

Mr John Leckey LLM
HM Coroner for Greater Belfast
Coroner's Office
Courthouse
37 Church Road
Newtownabbey
Co Antrim
BT36 7LA

BMcG/M/MSH6

29 February 2000

Dear Coroner

RE: ROBERT HAMILL, DECEASED

Having now received your letter of 18 February, I am in a position to respond to your earlier correspondence of 8 February 2000.

While you opened your letter of 8 February with a reference to my representations to you not to hold an inquest, you have not set out the context within which such representations were made. I now propose to do so.

We first met on this issue at your request early on the morning of Tuesday 11 January. At this meeting you advised me of the contents of two witness statements touching upon the death of Robert Hamill which were on the police file and which caused you serious concern. You proceeded to read to me extracts from the statements from witnesses A and B, both of whom observed the attack on Robert Hamill in Portadown during which he sustained the injuries which lead to his death at the Royal Victoria Hospital in Belfast. Both witnesses identified by name a number of people allegedly involved in the incident and both identified by name at least one member of the RUC who was on duty in the area at the time. For the purpose of our meeting you attributed the pseudonym "Fred" to the policeman. Most alarmingly however, witness A gave an account of a subsequent conversation with one of the men he alleged had been directly involved in the attack of Robert Hamill. During this conversation witness A was informed that the policeman "Fred" had phoned the man following the attack on Robert Hamill and had given advice on how to escape detection. Witness A had been informed by the man that the policeman had been helpful to those involved and had undertaken to keep the man informed of developments in the progress of the police investigation.

You advised me that you had personally interviewed both witnesses and were satisfied that they would not come to the inquest to give oral evidence. You also expressed reluctance to read their statements on to the record as such a course would identify the source of the information. We discussed whether or not an inquest should take place at all. You expressed the view that the circumstances of Robert Hamill's death could not be properly represented in the absence of such important evidence. Indeed, according to my notes of our discussions you appeared to still be of such a mind when we last met on the evening of 24 January. We even discussed how you might announce the fact that no inquest would take place. You suggested that you might list the case for hearing and then announce your decision in open court. In this respect you indicated that you might travel to London to seek guidance from the Lord Chancellor himself.

It was therefore with surprise as well as disappointment that I read your letter of 8 February informing me of your decision that it is in the wider public interest to proceed with an inquest without admitting the statements referred to above. I am also concerned that your opening paragraph misrepresents the circumstances in which I

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suggested you should not hold an inquest. This was only on the basis that, as a Coroner, you had little to offer in the way of protection to witnesses A and B and accordingly had expressed extreme reluctance to expose them to danger. At no time during our meetings did you give any indication that you were contemplating the course you have now chosen. Had you done so, I would have sought the opportunity to make considered representations.

I now ask you to rescind your decision and afford me such an opportunity.

Yours faithfully,

[REDACTED]