

SCHEDULES

SCHEDULE 14

Criminal Justice

Coroners Act (Northern Ireland) 1959

1.—(1) Amend section 14 of the Coroners Act (Northern Ireland) 1959⁽¹⁾ (inquest on order of Attorney General) as follows.

(2) Make the existing text subsection (1).

(3) After subsection (1) insert—

“(2) Subsection (3) applies in relation to the death of a person if the Secretary of State certifies that there is information relevant to the question of whether a direction should be given under this section in relation to the death which is or includes information the disclosure of which may be against the interests of national security.

(3) The functions of the Attorney General under this section are to be exercised by the Advocate General for Northern Ireland instead.”

(4) Sub-paragraphs (5) to (7) below apply if—

(a) before the coming into force of this Order, the Attorney General for Northern Ireland began to consider whether to give a direction under section 14 in relation to the death of a person, but

(b) immediately before the coming into force of this Order, the Attorney had neither given a direction nor decided not to give a direction.

(5) The Advocate General for Northern Ireland must take a view as to whether there is information relevant to the question of whether a direction should be given which is or includes information the disclosure of which may be against the interests of national security.

(6) If the Advocate General takes the view that there is such information, the Advocate General must deal with the case as if section 14(3) (as inserted by sub-paragraph (3) above) applied.

(7) Otherwise, the Advocate General must refer the case to the Attorney General for Northern Ireland to be dealt with by the Attorney accordingly.

(1) 1959 c. 15 (N.I.). Functions under the Act were transferred to the Secretary of State by S.I. 1973/2163. There are other amendments to the Act, but none are relevant.