

2004 No 39
IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND
QUEEN'S BENCH DIVISION (CROWN SIDE)



Friday the 11th day of June 2004
BEFORE THE HONOURABLE MR JUSTICE GILLEN

IN THE MATTER OF AN APPLICATION BY GERALDINE FINUCANE
FOR JUDICIAL REVIEW

UPON APPLICATION pursuant to summons dated 26th May 2004 made to this Court on the 3rd June 2004 by Counsel on behalf of Geraldine Finucane (hereinafter referred to as "the applicant") for an order pursuant to Order 24 Rule 3 (1) of the Rules of the Supreme Court (Northern Ireland) 1980 , the application for discovery specifically seeks,

- a) any documents relating to views and/or advice received from the Attorney General ,
- b) any documents relating to views and/or advice received from the Director of Public Prosecutions in Northern Ireland ,
- c) any documents relating to views and/or advice received from Sir John Stevens and/or his team of investigators ,

AND UPON READING the affidavit of Peter Madden filed the 26th day of May 2004 on behalf of the applicant ,

AND UPON HEARING said Counsel and Counsel on behalf of the Secretary of State for Northern Ireland (hereinafter referred to as "the respondent") ,

IT WAS ORDERED that the application do stand for judgment,

AND THE APPLICATION being in the list this day for judgment in the presence of Counsel for the respective parties,

IT IS ORDERED ;

1. that the application seeking the disclosure of documents relating to the views and or advice from the Attorney General is refused ,
2. that the application seeking the disclosure of documents relating to the views and or advice from the Director of Public Prosecutions for Northern Ireland is refused ,
3. that the respondent do disclose to the applicant the documents relevant to the setting up of a public inquiry into the death of Patrick Finucane and which were communicated by Sir John Stevens and his team as part of the consultations undertaken by the government in relation to the Corry report . The documents are referred to in the note exhibited to the affidavit of Martin Finucane dated 21st April 2004 , in particular such communications as referred to in paragraphs 3 (b) and 3(e) of the affidavit ,

4. Costs are reserved until the hearing of the application for judicial review ,

**Kevin Carbery
Proper Officer**

**Time Occupied : 3rd June 2004 – 1 hour and 20 minutes ,
11th June 2004 – under one hour .**