

PROBATION BOARD FOR NORTHERN IRELAND
PRE SENTENCE REPORT

Mr McKee was asked by his friend, who was a police officer, to make a statement to the police stating he made a phone call from the police officer's home when in fact, he did not. Mr McKee states he did not realise there was a link between this phone call and the death of Robert Hamill. Mr McKee explained that during this time he was regularly abusing alcohol and although fully admits to this charge he claims he was very vulnerable at this time and made a terrible error of judgement. Mr McKee claims at this time he did not realise the seriousness of his actions nor realise that this incident concerned the death of a young man. Mr McKee states he thought he was helping a friend but did not realise the consequences of such an action.

Mr McKee clearly appears to have thought about his behaviour and how his actions have affected others. He does not attempt to deny this offence nor does he try to minimise or excuse his behaviour. Mr McKee displays an appropriate level of insight into his offending behaviour and has identified the impact his actions have had on not only his family but the family of Robert Hamill. It appears that alcohol has drastically affected Mr McKee's ability to operate at a responsible level and coupled with the influence of others at a vulnerable time in his life, has brought him before the courts today. Mr McKee appears genuinely remorseful for his actions and has taken steps to avoid further offending such as moving from this area, disassociating with his previous friends and limiting his level of alcohol use. Mr McKee is aware of the seriousness of his actions and that the court may be considering a custodial sentence. He is greatly concerned about this prospect due to the impact it would have on his family life, employment and home. His partner states she feels their family would have great difficulty emotionally and financially coping if Mr McKee is imprisoned.

PREVIOUS OFFENDING

Mr McKee has appeared before the courts on four previous occasions. His first conviction was in 1973 for causing actual bodily harm and wounding. Mr McKee states these offences occurred during his career in the Royal Navy. He claims this incident occurred whilst he was out with his colleagues. He admits he was heavily intoxicated and a fight broke out outside a public bar. A suspended sentence was imposed at Winchester Crown Court. The following entry in his criminal record for deception and theft offences relates to Mr McKee using a stolen cheque to obtain goods. He relates this to immaturity. A financial penalty was imposed. The following two entries are motoring matters in 1981 and 1992 for which financial penalties and a period of driving disqualification were imposed. The majority of his previous offences occurred during his younger years in England and Wales. His last conviction was in 1992. He has no previous convictions of a similar nature to the current offence which appears to suggest that his behaviour in this current offence is somewhat out of character.

CONCLUSION

James Michael McKee is a forty-eight year old man who appears to have experienced a stable family background. His current relationship has proved to have a positive and stabilising effect on his lifestyle and he is currently in full time employment. However, Mr McKee has experienced alcohol abuse and several failed relationships which have emotionally affected his abilities and resulted in vulnerability at the time of this current offence.

Mr McKee appears genuinely remorseful for his behaviour and has clearly thought about his actions and the effect they have had on his own family and that of Robert Hamill's family. However, his behaviour at that time appears to be directly linked to his alcohol abuse and influence from others. He was not operating any self control or any acceptable level of responsibility but appears to have realised