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FROM: [REDACTED]
 Police Division
 9 January 1998

cc PS [REDACTED]
 PS [REDACTED]
 Mr [REDACTED]
 Mr [REDACTED]
 Mr [REDACTED]
 Mr [REDACTED]
 Mr [REDACTED]
 Mr [REDACTED]
 Mr [REDACTED]
 Mr [REDACTED]
 Mr [REDACTED]
 Mr [REDACTED]
 Mr [REDACTED]

PS/SECRETARY OF STATE (B&L)

ROBERT HAMILL CASE

The Secretary of State owes Diane Hamill a final response to the points made at their meeting in November. This minute updates the Secretary of State on the current position on the response and records two recent developments.

The Secretary of State was waiting for a reply from the Chief Constable; this has now been received. Unfortunately the Chief Constable said in his that the information was for the Secretary of State, and not for public use. I have, therefore, had to go back to his office to clear a draft letter for the Secretary of State to send to Diane Hamill. This covers the points which seem to me to be purely factual, and does not deal with issues which should be left to the investigations. I have also copied the draft to the Independent Commission for Police Complaints for their comments. I hope to have responses early next week.

The Attorney General's Office wrote to Diane Hamill on Wednesday. Their letter contained one significant additional bit of information. That is that the DPP had decided that a Mr Hobson, the last of the original six charged with murder, should be proceeded against. A related point is the effect of this decision on any private prosecutions the Hamill family may want to pursue. They are likely to find this route much more difficult now because (unlike in the Lawrence case) there

will be at least one case heard before the courts. In addition, the case will be heard on the basis of the evidence which would be, presumably, the same as that the Hamill family would seek to rely on. Although this is a matter for them, therefore, the prospect of private prosecutions is reduced.

The other development is that the RUC investigating officer's report on the police conduct has now been formally sent to the ICPC. The Member dealing with the case, [REDACTED] will be considering this and, if he is content with it, will issue a statement of satisfaction. This will mean that the report can go to the DPP. If he is not satisfied, then additional enquiries will be required.

Line to take

Essentially the line has not changed. The case is still subject to the investigative process (both in respect of the murder and the police conduct) and decisions on prosecutions are a matter for the Director of Public Prosecutions.

Signed

[REDACTED]