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Mr McCarey

Mr Kitson

Director

Re: Allegations against Police, Hamill

1. Counsel is asked to consider the above matter in the light of all current material. In order to do so I am able to draw on the following sources:

- (a) The file ref. murder of Hamill
- (b) The file ref. investigation against the police
- (c) The transcript of the trial of Hobson which I conducted
- (d) The confirmation by police that no further investigation is deemed necessary.

As discussed with Mr Kitson I feel it appropriate to update my comments in my original opinion with the caveat that having called two of the reported constables to give factual evidence as to murder of Mr Hamill it would not be appropriate for me to prosecute them should my advices have changed.

- 2. As this is an updated opinion I do not intend to repeat a full summary of the facts of the case which are set out in my initial opinion between paras 3,4,5, and 7. I will however refer to specific portions of the file in stating my final view.
- 3. There has been no change to the evidential position in relation to the allegations directed solely against Atkinson and therefore my comments at paras 9 and 10 of the opinion do not require further consideration.
- 4. The main allegation in this case has always been that the officers on duty in the landrover in Portadown centre at the time of this incident failed to do their duty of protecting the Catholic civilians who included both Mr Hamill and D

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