

STATEMENT OF WITNESS

STATEMENT OF P18

DATED THIS DAY *3rd* OF *December* 2008

I, P18 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 I know to be false or do not believe to be true.

1. In April 1997 I was a Detective Constable stationed at Portadown. I had joined the Royal Ulster Constabulary in 1969 and after a period in uniform I was posted to CID in 1974. I served at Dungannon and on the Regional Crime Squad before moving to Portadown in 1991. I remained as a Detective Constable at Portadown until I retired from the police in 2002.
2. I have been asked to recall my involvement in the investigation into the murder of Robert Hamill. I have a limited memory of my involvement and I rely on statements and my notebook to assist my recall of events.
3. On 27 April 1997 I was on rest day and at 9am on Monday 28 April 1997 I paraded for duty to Banbridge police station in connection with another investigation not linked to the Hamill case. After completing my inquiries at Banbridge I returned to Portadown at 12noon. I was aware that a serious assault had taken place in Portadown the previous day but I cannot now recall how and by whom I was briefed. I recorded in my notebook [page 73919] that I carried out enquiries with DC Keys at the Alliance and Leicester Building Society and the Northern Bank regarding videos from CCTV systems at those premises. I do not recall viewing any videos neither do I recall visiting other premises.
4. I have would have thought that if video tapes were seized for viewing that they would have been entered into the inquiry system even though they may have proved to be of no evidential benefit. I believe that I just went with DC Keys on the CCTV enquiry I cannot recall anything further regarding the viewing or seizure of tapes.

5. I believe that the assault investigation was being run by Detective Inspector Irwin and although I cannot now remember, papers served on me by the Inquiry indicate that a manual investigation system was being used for the collation of evidence and recording of actions for enquiry. From my recollection the assault was being treated as a serious incident from the outset.
6. I have recorded in my notebook [page **73920**] on 29 April 1997 that I was engaged on the investigation into the assault, "*carried out inquiries with DC Keys re interviewing witnesses, Portadown, Belfast who may have witnessed assault. Conference at 5pm re same held by DI Irwin.*" I did not record the details of the witnesses in my notebook. These details would have been recorded on action record sheets.
7. I was engaged on enquiries linked to the investigation and it was the norm to have morning conferences and briefings usually taken by DI Irwin or one of the Detective Sergeants. I cannot now remember if Detective Chief Inspector **P39** was present at those briefings. At these conferences updates were given on the condition of Robert Hamill and I can remember that his injuries although serious did not appear to be life threatening.
8. I have been shown an action record sheet No.46 [page **14089**] which was allocated to me on 30 April 1997 and required me to identify, interview and take a statement from a Colin Prunty. On the bottom of the form in the section 'result of action' I can identify my handwriting where I have written, "*Colin Prunty spoken to on 3/5/97 and re-visited on 6/5/97 re movements on 26/27th April 1997 – details attached.*" I recall the name of this witness and that I did make enquiries with him on at least a couple of occasions. Although I now cannot remember him physically as a witness I do remember that he wasn't very forthcoming with me and wanted to distance himself from what had happened. I submitted that action on 7 May 1997 and having looked at the action [page **14090**] I can see that a witness statement and a questionnaire was taken from him but I cannot recall what he had to say as a witness.
9. Arising from the inquiry on 7 May 1997 with Prunty I submitted a message form [page **2308**] relating to a potential witness Maureen McCoy. This would have been the normal

way to have submitted information into the inquiry to ensure a potential witness was the subject of inquiry.

10. I have been shown action [page 13279] which was allocated to me to take a statement from Sergeant **P89** I knew Sergeant **P89** from being based at Portadown and I believe that I asked him to submit a statement of evidence and the action is endorsed in my handwriting to that effect. I did not interview **P89** or record the statement. Generally police officers were requested to make a statement of evidence. If anything further was required an action would be raised to re-interview or clarify what had been said.
11. I cannot recall Sergeant **P89** telling me that Reserve Constable Robert Atkinson had pointed out an individual involved in the public order incident and assault because I do not believe I spoke to him about people he had seen, I simply asked for a statement of evidence from him.
12. I did know Robert Atkinson from working at Portadown but not very well. I became aware of allegations made against Atkinson at a much later stage when he was arrested.
13. I have also been shown an action [page 13281] regarding obtaining a statement from Inspector McCrum. I cannot now recall if I recorded his statement or whether he made it out and I endorsed the typed copy as being correct.
14. On 6 May 1997 I paraded for duty at 7am and attended a briefing by Detective Sergeant **P15** in relation to arrests of suspects for the assault on Robert Hamill and **D**. Although I had been working on the investigation since 28 April 1997 I do not know why arrests were not made earlier. Together with officers from the Divisional Mobile Support Unit I went to the home address of Dean Forbes where a search was carried out for clothing. At 7.45am after the completion of the search I arrested Forbes on suspicion of being involved in an offence of grievous bodily harm I conveyed him to Lurgan Police Station where he was detained.

15. That same day together with DC Keys I carried out a series of interviews under caution. We interviewed Stacey Bridgett in the presence of a solicitor between 1028 - 1105am and 2.47 – 3.04pm. Dean Forbes was interviewed between 11.45am – 12.21pm and 4.20 – 4.50pm. I later prepared statements [page 9748 and 9749] regarding the arrest of Forbes and the interviews.
16. I cannot now remember what preparation DC Keys and I had for the interviews and who prepared the material.
17. On 8, 9 and 10 May 1997 I was on rest day and returned to duty on 11 May 1997. I was obviously aware that Robert Hamill had died and that a murder investigation was ongoing. I believe that on my return to duty after three days leave I was deployed to deal with other investigations and daily reported crime within the sub division.
18. I did carry out some inquiries after the 11 May 1997 but these were mainly linked to administrative tasks such as the checking of interview transcripts.
19. I have been shown witness statements of David Gray [page 630] dated 30 May 1997 and Philip Curran [page 632] dated 1 June 1997. I accept that I took these statements but I have no memory of doing so or how the witnesses presented themselves.
20. Similarly I accept that I took a statement from Ruth Leonard [page 316] on 15 September 1999. I have a vague memory of taking this statement in Craigavon as a continuity statement for the Coroner.
21. Although I was engaged in the investigation into the assaults on Robert Hamill and **D** between 28 April and 7 May 1997 I cannot recall allegations being made at that time against the four officers in the Landrover during that period. I can recall allegations were bandied about later but not during the initial investigation.
22. The investigation into the public order incident and assaults on Hamill and **D** were treated as a serious incident from the outset and I was engaged on inquiries with other officers prior to going on leave on 7 May 1997 during that time I and other officers

continued to investigate other crime as it was reported. The volume of work did not cease because a serious incident had been reported.

SIGNED: B. Kelly.....

P18
DATED: 3/12/08.....