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FROM:

[REDACTED]

POLICE DIVISION
20 MAY 1997

cc: PS/ [REDACTED]) - 0
Mr
Mr
Mrs
Mr

PS/Secretary of State (B&L) - 0

VISIT TO THE HAMILL FAMILY

I understand that the Secretary of State has asked for briefing for her visit to the Hamill family tomorrow. This note gives the background and lines to take.

Background

2. On Sunday 27 April at 1.45 am Robert Hamill, his cousin D and two of D 's sisters F and E) were making their way home when they were attacked by a 30/40 strong mob in the Market Street/Thomas Street area of Portadown as they made their way towards the Catholic Woodhouse Street area.

3. D was knocked unconscious for a time but Robert Hamill was left in a coma by the attack. He died in hospital on 8 May. He was to marry his girlfriend [REDACTED] in October. She is expecting their third child in July.

4. As details of the incident came out in the media on 9/10 May, allegations were made that a RUC landrover had been present at the scene of the incident but the officers in it had failed to disperse the mob or prevent, what is now, a murder. There has been considerable attention given to the police statements issued about the attacks which initially referred to a "clash between rival factions", but then stated that "it now appears clear that four people were set upon by a large crowd". The family claim the police simply failed to intervene even though calls for help were made.

5. The family have called for an independent inquiry into the circumstances, they "don't feel the (involvement of the) Independent Commission for Police Complaints is enough. What is the point in the RUC investigating themselves?" Last week their solicitor, [REDACTED], said the family had yet to decide whether or not to co-operate with the investigation. They are also considering taking their own legal proceedings against the police "at the very least, ... claiming negligence".

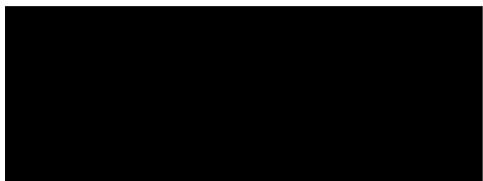
6. The police set up a special team to investigate the murder and the Chief Constable called in the ICPC to supervise the case. Six people were charged in connection with the murder on 11/12 May.

Handling the Meeting

7. I have no doubt that the Secretary of State's visit will be well received, but it is likely that the family will heavily criticise the police and press for an independent inquiry. The

Secretary of State will need to be careful in handling the meeting because the case is under investigation. It is, of course, always possible that the visit will receive media attention.

8. Lines to take are attached, however, which cover the significant role of the ICPC and which state that an independent investigation is provided by them.



PS. The BBC(NI) 'Spotlight' programme tonight is covering the Derryhirk Inn shooting incident and may add fuel to the Hamills' lack of confidence in the police and the ICPC investigation

LINES TO TAKE

The Investigation

- This tragic incident is being investigated by a senior detective, under the supervision of an experienced member of the ICPC and it would not be appropriate for me to comment on it.
- The police are treating it seriously as is shown by their call-in of the ICPC and their appeal for witnesses. [They have also charged six people.]

The Role of the ICPC

- The Independent Commission for Police Complaints (ICPC) is an independent body charged with ensuring that the investigation of complaints is carried out in a thorough and impartial manner.
- (Its powers) - It has the power to veto the appointment of a police investigating officer and to control the conduct and scope of the investigation. An ICPC member has already been appointed and is deeply involved in the case.
- At the conclusion of an investigation the ICPC is required by law to issue a statement saying whether or not it is satisfied with the way the investigation was carried out and, if necessary, it may specify any respect in which it is not satisfied.
- Ultimately the case will be referred to the independent DPP who can himself order further enquiries if he so wishes.

Independent Inquiry

- I can understand your upset, which I share, but the ICPC is independent of the police and has significant powers. This is the established, and appropriate, way for this tragic case to be looked into.