

much authority over an inspector. One wonders why Inspector M did not brief Detective Chief Inspector N rather than a mere constable. It certainly appears as if the assault on Robert Hamill and D [redacted] was not being accorded very high priority.

**Potential lines of inquiry:**

**Why did Inspector L call in Detective Constable M?**

**What was Detective Constable M's role?**

**What level of priority was given to the investigation by the RUC?**

- 5.5 There were several security cameras installed in banks, building societies, etc. at the scene, but the RUC refused to release any such videos that were in their possession to the family's solicitor, [redacted], herself murdered by loyalists on 15<sup>th</sup> March 1999<sup>86</sup>. Detective Inspector Irwin [Detective Inspector S] told Diane Hamill and her sister [redacted] on 30<sup>th</sup> October 1997 that there was video footage showing the land rover but not the incident. However, in a subsequent letter to the human rights group the Committee on the Administration of Justice, it was asserted that there was "no video footage of the police land rover or of the incident".<sup>87</sup> It later emerged that the RUC viewed but did not seize the video films of the area, and that they told [redacted] that the footage was "of no evidential value"<sup>88</sup>.

**Potential lines of inquiry:**

**What did the video footage show (or, if that cannot be established, what would the video footage have shown given the position of the cameras and the technical capabilities of the cameras)?**

**When and where was the video footage inspected?**

**Which RUC officer decided that the video footage was of no evidential value and why?**

- 5.6 The RUC took 301 witness statements in the course of their investigation<sup>89</sup>. At least six eyewitnesses - the three D, E & F, Maureen McCoy, her boyfriend Colin Prunty [Mr H], and [redacted] [Mr F] - who were interviewed by the RUC, reported that the police were hostile towards them, treating them more like suspects than witnesses.

**6. THE SUSPECTS**

- 6.1 Some 30 people were questioned by the RUC in the days following the attack, but no-one was charged<sup>90</sup>. The day after he died, however, five

<sup>86</sup> Her murder is the subject of a separate submission by BIRW to the relevant Inquiry Letter to CAJ from the RUC, 20 April 1998 (see footnote 28 in *See No Evil, Hear No Evil*, CAJ 1999) [please see footnote 11]

<sup>88</sup> *Hamills hit out at RUC over video 'evidence'*, *Irish News*, 1 April 1999

<sup>89</sup> Written answer to a Parliamentary Question by [redacted] MP, 18 May 2000

<sup>90</sup> Letter from Secretary of State [redacted] MP to [redacted] 3 June 1997

people were charged with murder. They were: Allister Hanvey (19) [Mr O], Wayne Lunt (17) [Mr J], Paul Hobson (20) [Mr P], Dean Forbes (18) [Mr G or Mr Q], and Stacey Bridgett (19) [Mr R]<sup>91</sup>. It may be that these five men were identified in an anonymous call to a local priest<sup>92</sup>. On 12<sup>th</sup> May 1997 a sixth man, Rory Robinson (25) [Mr G or Mr Q] was also charged<sup>93</sup>.

6.2 Five of the six men originally charged were housed in the wing of the Maze prison allotted to the Ulster Volunteer Force (UVF), who were on ceasefire, while they were on remand. The sixth man asked to join the Loyalist Volunteer Force (LVF) wing, occupied by those who did not support the peace process.<sup>94</sup> Thus all six men were prepared to associate themselves with paramilitary organisations. Had they not wished to do so, they could have opted to be sent to Maghaberry prison, which had a non-segregated regime.

6.3 We have been shown a photocopy of an LVF leaflet which was sold on the streets of Portadown by LVF supporters in October 1997. Half a page in this leaflet reads as follows:

"THE PORTADOWN SIX  
WE WOULD LIKE TO TAKE THIS OPPORTUNITY TO WISH YOU ALL SUCCESS  
IN YOUR TRIAL.  
EVERYONE OF US KNOW THAT THE CHARGES AGAINST YOU ARE  
OUTRAGEOUS, AND ANYONE OF US COULD BE SITTING IN YOUR PLACE.  
YOU HAVE BEEN CRIMINALIZED FOR DEFENDING YOURSELVES AGAINST  
AN UNPROVOKED ATTACK.  
THERE HAVE BEEN MANY NATIONALIST ATTACKS UPON THE ORDINARY  
PROTESTANT PEOPLE OF PORTADOWN AT THAT SAME FLASHPOINT  
WHERE TAIGS [Catholics] WHERE [wear] A DIFFERENT FACE AT NIGHT.  
YOU HAVE OUR FULL SUPPORT AND BEST WISHES AND WE HOPE TO SEE  
YOU HOME SOON."<sup>95</sup>

The "Portadown Six" referred to are the six men originally charged with Robert Hamill's murder.

6.4 On 31<sup>st</sup> October 1997 three of the accused - Allister Hanvey [Mr O], Dean Forbes [Mr G or Mr Q] and Rory Robinson [Mr G or Mr Q] - were released after the charges against them had been dropped. The magistrate who released them, [REDACTED] expressed his sympathy with the defendants for the ordeal they had undergone, but did not extend any sympathy to Robert Hamill's family.<sup>96</sup> On 19<sup>th</sup> November 1997 the charges against two more of the defendants - Wayne Lunt [Mr J] and Stacey

<sup>91</sup> Five charged with murder, [REDACTED], *Irish News*, 12 May 1997

<sup>92</sup> *Strange Fruit in Portadown*, [REDACTED], *Republican News*, 7 October 1999

<sup>93</sup> *Sixth man faces Hamill charge*, *Irish News*, 13 May 1997

<sup>94</sup> Written answer to Parliamentary Question number 94361 by [REDACTED] MP, 21 October 1999, *Hansard*, column 640

<sup>95</sup> *Leading the Way*, dated October (presumably 1997)

<sup>96</sup> *Hamill murder accused released*, *Irish News*, 1 November 1997

Bridgett [Mr R] – were also dropped. In a letter to British Irish RIGHTS WATCH the Director of Public Prosecutions said that the charges against these five men had been dropped because "the evidence available was insufficient to provide a reasonable prospect of obtaining a conviction for murder".<sup>97</sup> At the hearing at which these men were released, three or four RUC officers stood in front of the Hamill family, blocking their view of the proceedings, as if to suggest that they might attack the former defendants.

- 6.5 An anonymous telephone call to a local priest that may have identified some of the suspects claimed that one of the six men was involved in a karate club attended by one of the RUC officers who was in the landrover<sup>98</sup>.

**Potential lines of enquiry:**

**Who was the priest who received the anonymous call?**

**What was he told?**

- 6.6 On 3<sup>rd</sup> November 1997 the Hamill family's solicitor [REDACTED] called [REDACTED], the Director of BIRW, and said that she had also received an anonymous telephone call, which she thought had been made by an RUC officer. The caller told her that Stacey Bridgett [Mr R] had been trained in martial arts by Reserve Constable Atkinson [Reserve Constable B].<sup>99</sup> [REDACTED] herself said in a newspaper interview:

"I received a very disturbing anonymous phone call in connection with this incident about providing details of RUC personnel involved and the activities they have been engaged in since.

I understand a priest in Portadown has also been contacted by this caller and obviously this is an avenue that I am going to pursue very vigorously."<sup>100</sup>

Although Stacey Bridgett [Mr R] was named in the telephone call to [REDACTED], it has since emerged that Reserve Constable Atkinson [Reserve Constable B] warned and advised Allister Hanvey [Mr O]<sup>101</sup>. Allister Hanvey [Mr O] was a black belt in Tae Kwon Do, a martial art which involves powerful kicking, in which he was ranked second in the world<sup>102</sup>.

<sup>97</sup> Letter to BIRW from DPP's office, 25 March 1998

<sup>98</sup> *Strange Fruit in Portadown*, [REDACTED], *Republican News*, 7 October 1999 [please see footnote 92]

<sup>99</sup> Statement of [REDACTED] to Police Ombudsman, 22 November 2000 – she recorded the RUC officer's name as Anderson and the suspect's names as Bridges; these inaccuracies may have resulted from her mishearing [REDACTED] from [REDACTED] mishearing the caller, or from the caller himself

<sup>100</sup> *Mob victim's family puts law in dock*, [REDACTED], *Irish News*, 5 November 1997

<sup>101</sup> Attendance note of meeting between [REDACTED] and [REDACTED] of the Police Ombudsman's office, 23 April 2002

<sup>102</sup> Hamill Report, paragraphs 2.66 and 2.109

6.7 On 31<sup>st</sup> July 1997<sup>103</sup> a file was sent to the DPP concerning the attack on D [redacted], but on 6<sup>th</sup> March 1998 he decided to order no prosecution. Other than to say that there was insufficient evidence on which to charge anyone, the DPP declined to give his reasons for the decision<sup>104</sup>.

## 7. THE CRIMINAL PROCEEDINGS

7.1 Committal proceedings against the one remaining defendant, Paul Hobson [Mr P], were heard in Craigavon Magistrates Court on 22<sup>nd</sup> April 1998 by Resident Magistrate [redacted], who found that there was a prima facie case against Paul Hobson [Mr P] and returned him for trial.

7.2 The hearing was attended by an independent observer, [redacted] who was the Legal Officer of the Committee on the Administration of Justice, a respected human rights group based in Belfast.<sup>105</sup>

7.3 A number of concerns arise from this hearing. The RUC continued to allege that a fight broke out between two factions in the town centre, one group (presumably loyalists) being about 30 – 40 strong and the other (presumably Catholics) made up of 8 – 10 people. This is despite the series of press releases put out by the RUC at the time, which show that, although the RUC originally alleged that there had been a fight between two factions, ultimately they conceded that four people (Robert Hamill and his three companions, two of whom were women) were set upon by a large crowd in an unprovoked attack<sup>106</sup>. It is clear from Judge [redacted]'s description of the events that the police have continued to present a picture of a pitched battle between two warring factions:

"An ugly and violent fight erupted in the centre of Portadown at the intersection of Thomas Street and Market Street. The fighting involved two different factions of a mob of some 50 people. The police estimated that the unruly group was composed of some 10 or 12 Catholics (Nationalists) and about 40 Protestants (Loyalists). The vicious drunken brawl could be properly described as a riot."<sup>107</sup>

7.4 RUC Constable Alan Neill [Constable A], under questioning by Paul Hobson's [Mr P's] solicitor, [redacted], testified that he remained on duty in the town centre after the attack on Robert Hamill until around 4:00 am. He then went off duty, without having made any statement about

<sup>103</sup> Written answer to Parliamentary Question by [redacted] MP, 7 June 2000

<sup>104</sup> Letter from DPP's office to [redacted], issued 1 May 1998

<sup>105</sup> *Committal Proceedings of Paul Hobson [Mr P]*, attendance note by [redacted], 22 April 1998 [please see footnote 12]

<sup>106</sup> Please see paragraph 4.2 above

<sup>107</sup> Hamill Report, paragraph 2.11