

**Department of the Director of Public Prosecutions**Royal Courts of Justice Belfast BT1 3NX
Belfast

PO BOX 410

RUC Ref: C40/7/97

DPP Ref: 2209/97

Subject: MURDER OF ROBERT HAMILL AT PORTADOWN ON 27 APRIL -
8 MAY 1997
R v LUNT, HANVEY, HOBSON, BRIDGETT, FORBES, ROBINSON

Chief Constable

DIRECTION - PART I

I refer to the Interim Direction dated 12 August 1997 in this case.

The position in regard to that Interim Direction is that the forensic report of Lawrence Brian Marshall has now been received. The post-mortem report remains outstanding.

I also refer to the Further Interim Direction dated 14 October 1997 which indicated that consultation was required with the following witnesses:-

1. Witness A
2. Witness B
3. Colin Prunty
4. Jonathan Wright

The position in regard to this Further Interim Direction is that consultations with Witness A, Witness B and Jonathan Wright have taken place.

I am now informed today by D/Inspector Irwin that he has been able at last to contact Mr Prunty. Consultation with Mr Prunty has been arranged for this Thursday the 30 October 1997 at 3.30 pm in Mr Kitson's office at [REDACTED]

In the light of what occurred at consultation with Witness A and Witness B it is now apparent that evidence from these witnesses will not now be available for any prosecution. In regard to Witness A the question of her being a compellable witness was considered. Investigating police views are that no matter what steps were taken to summons Witness A to court, Witness A would not, under any circumstances, and no matter what sanction was applied by the court, give evidence. The Chief Constable's office was also of that view.

In the absence of evidence from Witness A and Witness B there is no reasonable prospect of a conviction of the following:-

1. Dean Forbes
2. Allister Hanvey
3. Rory Randolph Arthur Robinson.

-2-

Accordingly I now direct no prosecution of the above named Forbes, Hanvey and Robinson.

These accused are in custody. The present police holding charges should be withdrawn at the earliest opportunity. The first available court at Lisburn is sitting on Friday 31 October. I have caused arrangements to be put in train to have the remand of the above accused brought forward from 5 November (the next due date of their remand) at the Maze Court to the 31 October 1997 to allow the police holding charges to be withdrawn.

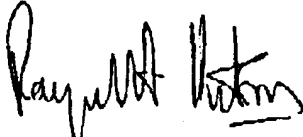
In regard to the remaining accused the position is as follows:-

1. Wayne Lunt

A direction will pend consultation with Mr Prunty and Senior Counsel. Senior Counsel's advices will be sought and considered in the light of what occurs at such consultation which is now arranged for Thursday 30 October at 3.30 pm at Mr Kitson's Office.

2. Marc Hobson and Stacey Bridgett

A direction will pend receipt of and consideration of Senior Counsel's advices. A final decision may also have to await receipt of and consideration of the post-mortem report.


R A KITSON
Belfast/Eastern Circuit
for Director of Public Prosecutions

29 October 1997

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57