

requested further statements of evidence, I would certainly expect those statements to be provided, accompanied by a covering note.

9. The decision to prosecute or not to prosecute on any case lay ultimately with the DPP and not with the police. Once a decision was made it was communicated to the police by way of a Final Direction. Insofar as I liaised with the police, I would almost always have gone through the most senior investigating officer on the case. I cannot recall who that was in connection with Robert Hamill's death.
10. I have been referred to an Interim Direction dated 12 August 1997 which is produced and shown to me containing the number **18106** which was issued by Mr Kitson. That direction is not familiar to me and I do not know why Mr Kitson, rather than me, would have issued it and requested forensic reports. I am told that Mr Kitson says he transferred the file to me after he had issued this direction. I do not remember that specifically, but it is possible. What may have happened is that Mr Kitson received the file, noticed a glaring omission and issued the direction before allocating it to me, simply to save time.
11. It does not surprise me that forensics were not available at that stage as it often took a long time for forensic, pathology and medical reports to be prepared. It is frequently the case that the police have everything ready to submit to us apart from these documents. It would not have been the job of the DPP to chase them; that was a matter for the police who alone were tasked with obtaining the evidence. It was for the police to liaise with the FSANI because they were the investigators.
12. I would only get involved with the FSANI to discuss a report, not to request one. I have been asked if this delay would have had any effect on the prosecution of any of the suspects in this case. The only possible effect would have been to delay the decision whether or not to prosecute but as far as I am aware the delay did not have any adverse effect on our decisions or the ultimate trial.