

An Chartlann Náisiúnta
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Ms Griffin
Not passed on to the Taoiseach.

(2)

AN RÚNAÍOCHT ANGLA-ÉIREANNACH
BÉAL FEIRSTE

ANGLO-IRISH SECRETARIAT
BELFAST

26.10.99

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TO: Kim Gilligan / Jennifer Coleman /Rose Gaughan
Anglo-Irish Division

Press Section, Embassy London

TRANSCRIPTS

THE ENCLOSED TRANSCRIPT(S) WILL BE OF INTEREST.

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[redacted] noted & Filed

a Group 2
1 Section

AN RÚNAÍOCHT ANGLA-ÉIREANNACH
BÉAL FEIRSTE

ANGLO-IRISH SECRETARIAT
BELFAST

Mrs Griffin
hdc
8.10.99

(2)

Secure Fax No: 2636

- 4 OCT 1999

DATE : 30 September 1999

NO. OF PAGES (including this one): 3

Taoiseach
This outcome is disappointing but, as indicated below, not very surprising. The disputed fact may also affect the likelihood of any disciplinary sanctions
hdc
4.10.99

TO: Gary Ansbro
Anglo-Irish Division

FROM: Val O'Donnell

Subject: Robert Hamill murder: DPP's decision on ICPC's report

The other side have told us that the DPP is due to announce his decision today on the investigation file, completed under the supervision of the Independent Commission for Police Complaints (IPCP), on the conduct of the officers in the landrover on the night of Robert Hamill's murder. We reported on the situation on 13 April 1999 (SF 1976).

We are told that the DPP has decided that there will be no prosecution against any of the officers who allegedly failed to protect Robert Hamill on the night on which he was attacked (27 April 1997). The Hamill family had alleged that police officers located in a land rover nearby had failed to intervene. The police officers disputed the family's version of events on the night.

The DPP's decision may not come as a complete surprise in the light of remarks of the trial judge (Mr Justice McCollim) in his judgement in March, 1999 in the (separate) murder trial - in which Marc Hobson was convicted of affray and sentenced to four years imprisonment.

The judge said that there were different views on what precisely had occurred. He

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said the attack was very sudden and that he was unable to resolve the question whether the police officers remained in the landrover during the attack. But he said he felt it was unlikely that they would have been able to intervene in time to save Robert Hamill. And he said that when they did intervene they acted resolutely to prevent any further serious injury.

We are told that the papers will now be returned to the Chief Constable to consider whether any disciplinary action is appropriate.

Finally, we have been given the attached "lines to take" by the British side in relation to the DPP's decision.

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LINES TO TAKE

- The murder of Robert Hamill is an extremely sad case which I know continues to cause distress to his family.

- One man has been sentenced to four years imprisonment in connection with the murder.

- An investigation into alleged inactivity by the police was completed under the supervision of the Independent Commission for Police Complaints and the DPP has directed no prosecution (this decision is a matter for him).

Disciplinary Action

- As the Chief Constable will now consider, with the ICPC, whether or not disciplinary action should be taken against any of the officers it would not be appropriate to comment further.

...blic Inquiry?

- I (the Secretary of State) have not ruled out any option. But we must wait for disciplinary action to be considered.

GH/HAMDPP/NFH/29.9

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