

**RE: DIANE HAMILL**

On Monday 10th January 2000 I received a phone call from HM Coroner saying he had something important to tell me in respect of the forthcoming Robert Hamill inquest. He did not wish to discuss it on the phone and asked to see me. I made arrangements to meet him at 8.00am the next morning, in his chambers in Newtownabbey.

On Tuesday 11th January 2000 I travelled to Newtownabbey and spoke with the Coroner for an hour between 8.15am and 9.15am. He disclosed the contents of two statements in the papers provided by the police from witnesses A and B which contained the following:

**Witness A**

Claimed to have been at the scene of the beating of Robert Hamill and observed everything very clearly. He was able to identify approximately five of those who jumped on and kicked Robert Hamill. He also observed that a number of policemen watched the incident happen and did nothing to prevent it. He in fact named one of the policemen concerned to whom the Coroner applied the pseudonym "Fred".

Perhaps most alarming of all he said he was on friendly terms with one of those responsible for the serious assault on Hamill. That friend informed him that the policeman "Fred" phoned him subsequently and advised him how to go about destroying forensic evidence and avoiding detection. The friend said the policeman had been very helpful and told him he would keep in regular contact about the ongoing police investigation into what was now the murder of Robert Hamill who had subsequently died in the Royal Victoria Hospital. He described how he said to his friend that "you know that fellow Hamill had a fractured skull" and the friend commented "well he hasn't got a fractured skull now" - meaning that he had now died.

**Witness B**

Also was present and named a number of individuals involved in the beating of Hamill and also identified the policeman identified by witness A at the scene. He did not however disclose any information concerning the policemen's efforts to assist the offenders escape detection.

The Coroner went on to say that he had urged Inspector Irwin to look into this matter more thoroughly. Apparently the policeman's phone bill was checked and there is evidence to show that he telephoned witness A when witness A claimed he did. The policeman has been interviewed about this but denied making the call and suggested that visitors to his house may have made it.

The DPP were well aware of these witnesses and apparently interviewed them in great length and did everything in their power to persuade them to give evidence but the witnesses are so afraid of the consequences that they refused either to give evidence or to let their statements be used. They went so far as to say that if there was an attempt to use the statements without them giving oral evidence they would retract them publicly. The Coroner himself has interviewed both witnesses and confirms they are extremely afraid.

The Coroner went on to say that he was unsure as to how he should proceed. He had sought advice from [REDACTED] of counsel and [REDACTED] Q.C. He indicated that he felt the Hamill family should be made aware of the situation. Had they not been represented, he would have told them himself.

He expressed real concern for the safety of the witnesses but also felt that an inquest without such evidence would not fully represent the circumstances of his death. He advised me that he did not have to hold an inquest. We discussed the possibility of some form of public inquiry and that the secretary of state might be in a better position to offer protection to the witnesses. I said I needed time to speak to the Hamill family and give due consideration to the information. He said he would diary for the file for one month.

Dictated Wednesday 12 January 2000