

Hamill he was in the region of his head shoulders. He is not certain whether he made contact or not.

4. I have carefully considered the evidence as it now stands. The pathology evidence is in my view of great significance. Mr Hamill died as a result of repeated blows during an attack on him when he was on the ground. Participants in that attack are liable for his death as participants in a joint enterprise. In view of the pathology evidence I do not feel the exact analysis of roles referred to in my previous opinion is necessary. The evidence of Con. Neill places Hobson well into that joint enterprise as an active participant. Accordingly I must advise that he be prosecuted for murder.

5. As usual I am available to discuss my opinion if required to do so.

*Gordon W Kerr*

Gordon W Kerr Q.C.

