


I believe the witness would be torn to bits by defence counsel about these issues. They would also raise the letter issue, which although not part of the prosecution's decision, will no doubt be closely examined by the defence.

I expect you to have concerns about this case and dropping it solely because of an excuse given as to why Jones failed to turn up at committal but I think the factors set out justify the decision to end the case. If you disagree, you may want to express your disagreement in forceful terms but I would advise you against taking the decision yourself. Your involvement in Hamill and Cory would be liable to be misinterpreted as an attempt to put off an inquiry.

One result of the dropping of the case would be to allow the Cory Report on Hamill to be published in full and a public inquiry held sooner rather than later. This would no doubt assist the Prime Minister in keeping his Weston Park commitment on Inquiries and reduce to some extent criticism about delay in deciding on an Inquiry on Finucane.

On a practical note, the Director will need to inform the Hamill family this evening.

  
18<sup>th</sup> December 2004

*Errol - Sh. read MAREM*