

STATEMENT OF WITNESS

STATEMENT OF ROBERT FREDERICK HALL

DATED THIS 11th DAY OF MARCH 2009

I, Robert Frederick Hall declare that this statement is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence at the Inquiry I will be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

1. The Inquiry has disclosed a number of documents to me. Where I make specific reference to a document in my statement I have given the number of the relevant page.
2. I was appointed Assistant Chief Constable for the South Region, based at Mahon Road Headquarters, in April 1995. I left that post in January 1998. I retired from the RUC in March 2001.
3. I began my career in the RUC in 1969 as a police constable and was then promoted to sergeant. At this time I served mainly in the west of the province and much of the work was related to counter-terrorism, military liaison and security policing. In the mid 1970's I became an Inspector in Belfast and later Cookstown. In the early 1980's I was promoted to Chief Inspector, Deputy Sub-Divisional Commander at Omagh.
4. I moved on promotion to Superintendent, with responsibility for force-wide operational training, which included counter-terrorism, public order and search teams. I then became the Sub-Divisional Commander in Antrim (now called BCU commanders in England and Wales) in the late 1980s and subsequently held the post of Deputy in J Division which included Portadown, Lurgan and Lisburn. In 1991, I attended the strategic command course at Bramshill and was promoted to Chief Superintendent, Head of Personnel, for a period of time, followed by Divisional Commander in Belfast Central in 1992/1993. I was

appointed Assistant Chief Constable in June 1994, with responsibility for personnel and training. I later moved on appointment as ACC South Region.

5. I remained in South Region until January 1998, taking responsibility for North Region for a 12-month period from April 1995 until April 1996, when an additional Assistant Chief Constable was appointed to North Region following the Canary Wharf bombing and the breaking of the cease fires. My role and responsibility as ACC for the South Region was a strategic role and it was wide-ranging. The region comprised of four police divisions and encompassed approximately 3,000 police and civilian staff, supported in those days by approximately 3,000 military personnel. My primary function was to give strategic leadership to those 6,000 personnel. When I covered both regions the total number was 12,000.
6. A key element was my leadership and working relationship with military colleagues, in terms of strategic issues regarding counter terrorism and public order, including the Drumcree protests in 1995, 1996 and 1997. I was a member of the Chief Constable's 'top team' which was the force policy corporate team. That role involved contribution to meetings, policy papers and to the corporate-decision making of the wider organisation.
7. I attended meetings with the Chief Constable and the other members of the top team. For many years it was known as the "COG" meeting, the initials standing for Chief Officers' Group. In the latter years of my service it became known as the CCPM, "Chief Constable's policy meeting." That met, and I am relying on a ten year old memory, every two weeks, depending again on the volume of policy business and the volume of policy papers. It involved the heads of all departments and functions, whether it was region, crime, finance, or personnel.
8. On alternate weeks, the Chief Constable would have held what he called an "Ops meeting," an operations meeting, which I attended, dealing with planning and prioritisation which required the attendance of those involved on the operational side.

9. At operational meetings the core business was serious ongoing investigations and events. The heads of regions would be there, the ACC Crime and the operational side of the business would all be present. It would not have involved people from HR or finance because it was not a policy-making meeting. If there was a serious public disorder parade and say 60 people were arrested and 20 seriously assaulted, the ramifications of all such events would be discussed. Forthcoming events would also be a major issue on that agenda because we would have to plan in terms of force resources. In my case Drumcree was coming up. The Chief Constable or his ACC Ops had to adjudicate on the priorities and we had to present our cases and objectives.
10. In addition, I was responsible for providing strategic leadership to the South Region. A key element was the achievement and delivery of the force corporate plan. That involved objectives that were set by the Secretary of State, the Force itself and others set by the Policy Authority. There were also local policing plans, set at local level, which involved community consultation and liaison. These were administered by local Sub- Divisional Commanders.
11. I had to ensure delivery across the board and this necessitated a whole structure of meetings with Regional Action Committees involving the military, the region's intelligence group meetings and there were also cross border liaison meetings with An Garda Siochana.
12. I chaired my own Regional Management Committee Meeting with my four Division Commanders, the regional head of CID, the regional head of Special Branch and the regional head of Traffic all present. My management committee aimed at acquiring the best possible information so as to monitor the progress of our objectives. We had a structured agenda and each head gave an update on various incidents or serious offences which meant that the meeting was also a communication process for all present.
13. At regional level we had responsibility for what can best be described as the coordination of resources, given the nature of the tasks and difficulties facing us at that time. That involved everything through from the military, to police, to

mobile support units, community and traffic affairs – the various disciplines of policing and of course the handling of our budget. I was assisted in this particular role by a Chief Superintendent who had the title of Deputy Assistant Chief Constable.

14. Like my colleagues, I also took my turn on sitting on selection panels for other types of jobs within the wider organisation including appointment panels and promotion boards. There were a certain number of us on the ‘top team’ who were required to chair or be part of those panels, from time to time, including Discipline Boards.
15. We were also in an era of reviewing major building projects given that we had periods of ceasefire. There were sensitive and difficult issues to be managed, almost every hour of the day.
16. I also had interaction with C Department as the overall crime strategy and investigative methods came from C Department, on behalf of the Chief Constable, in accordance with best practice and guidance manuals. Crime files, however, for obvious logistical reasons did not travel via my office. Crime files travelled from the Sub-Divisional Commander’s office to Crime Department and then they were processed on behalf of the force for going to the Director of Public Prosecutions.
17. In my corporate policy role I would have been aware of matters affecting the total organisation in C Department. Major crime and organised crime was led by the Detective Chief Superintendent C1 in those days not by the ACC crime who had a strategic role like myself. The Detective Chief Superintendent C1 had a force wide remit and regional crime squads based in different parts of the province.
18. I would have been briefed weekly, if not more frequently, by the Head of CID as to the progress of serious investigations in my region because I had a particular interest and role in the effective outcome of investigations and their impact on the community. In terms of daily updates, I could have been updated

by the internal force printer known as MSX, by telephone or by a personal visit to my office. On occasion, I might have visited the relevant location, such as an incident room or some other office or a planning meeting.

19. I had regular liaison with the CID, and all disciplines of the force that had certain aims and objectives within the force plan to meet and fulfil. CID reported to me in terms of the outcomes and delivery, in terms of their contribution towards the fulfilment of the wider force goals and policing plan. My corporate strategic function was to enable and support CID, as it was all the disciplines in my area of command, to enable and support them to do the job that they were seeking to do. That might have meant helping them to get somebody from the resources made available for a particular purpose, to assist in moving people or military, or to carry out searches. There was no end of things they might have needed to fulfil their objective.

20. In terms of serious investigations across my region, I would have been briefed by my head of CID, weekly, if not more frequently, as to the progress of serious investigations because I had a particular interest and role in the effective outcome of all investigations. I needed to know the progress of these matters in terms of the wider community liaison, the meeting of public representatives and the issuing of press statements. In some cases I would be briefed by the local Sub-Divisional Commander. The briefings had to be done by the person with the best information and the fullest and closest involvement in the investigation. I would have been updated by the head of CID daily, if that was needed. Given the nature of a number of serious crimes that we had occurring, it would have been pretty normal for me to have been talking to all my senior people at some time, almost every day.

21. In terms of my recollection of briefings into the investigation into the initial incident and murder of Robert Hamill, this was one of a large number of ongoing serious investigations. Moving into the weeks and months after Robert Hamill died I had two elections in Northern Ireland in the month of May, which were always times of great tension in Northern Ireland. It was coming up to Drumcree 1997 and in the middle of June, five weeks later, I had two police

officers murdered on the street in Lurgan followed by another police officer murder in Portadown 1998. There is no way that I can recall if somebody said to me, "We have one witness or two witnesses or we've no evidence or there's no forensics." It would be impossible for me to recall that.

22. The Head of CID would have appointed Senior Investigating Officers (SIOs) for particular investigations. The volume of crime was such that SIOs for murder investigations, in many cases, were Detective Inspectors or Sergeants. In some instances, in the really extreme days, the SIOs were Detective Constables. The books today state that the SIO in such cases should be a Detective Superintendent or maybe a Detective Chief Superintendent. Back then it was a supply and demand situation in relation to trained SIOs and consequently the rank and the availability was usually approved by the Head of CID.
23. Generally I was not involved in the appointment of an SIO, although there were times when I may well have been consulted as part of our wider management programme given there were competing resources. There were so many major crimes at that time that in some cases the appointment of the SIO was dictated by availability of personnel at whatever rank or at whatever level, whether that was within the region or the wider force. Another difficulty was that sometimes SIOs, having been committed to an investigation for a few days or a week, were forced to take on another one or move to another one, because of events occurring. So, for those reasons generally the Detective Chief Superintendent was responsible for appointing the IOs or SIOs.
24. My understanding of the circumstances surrounding the appointment of DCS McBurney, is that he was appointed, following a corporate decision when complaints were lodged with the ICPC. I am sure that the records will show that for the first number of days, or perhaps a week, the Senior Investigating Officer was Detective Chief Inspector P39. One of the functions of the ICPC was to approve the appointment of the SIO in complaint matters. At that stage, they, in conjunction with the RUC, took the decision to appoint Chief Superintendent McBurney.

25. There is now produced and shown to me document page **32255** which seems to be part of a policy file which shows that I was involved in communicating the decision to appoint DCS McBurney. The date of the decision is on 9 May 1997 and the time of the decision is 11.00am. It reads, "*Decision: ICPC appointed to supervise the investigation of the complaint by Miss Diane Hamill re police inactivity at the scene on the early hours of 27 April 1997*". It then goes on to say, "*Reasons: direction received from ACC Hall.*" Clearly, I did not take that decision as it was taken specifically by the ICPC. This matter had been referred to them and they had discretion as to which cases they decided to supervise.
26. I might well have been consulted along the lines of something like, "*Is DCS McBurney available or might he be available to carry out this inquiry?*" Whoever was asking that at central level may not have known. I played no part that I can recall, in his appointment, other than in communicating the decision as it was a matter for C&D and the Deputy Chief Constable to nominate or to help find the SIO.
27. My understanding is that the allegation of an officer perverting the course of justice was also formally referred to the ICPC and that they agreed to supervise that matter. In fact, as I recall, it was the late Mr [REDACTED] at the ICPC, who was a most conscientious professional man, who agreed to that facet of the complaint being included under the overall investigation. My understanding was, and still is, that the ICPC were overseeing that aspect as they saw it as inextricably linked and as under the overall umbrella of the investigation.
28. It is certainly my understanding that the matter of perverting the course of justice would have been referred formally. It would be referred in writing either by the SIO, and worked up through the chain of command either by G Department (Complaints and Discipline; C&D) bearing in mind that the interface with the ICPC was G Department. Any referral would be done in a structured formal sense via C&D and they in turn would liaise directly with ICPC. It is unlikely that it would just be left as something informal.

29. In terms of DCS McBurney having a strategy as to how to deal with this allegation against a police officer, I certainly do not recollect discussing it with him. DSC McBurney was a senior SIO DCS for 30 years and it would not have been my role to be involved in the strategy of that sort of criminal investigation.
30. If DCS McBurney had a specific issue he wished to raise he might speak to me or he might speak to the DCS C1 at headquarters who had the force wide responsibility for major crimes. Mr McBurney might come to me and say, *“Well, we have six people we wish to arrest now next Monday morning”* or *whatever it is, “Mr Hall, can you help me -can you provide six search teams? Can you provide so many accompanying officers? We’re going to need forensic teams; we’re going to need all these kind of things.”* If such a request was made I would have to enable and support him to get what resources he required and to help him fulfil his objective in that case. As against that, he might have to go to C1 headquarters and say that he needed forensic officers or a specialist resource from a neighbouring division. I cannot now recall if he did speak to me about such matters.
31. I was not involved in any of those investigations or any complaints against the police officers in respect of the perverting the course of justice prosecution that took place. I am not familiar with any details surrounding Andrea McKee. There were certainly no prosecutions or court hearings or charges against police officers in my tenure. I was aware of the investigations but it would have been very wrong for me to embroil myself in the mechanics of it because it was under the supervision and direction of the ICPC.
32. As part of my role I did have contact with C& D in a general sense. Clearly, I would liaise with the Department in relation to the many investigations where I was appointed to carry out the investigation. These would involve senior officers or allegations as the rule was that an investigating officer had to be at least two ranks above a senior officer who was being investigated. In some cases I was supervised by the ICPC as well.

33. I would also liaise with the Deputy Chief Constable who handled overall responsibility for discipline in the force. He or she, again, was the disciplinary authority under the police regulations for the maintenance of discipline within the force and everything to do with disciplinary procedures.
34. We had a specific force policy of endeavouring to reduce the number of complaints, so we were always looking to improve our quality of service and do better. We had an agreed policy and mechanism within C&D whereby we were given statistical analysis of the types of complaints for our region and subdivision. We were able to look to see if there was repetition in a particular area or of a particular type of complaint. We could then assess if something could be done to alleviate the problem, improve community liaison or identify the cause. C&D would have possibly liaised with CID. There were occasions when I might have been consulted on some aspect of appointments or movements or issues once the complaint was taken over by C&D and an investigating officer was appointed.
35. It would not have been appropriate for others at local level to intervene within that particular area of investigation because it was clearly being conducted by C&D centrally, with an external independent IO and/or supervised by the ICPC. As regional head, you would not be actively involved in any such investigations, unless you were appointed to supervise that particular investigation.
36. I cannot specifically recall when I became aware of the incident involving Robert Hamill. I was actually off duty for a couple of days around the time the incident took place.
37. I had a management information system which, in the earlier days, would have been either paper or in those days a computerised teleprinter. It was called MSX or MHS or something similar. As we moved to technology the system became computerised. My staff each morning would produce for me a brief resume of occurrences under some categories across my region for the previous 24 hours.

38. In serious incidents my deputy or myself, depending on which of us was on duty, would have been informed by telephone almost immediately. The call could have come from the local communications room that was handling and coordinating the response of the resources. I would have been on their list of persons to be informed, as would the regional head of CID, and the local Division Commander and Sub- Division Commander of the local authorities. I would have been updated as regards the implications or any particular issues if additional resources were required or if there were some other associated problem, or if there was some particular community affairs issue that might have meant me meeting or talking with the local Division Commander as to how that was being handled.
39. I would not necessarily have a written brief. It would depend just on the nature and depth of the issue concerned. Public order type assaults were many and varied in those days, right across my region. I had difficult areas both in terms of Loyalist problems in mid-Ulster and Provisional activity in South Armagh.
40. When I returned to duty I would have read the relevant materials from the previous couple of days. I suspect there was no reason why the incident involving Robert Hamill would have been any more detailed or any different from any of the other public order incidents or assaults that would occur across the region.
41. My understanding and recollection, obviously in the light of subsequent readings, is that the initial injuries perhaps were not regarded as life threatening and there was no particular expectation that somebody's life was to end. Things regrettably took a turn for the worse later and this obviously changed the face of the investigation.
42. In my role, I committed many hours of my time and energy, to the issues surrounding Robert Hamill. I feel that I displayed my leadership role by doing this and some weeks later when I met with a group of Roman Catholic priests

from the Portadown area to discuss the whole issue of community conflict and investigations and all kinds of associated issues.

43. It is a matter of record that I gave the media interviews, province wide, on the night that he died and indeed the following day, which was part of my strategic leadership role, to assist community stability and also out of respect to the Hamill family. In very serious incidents such as the murder investigation, I may well have headed the press-media response as one of my functions in terms of strategic leadership which necessitated being visible in terms of critical incidents. Sometimes the media response might have been handled by the local Sub-Divisional Commander, or by a CID officer, or it might have been handled by me. That was a decision that was taken based on the best information available at the time and after considerable scrutiny and analysis.
44. In the Robert Hamill case I would clearly have decided to take the lead at that point in terms of media matters because of associated community pressures including political representatives making allegation statements together with other pressure groups. I saw it as my leadership responsibility to handle the press and to make appeals for calm and for witnesses and to try and come up with the best possible means of achieving a successful outcome for the investigation.
45. In the force there was a press office at headquarters as well as our regional one. Clearly, if I was going to be involved in a particular matter because it was sensitive or controversial, then the regional press office would draw it to my attention or would consult me about press releases in conjunction with force headquarters.
46. The local sub- divisional commander was autonomous in his area, including the investigation of crime. In nine out of ten cases, if there was some point to be developed, the regional press officer would have been in liaison with the local sub-divisional commander or the SIO. It could have been a DC or a DS or a DI. If it became a matter of wider regional or force importance or some other controversial or sensitive issue, then they would use their judgement in

approaching me or my deputy or the divisional commander. My arrangement with them was that I wanted to know about sensitive or difficult matters in terms of community stability and liaison.


47. The regional press office might send me some type of draft press release that they were considering for my approval or they might come with some questions and those could be sent through the MHS system or telephone or they might come and see me and talk about a particular issue. In appropriate cases they knew the job and how to do it and where to get the best information. There was no point in coming to me about a burglary in Portadown as the officer dealing with the burglary knew about it and the press office could get their information from the relevant DC.
48. There is now produced and shown to me a press release dated 30 April 1997 at page **15068**. This deals with the incident initially dated 27 April 1997. It is impossible for me to remember specifically how I became aware of the incident because they were a daily occurrence in terms of incidents across the region. I expect that I was asked about it in some way or other by the regional press office. My job was to look at the bigger corporate picture.
49. There is a reference in the press release that there was a clash between rival factions in Portadown around 01.45. It states, " *The two youths have been detained in hospital - head injuries following a clash between rival factions in Portadown around 1.45am.*" I was not involved in this press release. This press release went out from force headquarters, during the night or early morning, which is manned 24 hours and they obviously dealt with the media and press on routine incidents.
50. The term "*rival factions*" is likely to be the basic factual information that police headquarters had at 06.00 in the morning. I am sure that the term "*rival factions*" would have featured pretty regularly in any assault. Perhaps the Hamill family took issue because they were saying they were an innocent party in the assault. I am not sure of the reason. It was subsequently clarified and the language moved to being obviously sensitive to their needs or requirements and

more particularly to appealing for witnesses and bringing the thing forward. It was a case of moving on to the next stage of the investigation and being sensitive to the family liaison needs and moving on to new facts as to what actually happened on the ground.

51. In all probability I was made aware of these criticisms in respect of the press releases by our regional press office, because it was a matter that would have an effect on the community. Inspector [REDACTED] would have taken control of that situation and the press office would have been managing that type of thing. If they needed to consult with me, as Inspector [REDACTED] says she did and with the local superintendent at times, then I readily accept all of that.
52. Given the passage of time I cannot clearly recall when this particular criticism came from the Hamill family. I would have been possibly aware and certainly sensitive to it if it was some unintentional use of language that had offended somebody.
53. On page **15069** which is dated 7 May 1997, there is a time 13:00. There is a reference to “D/C/I” which is a reference to the Detective Chief Inspector at the time. Once again the press release talks about the Portadown police renewing their appeal for witnesses to a very serious assault and once again this would come from the from the head of the regional press office, Inspector [REDACTED]. This is a situation where the regional press office is liaising with the SIO, i.e. **P39** and it appears that **P39** wants a number of things done including appeals for witnesses.
54. Further down page **15069**, still on 7 May 1997, Inspector [REDACTED] is giving explanatory facts that she did not have when making the initial press release. She states that following investigations and interviews “*it now appears clear that four people, two couples, who had left a social event in St. Patrick’s Hall, were set upon by a large crowd. The two men in the group of four were knocked to the ground and viciously beaten. One young man remains very ill.*”

55. The mechanism of putting it on the wires, in terms of the preparation and approval of that message, is that it appears to have been done by Inspector [REDACTED] in consultation with the DCI, which would have been standard practice. That is one of the reasons why the regional press office existed. It did not exist just to respond to emergencies or factual requests but to be proactive in helping to solve major investigations and in helping to inform the community and to gather witnesses.
56. In terms of these press releases, I think I would have seen the ones that were initiated by the regional press office. Clearly if it was one that involved my approval or any other involvement, then I knew about it before it went out. If it was having sight of ones that were already issued for a particular purpose as this was, then, of course, I would have seen them at some stage. I can not think of any reason why I would not have seen them as part of the management information coming to me.
57. There has now been produced and shown to me document **15070**, a press release which I was involved in on 8 May after Robert Hamill had died. I remember working late into the night on that evening. I was involved at that stage because at that point the investigation became a murder investigation.
58. In a matter such as this the relevant press officer would be sitting with me and we would discuss the elements that ought to be included in the press release. I clearly would have an input and I would have to be satisfied with the content of the release.
59. I recall that during my time as ACC South Region there were five or six people charged initially with the murder of Robert Hamill and that one person was convicted in connection with the incident on the evidence of a police officer. I remember that the other charges fell through because witnesses withdrew their testimony. After I left this post I recall reading some media headlines about a person being charged with perverting the course of justice but the charging and prosecution did not take place whilst I was still in post at South Region.

60. Following my Inquiry interview one matter occurred to me which concerned Mr [REDACTED] I was a Police Prosecutor in the Magistrate's Courts when I was stationed in Cookstown and Omagh and Mr [REDACTED] acted for many defendants. I got to know him well and we had constant robust exchanges in the hearing of cases. He was forthright, honest and professional in every way. Mr [REDACTED] was one of the most honourable men I have ever known. It could be said of him without reservation that his word was his bond.
61. At some time shortly after I became aware of the allegation that R/Constable Atkinson may have acted improperly following the Hamill incident, I telephoned Mr [REDACTED] to his office to confirm that he was aware of the allegation and that it would be included in his remit of the supervision of the investigation. I did so simply to ensure that there was full disclosure of information to those who had a need to know it and proper co-ordination between agencies. I cannot remember the exact date or time of the telephone call which was quite short. I outlined to Mr [REDACTED] the nature of the allegation which had been made and the reasons for my call. I cannot recall if he already knew of the allegation but simply said something to the effect that you never know what comes up in an investigation, we will see what the evidence is. I did not ask for any other reaction or opinion – I was simply relaying information and double checking on process.
62. The possible significance of this call only came to mind after interview and when I was reading the transcript. If I had realised the possible significance I would have mentioned it during my interview but did so afterwards to ensure full clarity of my action and purpose. I contacted my solicitor and reduced this recollection into writing on the 28 September 2007 [page 74272]; I now incorporate it into this statement.

SIGNED: 

ROBERT FREDERICK HALL

Dated: 