

10. As is recorded in a letter dated 23 June 1999 to [REDACTED], a lawyer with the Northern Ireland Court Service (NICS), in this particular case I anticipated that the inquest would be very controversial (page 71398). There were two reasons: (a) the allegation that the police had stood by and allowed Robert Hamill to be injured to the extent that he later died in hospital and (b) the accusation that a certain police officer at the scene had advised one of the suspects not only to dispose of his clothing, but also what was happening in the police investigation. I had obtained that information both from the file of papers forwarded to me and from DI Irwin in person.
11. I cannot recall whether there is in attendance note to this effect, but I did have a meeting with DI Irwin. The meeting possibly took place on 23 August 1999, the date that I wrote a letter of instruction to [REDACTED] of counsel (page 00380), or a few days beforehand. Sometimes in murder cases, where time has passed after the murder has been committed, I would routinely ask the Investigating Officer whether it was appropriate to hold an inquest at that time. As has happened on two occasions recently, the police may say that they would rather the inquest were not held at a particular time because, for example, they are bringing in some suspects for questioning. Unless there was some compelling reason to the contrary, I would take that concern on board and wait until it had been resolved. However, in the Robert Hamill case, I cannot recall DI Irwin expressing a view as to whether or not to hold an inquest.
12. At this meeting DI Irwin informed me that Tracey Clarke and Timothy Jameson, at that time referred to as Witness A and Witness B respectively, were important witnesses who did not wish to give evidence because of concerns for their own person safety. I cannot remember precisely what I was told, but I was also informed that this refusal or unwillingness to give evidence was the reason the murder proceedings had not progressed. My recollection was that I received the statements of these two witnesses prior to the meeting in response to my request for documents in the letter dated 25 May 1999. However, I have been shown a document dated 7 June 1999 containing pages 59976 to 59980, which lists the statements, photographs and maps touching on the death of Robert Hamill. This document does not refer to the statements of Tracey Clarke and