

Monday, 1 December 2014

(2.13 pm)

Ruling

THE CORONER: It is worth repeating the basis upon which the alleged coverup evidence is relevant to scope. I decided at the second pre-inquest review hearing that it should be admitted on the basis of three considerations: first, because it was relevant for the jury to know, which was the most complete and/or reliable early account of each witness; second, because the modification of a statement might affect the credibility of a witness; and, third, because if there were evidence of South Yorkshire Police adopting a policy of seeking to suppress or substantively alter evidence, that might reflect a view of the facts of the disaster being taken by senior officers.

Mr Sewell can recall virtually nothing of these events. I do not see that questioning him about something that Mr Metcalfe wrote which he has never seen and about which he can give no direct evidence is not appropriate. It would involve admitting what is highly contentious opinion evidence in order to use Mr Sewell as a sounding board.

I do not accept that there is no context to his evidence or that probative force will be lost.

Of course, that is not to say that this evidence may not be admissible when

Mr Metcalfe gives evidence. However, that is for another day.

(2.15 pm)

oo0oo