

The *Marchioness* and fancy dancing

“Another day, another inquiry, another publicly-funded examination into a tragic event.” I quote from *The Express* (February 17). The reference is to the announcement in the House of Commons on February 14 by Mr John Prescott, Secretary of State for the Environment, Transport and the Regions, that under the Merchant Shipping Act 1995 s 268 a further judicial inquiry is to be held into the *Marchioness* disaster.

This tragedy occurred on the River Thames in London on August 20 1989. 132 people were enjoying an evening riverboat party when the dredger *Bowbelle* struck. Within minutes the *Marchioness* sank. 51 young people died, and many more were injured. Mr Prescott told us that Lord Justice Clarke will chair this new public inquiry.

Very properly, Mr Prescott referred to the grief of the families. He added that a new public inquiry cannot bring their loved ones back “but it can, I hope, bring some peace of mind to know that their case can be told and lessons can be learned for the future”. In the debate following, Joan Ruddock MP, shadow Minister of Transport at the time of the disaster, urged Mr Prescott “to ensure that we are all safe on our great river at any time”. Of course that can never be so.

Previous inquiries into the *Marchioness* disaster include: an investigation by the marine accidents investigation branch; two inquests, at the second of which the coroner's court held that the 51 had been unlawfully killed; an investigation by the police and Crown Prosecution Service followed by the prosecution of the master of the *Bowbelle* (the jury twice disagreed); and an inquiry chaired by John Hayes, secretary-general of the Law Society.

In 1992 Mr Prescott referred to all this as “legal fancy dancing”; but it was not by any means over. “On 18 August [1999],” he told the Commons on February 14, “I announced a wide-ranging public inquiry . . . It was chaired by a senior judge, Lord Justice Clarke. It was an open public inquiry. Its scope was broad and its examination detailed . . . For the first time, all the relevant documentation was gathered in one place and everyone concerned could make their case. The inquiry reviewed current safety standards on the river and Lord Justice Clarke's report was published quickly, as I requested, on 2 December 1999. Lord Justice Clarke was also asked to advise ‘whether there is a case for a further investigation or inquiry into the circumstances surrounding the *Marchioness* disaster and its causes’. His second report, dealing with that issue, is being published today . . .”

In his second report the overworked Lord Justice said there was indeed a case for yet another inquiry. Mr Prescott mercifully added: “Lord Justice Clarke considers that the scope of the inquiry will be sufficient and that the public interest does not require a further inquiry into the police investigation, the two inquests or the failure to secure criminal convictions”. Thank goodness for that.

Mr Prescott also said: “The bereaved families have expressed forcefully their great distress at the removal of the hands from the victims for fingerprint identification purposes, without advising the next of kin . . . I have set up a non-statutory public inquiry into that specific matter under Lord Justice Clarke to run side by side with the judicial inquiry”.

In connection with these further inquiries Mr Prescott said he will look favourably on applications made by the relatives of the victims and the survivors for legal costs to be met from public funds. There has been a great deal of other public expense, and there will be more. Lord Justice Clarke has been withdrawn for a protracted period from the job for which he was appointed, the work of the over-burdened Court of Appeal. Even after ten years, this sorrowful matter is not to be allowed to rest.

Patrick McLoughlin MP, Parliamentary Under-Secretary of State at the time of the *Marchioness* disaster, said his Government did not hold a public inquiry because the marine accidents investigation branch had been set up, and it was better left to them. He added that the air accidents investigation branch has long been accepted as an authoritative body, and that there has not been a public inquiry into an air accident since 1976 although there have been serious incidents involving great loss of life.

Mr Blair's Government is prone to wringing its hands over the past and reopening long-dead events (remember Derek Bentley and Bloody Sunday). In conclusion I quote again from the writer in *The Express* of February 17: "I have serious doubts about whether inquiries ever really achieve anything at all other than to eat up a vast pot of public money to deliver recommendations that are little more than common sense".

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