

CONFIDENTIAL

of institutionalised sectarianism within the police or whether it is a matter of incompetence of those officers at the scene and those officers who subsequently failed to secure the scene.

* 8. The Hamill family are now aware, following consultations between Mr Leckey and Mr McGrory, of the information contained in the two crucial witness statements that were withdrawn in view of the individuals concerns for their personal safety. One of the statements alleges that an officer present at the time of the attack subsequently made contact with one of the assailants following the attack. It is alleged that the officer phoned the individual and advised him how to go about destroying forensic evidence and thus avoid detection. There is no evidence in the statements to suggest that the police may have colluded, in some way, or "set up" Mr Hamill for attack. The behaviour of the officers in the vicinity at the time of the attack was investigated, under the supervision of the ICPC, and on 30 September 1999 the DPP directed "no prosecution".

* 9. The ICPC have advised us, in confidence on 12 May that they have asked the Chief Constable to consider a disciplinary charge of "neglect of duty" against the senior Constable at the scene at the time of the attack. The Chief Constable is currently considering their recommendation.

Conclusion

* 10. The McPherson inquiry found that there was a striking and inescapable need to demonstrate fairness, not just by the police service but across the criminal justice system as a whole, in order to generate trust and confidence within minority ethnic communities. The need to reestablish trust between minority ethnic communities and the police was paramount. Such distrust and loss of confidence was particularly evident in the widely held view that junior officers discriminate in practice at operational level, and that they support each other in such discrimination.