

13 May 1997

9

Mr [REDACTED]
Second Secretary
Anglo-Irish Division
Department of Foreign Affairs

Dear Second Secretary

Visit by John Steele to Secretariat

Killing of Robert Hamill

The Joint Secretary reiterated the Government's very serious concerns about this case and the implications which it has for relations between the two communities in the difficult run-up to Drumcree and for relations between the nationalist community and the RUC.

Asked for confirmation that the terms of the inquiry which the ICPC is supervising would include the role played by the RUC in the incident, Steele noted a reference made by [REDACTED] Chairman of the ICPC, in a media interview to the Commission's powers to refer matters to the Chief Constable for treatment by a disciplinary tribunal. He inferred that it was the Commission's intention to use its power to direct that a disciplinary tribunal be held in this case.

We presumed that the ICPC might be in a position to complete its report within a couple of months (Steele confirmed this). We asked, accordingly, whether the tribunal might be convened prior to the trial of the six men arrested and charged with Hamill's murder. Steele did not have any information on this but undertook to make enquiries on the issue.

(Comment: It is unlikely that the tribunal would be held in advance of the trial lest the trial be prejudiced in any way by evidence given to the tribunal. In other words, the tribunal is probably a year down the road).

On the circumstances of the Hamill attack, Steele commented that it would not be the first occasion on which policemen had arrived at a scene to find themselves vastly outnumbered and de facto not in a position to intervene. We countered with a number of observations, including a suggestion that an intimidatory intervention by the RUC (e.g. driving their vehicle at the Loyalist gang or firing warning shots in the air) might have been judicious in the circumstances.