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that the police 'only became proactive in the case when Robert died'. The obvious point here is that, failing hard observation evidence of the crime, the only evidence that is of much use in this sort of case is forensic evidence of contact with the victim. Classically, the police are looking for bloodstains on the shoes and trousers of suspects. Even quite naive criminals, however, are likely to take some steps to destroy such evidence, so the police have to act very quickly if they are to get that kind of thing. On the other hand, it is fair to add that a riotous situation of the kind in which Hamill was killed is far more difficult to investigate than an isolated attack like the one on Stephen Lawrence.

39 What happened in this case was that once the streets had been cleared at about 3.0 all the police officers went home to bed. Two or three hours later Inspector McCrum telephoned the hospital to enquire after Hamill and was told that his injuries were life-threatening. McCrum then alerted the CID, who moved in by about 7.0, sealed the area for forensic examination and had all the officers immediately called in to the police station to make statements. Some forensic evidence (eg fingerprints on broken bottles) was discovered in the street, but it did not prove very useful.

40 The CID fairly soon had the names of a number of people who had been seen in the crowd, but none of them except Hobson had been seen doing anything to Hamill. They believed that it would be counter-productive to call any of these people in for questioning until there was something more concrete to confront them with, and they therefore set about finding witnesses, with house-to-house enquiries in the neighbourhood and following up all leads that were suggested to them. By 5/6 May they felt that they had just enough to call in several of the 6 final suspects for questioning, but this did not get anywhere. On 9 May Witness B was persuaded to incriminate some of the suspects and on 10 May Witness A, who had been brought to the police station by Andrea McKee, made her vital statement after lengthy interviewing by a very skilled detective. The suspects were then arrested within hours by a team of 30 officers, their effects were seized for examination, and they were charged with murder.

41 A key question in this is whether the police under-rated the severity of Hamill's injuries despite Inspector McCrum having been told that they were life-threatening, and whether the investigation would have moved any more quickly if it had been treated as a potential murder investigation from the beginning. Both Mr McBurney and the Chief Constable have stressed to me that Hamill's death might have been caused by oxygen starvation during the time before the ambulance arrived, and I think that this assertion simply has to be dismissed out of hand, since the pathologist was questioned in depth at the Hobson trial and was clear that Hamill died of brain injury. What I guess may lurk under this hypothesising by the police is the feeling that they may be criticised for treating a murder as though it was just an assault, and that they will be told that they should have done more to establish Hamill's condition while he was lying in hospital. So far as I can judge, the police were indeed surprised when Hamill died, but judging from the Hobson trial transcript so may have been the hospital doctors. Inspector Irwin told me that the hospital practice was to keep people with head injuries under sedation and to try to bring them into consciousness every 3 or 4 days, and that the police inquiries about Hamill's progress coincided with periods when he was under sedation in any event.

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