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**ANNEX I**

Sequence of events

Sunday 27 April 1997

Around 1.45 am Robert Hamill, going home from a dance with **D** and **E** and **F**, is set upon, knocked unconscious and kicked by a crowd of about 30 Loyalist youths. **D** is also knocked unconscious. Both are taken to hospital by ambulance, together with another man. **D** injuries prove not to be serious, but though Hamill has few external injuries he has difficulty in breathing and is moved to the neuro-surgical unit in another hospital.

The place of the attack is about 200 yards from a police station. There is also no doubt that an armoured police landrover containing 4 armed officers led by Constable Neill and including Reserve Constable Atkinson was parked about 20 yards from the site of the attack throughout the period, and that the officers did not intervene before or during the attack. Exactly when the officers did dismount, and what action they then took, are matters of dispute.

Around 6.0 (?) Inspector McCrum telephones the hospital to ask after Hamill and is told that his injuries are life-threatening. McCrum alerts CID who seal the scene of the crime and call in all officers at the incident to make statements.

RUC issue a press release saying that Hamill's injury was following a clash between rival factions, and that police had moved in to separate the groups.

At 8.37 a 1 minute 35 seconds telephone call is made from the home of Reserve Constable Atkinson to the home of Allister Hanvey, a Protestant youth.

30 April 1997

RUC issue further press release claiming that landrover crew had immediately intervened to gain order and prevent assaults, but that numbers against them were too great.

2 May 1997

Another short telephone call is made from Atkinson's home to Hanvey's.

5/6 May 1997

Some of the main suspects inconclusively interviewed by police.

6 May 1997

Diane Hamill complains to ICPC alleging that certain RUC officers witnessed the assault and did not intervene as quickly as possible.

7 May 1997

Further RUC press release saying that it now appears clear that two couples were set upon by a large crowd.

8 May 1997

Robert Hamill, who had not regained consciousness, dies in hospital. Post mortem reveals widespread axonal brain damage. [At Hobson trial, see below, the pathologist was extensively cross-examined and the defence (transcript p 437) invited the judge to

**CONFIDENTIAL**

WKL/BH

38506

**CONFIDENTIAL**

consider the possibility that there was a *novus actus*, but the judge concluded that 'there was no reason to doubt that the fatal injury was sustained as a result of the violent assault'.]

9 May 1997

Witness B makes a statement implicating some Protestant youths in the rioting.

10 May 1997

Witness A, Hanvey's ex-girlfriend, makes a statement that she saw Hanvey and four other named youths kicking and jumping on Hamill, and that a number of police behind the crowd were not doing much to stop what was happening. She also stated that she had told Hanvey that she was informing the police, and that Hanvey had told her that Reserve Constable Atkinson had telephoned him at about 8 on the morning of the attack, advising him to destroy the clothing that he had been wearing that night, and that Atkinson had subsequently telephoned to keep him abreast of police investigations.

10 May 1997

Police charge Allister Hanvey, Dean Forbes, Stacey Bridgett, Wayne Lunt and Paul Hobson with murder.

11 May 1997

Police charge Rory Robinson with murder.

13 May 1997

Diane Hamill, Robert's sister, holds press conference, calling for an independent inquiry, and for suspension of officers in landrover. She says that the family may not cooperate with the Independent Commission for Police Complaints(ICPC), in which they have no confidence. (Irish News 14 May)

May 1997 onwards

Hamill family constantly taunted and jeered at by Loyalists gloating over Robert's murder.

9 September 1997

Atkinson interviewed by police investigating Diane Hamill's complaint. ICPC member Kevin Murnaghan present.

9 October 1997

Atkinson re-interviewed by police, ICPC not present. He says that Andrea McKee and her husband James McKee (who is the uncle of witness A and the proprietor of a martial arts club frequented by Allister Hanvey) were spending the night of the attack at his home and that Mr McKee telephoned the Hanvey house to check on witness A's safety as soon as he heard that there had been trouble on the streets the night before. The second phone call from Atkinson's house was supposed to have been made by Mrs Atkinson to discuss martial arts business.

Dates between 14 and 30 October 1997

**CONFIDENTIAL**

WKL/BH

38507

**CONFIDENTIAL**

Witness A withdraws statement and witness B changes story, asserting that everything in his earlier statement was hearsay.

30 October 1997

DPP drops charges against Robinson, Harvey and Forbes because witness testimony against them was 'no longer available'.

19 November 1997

DPP drops charges against Bridgett and Lunt.

21 November 1997

█ sees Diane Hamill, accompanied by █ of the Committee on the Administration of Justice (CAJ), standing in for her solicitor █. Diane Hamill hands in petition signed by 20,000 people calling for suspension of the officers at the scene of the crime and for an independent inquiry. She mentions press reports alleging contacts between some of the police officers and suspects.

15 December 1997

Diane Hamill holds press conference, with █ and █ appealing for funds to finance the private prosecution of the suspects who had been released and also the establishment of an independent and international inquiry. Comparisons drawn with Lawrence case.

23 December 1997

Chief Constable, writing to comment on draft letter for █ to send Diane Hamill, says that it was now accepted that the use of the words 'two rival factions' in the first press release was not appropriate.

16 January 1998

ICPC issues statement of satisfaction with the police's conduct of the criminal aspects of the investigation.

22-25 February 1999

Trial of Paul Hobson before a Diplock Court for murder of Hamill. Prosecution add charge of affray at outset of trial.

25 March 1999

Judgement delivered by Lord █ who acquits on the murder charge and convicts on the charge of affray and sentences Hobson to 4 years. The main points are as follows.

- The only real evidence against Hobson was the identification evidence of Constable Neill. This was insufficient to link Hobson with the fatal attack on Hamill, but adequate for a conviction of affray (if only because Neill claimed that Hobson fought him in a later phase of the disturbance.)

- The defence offered no evidence. The – very different – stories of the police witnesses and the accounts given by Hamill's party were given in the same interest and were not tested against each other.

**CONFIDENTIAL**

WKL/BH

38508

**CONFIDENTIAL**

- The judge said that he was 'unable to resolve the question whether the police officers remained in the landrover during the attack', though he was 'satisfied that the officers came across the road shortly after the attack'. The second conclusion caused him to express doubt about the truth of Neill's account of what he saw when he dismounted, and he speculated about Neill's motives for lying.

- The judge's criticisms of the police officers were balanced by some reassuring comments. He noted that the scene was peaceful immediately before the attack, and commented that it was not established that a prolonged beating took place. He therefore concluded that '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'. He also found that once the police officers did intervene they acted resolutely, and that it was only the presence of the police that prevented further attacks on the Catholics.

- In addition to the matters that were strictly necessary for his judgement the judge made some additional comments, as follows

(a) The police officers apparently ignored a warning from a member of the public that people (ie Hamill's party) were coming down the street from the Catholic area that led to the flashpoint road junction where Hamill was, in fact, killed.

(b) After that warning the landrover was moved to a position that greatly reduced the officers' ability to keep the flashpoint junction under observation.

(c) A woman constable had failed to take details when a man (Colin Prunty) had told her during the fracas that a Loyalist (Wayne Lunt) whom she had apprehended and released had, in fact, been involved in the attack. [The judge appears to have regarded this as the main police dereliction and to have assumed that further charges could have been sustained if this potential witness had been followed up. That view was, in fact, mistaken. Unbeknown to the judge, Colin Prunty's identification evidence against Lunt had been followed up by the police but it could not be used simply and solely because he had subsequently wrongly identified another person in place of Lunt.]

22 April 1999

Diane Hamill gives evidence to the US Congressional House International Relations Committee.

25 August 1999

Mr White, DPP's office, writes to Hamill family solicitors to explain why charges had been dropped against the 5 defendants. This letter gives full details about Colin Prunty's confusion over his identification of Lunt (see above). It also makes it clear that the main evidence against the other 4 had been contained in statements by civilians who had since refused to give evidence or had changed their account, and that the evidence of a bloodstain from Bridgett on Hamill's clothing was insufficient to support a charge.

30 September 1999

DPP decides not to proceed against any of the police officers in the case.

**CONFIDENTIAL**

WKL/BH

38509

11 January 2000

Coroner for Greater Belfast talks with Hamill family solicitor and discloses contents of statements by witnesses A and B in great detail. [Whether he disclosed their identities and/or gave the solicitor copies of the statements is not known.] The Coroner had himself interviewed the witnesses and believed that they were extremely afraid. He was unsure how to proceed, as an inquest without these witness statements would not fully represent the circumstances of Robert Hamill's death.

8 February 2000

Coroner writes to Hamill family solicitor to say that he will proceed to hold an inquest without the evidence from witnesses A and B since their personal safety must outweigh the desirability of the inquest receiving their evidence.

5 May 2000

ICPC recommend RUC to charge Constable Neill with neglect of duty, and to suspend him meanwhile.

7 June 2000

Coroner, having received representations from Hamill family solicitors, announces that he will not convene an inquest because of his concerns for the safety of certain witnesses whose lives would be placed in danger if their evidence were to be given at, or placed in documentary form before, an inquest. Without those witnesses' evidence, however, an inquest would give a 'seriously incomplete' account of the circumstances of Robert Hamill's death.

8 June 2000

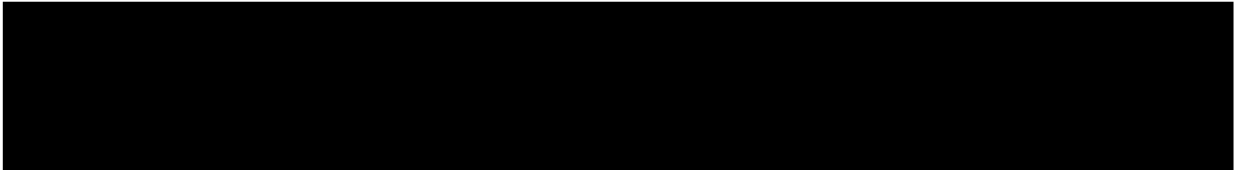
Diane Hamill, speaking on RTE1, says 'I'm aware of the content of some of the statements of the witnesses. I've been made aware of the history of some of the witnesses as well'.

**CONFIDENTIAL**



20 June 2000

Andrea McKee makes a statement to police saying that she and her husband were not at Atkinson's house on the night of the attack, and it was only following an approach from Atkinson that her husband had said that he made the phone call to Hanvey's house.



**CONFIDENTIAL**

WKL/BH

38511

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