



# HER MAJESTY'S CORONER

DISTRICT OF GREATER BELFAST

John L Leckey LL.M.

[REDACTED]

[REDACTED]

[REDACTED]

Your ref: [REDACTED]

15<sup>th</sup> May 2000

Dear [REDACTED]

## **ROBERT HAMILL, DECEASED**

Thank you for your letter of 26 April.

You seek to persuade me that, if an inquest is to be held, I should introduce into evidence the statements given by the two witnesses to whom you refer.

I have already informed you that these witnesses believe that giving evidence in court would seriously threaten their personal safety, and that even if they were screened when giving evidence and/or were referred to by code-letters, these fears would remain. The nature of the evidence they are able to give is capable of identifying them even with these safeguards. I told you that I had been advised that these considerations resulted in the witnesses refusing to give evidence in a proposed prosecution by the Director of Public Prosecutions.

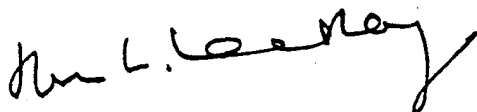
I also informed you that I had spoken personally to the witnesses and to the police officer in charge of the investigation and that I was satisfied that the witnesses' fears and concerns were genuine. You say in your letter that you understand my concerns. Perhaps I should have made it clear that I was (and remain) equally satisfied that even if their statements were to be introduced in evidence under Rule 17 the fears and concerns for the personal safety of these two witnesses would be exactly the same. I had in fact personally discussed this option with the witnesses and with the investigating

officer. It was with very great regret and reluctance that I had come to the conclusion that it would not be possible to introduce the evidence of these two witnesses at an inquest, in any shape or form, without exposing them to a grave and genuine risk to their personal safety. Notwithstanding the obvious potential importance of their evidence I was (and remain) unwilling to expose the witnesses to such a risk.

Since, however, you are seeking to persuade me that I should introduce their statements in evidence I think I ought to afford you the opportunity of suggesting how you would propose that I could do this without exposing the witnesses to the risks to which I have referred. Accordingly I will refrain from reaching a final decision as to whether or not to hold an inquest for a period of two weeks, and in the meantime if you wish to make any submissions to me on the content of this letter I will be happy to take them into consideration.

I think I ought to say that I can see the force of your submission that, if I cannot introduce the evidence of these two witnesses, little if any useful purpose would be served by holding an inquest at all. Accordingly, unless you can persuade me that there is some means by which I could introduce the evidence without exposing the witnesses to grave personal risk it is likely that I will accede, albeit with great reluctance, to your request that I should not hold an inquest in this case.

Yours sincerely

A handwritten signature in black ink, appearing to read "J L Leckey". The signature is written in a cursive, slightly slanted style.

**J L LECKEY  
HM CORONER FOR GREATER**