rulings and Judgements.

#### **Notes to Editors**

1. Witness X is a witness whom the Tribunal regards as important and from whom the Tribunal has, from an early stage, wished to hear oral evidence. He made a statement to the Inquiry on 9 February 2000. On 21 January 2004 the Tribunal ruled that he should be granted anonymity and should be screened while giving evidence. On 22 January 2004 he was served with a subpoena that required him to give evidence on 29 January 2004.
2. On 22 January 2004 Witness X, through his solicitors, provided a medical certificate which indicated that he was unfit to attend before the Tribunal. The Tribunal sought further details and additional medical evidence was supplied on 28 January 2004. Witness X did not attend on 29 January 2004 and on 30 November 2004 he made an application for the subpoena to be set aside. In this application Witness X claimed

that he did not attend on 29 January 2004 both for medical reasons and because he believed that his anonymity had been compromised.

3. The information provided on behalf of Witness X relating to his health was insufficient to satisfy the Tribunal that he was too unwell in January 2004 to give oral evidence. The Tribunal was also not persuaded that he failed to attend because he had concerns about his anonymity. However, the Tribunal has ruled that there is insufficient material available to it from which it could properly conclude that Witness X's failure to attend on 29 January 2004 amounted to a contempt of the Tribunal.
4. In the application submitted on his behalf, it was not suggested that Witness X was still too unwell to appear before the Tribunal. The Tribunal has ruled that the compromise of his anonymity of which he complains should not cause him to be excused from giving oral evidence.
5. For further information, contact the Inquiry's Assistant Secretary, Katrina Barr, tel: 020 7661 9532; mobile: 07715 001 361; e-mail: [katrinab@bloody-sunday-inquiry.org](mailto:katrinab@bloody-sunday-inquiry.org).
6. The Inquiry's website address is: <http://www.bloody-sunday-inquiry.org>