

Considerable publicity was given to the events which gave rise to this case, and while it is not for me to reach a conclusion on matters that are not central to the issues tried by me it does appear to be appropriate to make some comments.

It is clear from the description given by , Mr Prunty and that the attack on and Mr Hamill was a very sudden one and that Mr Hamill was brought to the ground and attacked within a very short timescale.

I am unable to resolve the question whether the police officers remained in the land rover during the attack. On the evidence of the hall patrons this would not be entirely surprising and would not necessarily reflect on the officers' commitment to duty since according to that evidence the scene was peaceful immediately before the attack as the patrons approached the Thomas Street/Market Street junction.

The only issue which might reflect on the officers and about which no evidence exists is whether they failed to anticipate the attack in the event that there was any preparation or assembly before it. Even if alerted at the earliest moment by the occurrence of the attack itself it is unlikely that they would have been able to dismount and intervene in time to save Mr Hamill.

It appears that once the police officers did intervene they acted resolutely and were able to keep the loyalist crowd away from the two men on the ground and to prevent any further serious injury. The nationalists were heavily outnumbered by the loyalist crowd and it was only the presence and intervention of the police that could have been responsible for the prevention of further attacks upon them.

The fatal injuries sustained by Mr Hamill and the injuries sustained by , from which he made a speedy recovery, do not establish that a prolonged beating took