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PA
Robert Hamill

Secure Fax: 1143

6 November 1997

No of pages including this one: 3

To: HQ
For: Second Secretary

From: Belfast
From: Steve Magner

Subj: Robert Hamill Case

Please see the attached.

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AN RÚNAÍOCHT ANGLA-ÉIREANNACH
BÉAL FEIRSTE

ANGLO-IRISH SECRETARIAT
BELFAST

Confidential

6 November 1997

Mr Dermot Gallagher
Second Secretary
Anglo-Irish Division
Department of Foreign Affairs

Dear Second Secretary

Robert Hamill Case

It will be recalled that Mr Hamill was attacked and severely beaten in Portadown by a gang of Loyalists on a Saturday night in April last, as he and three friends were returning home from a dance. He died some days later from his injuries.

During the Restricted Security Session of yesterday's Inter-Governmental Conference, the Minister raised the matter with the Chief Constable. He expressed concern at the decision of the DPP to drop charges relating to the death of Mr Hamill which had been preferred against three loyalists youths, as had been reported in last Friday's news media.

In response, the Chief Constable commented that the principal difficulty encountered by the RUC in their investigation of the attack had centred around the identification of the perpetrators. Having identified the people whom they believed were involved, they found that witnesses who had assisted with identification had been intimidated within the Loyalists community in Portadown. A number of witnesses had indicated recently that they were not prepared to give evidence against the three youths concerned. As a result the DPP had felt obliged to withdraw the charges. Another three youths remain charged with Mr Hamill's murder, but these charges are being subject to a review by the DPP also.

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On a related matter, the Independent Commission for Police Complaints is investigating the allegations that a number of RUC men who were in a parked land rover adjacent to the scene of the attack on Mr Hamill failed to intervene on his behalf. We understand from the British side that the investigation of the complaint by the ICPC has been hampered by the fact that the late Mr Hamill's three companions on the night of his death have failed to make themselves available to make statements in relation to the complaint.

It is likely that this issue will be raised by the Secretary of State when she meets the Hamill family later this month. As you will be aware media sources indicate that the family are contemplating a private prosecution against the three persons against whom charges have been dropped.

Yours sincerely

Steve Magner

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