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STATEMENT OF WITNESS

STATEMENT OF JOHN McDOWELL

DATED THIS 5<sup>th</sup> DAY OF JUNE 2008

I, JOHN McDOWELL, 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 served with the RUC between 1979 and 2001. In 1997, I was a Detective Constable attached to CID in Portadown. I became attached to CID in June 1983.
3. On Saturday 26 April 1997, I was on the early shift between 08:00 am and 16:00. On Sunday 27 April 1997, I was scheduled to cover the late shift between 15.00 and 23:00. At 07.00, however, Detective Chief Inspector P39 telephoned me and asked me to come in early. She said there had been a serious assault in the town the previous night and there was quite a bit of work to do. I got to the station by about 08.00.
4. When I got there, I attended a briefing given by Detective Chief Inspector P39. She told us that Mr Hamill and Mr D had been assaulted by a large crowd of people and were in hospital. I think Detective Constable Donald Keys, who was the other detective constable on duty, was also at the briefing. I do not recall anyone else being present.

5. At about 10.00 am on Sunday morning Detective Constable Keys and I attended the scene. My statement dealing with this is dated 30 April 1997 page **9248**. We had been directed by Detective Chief Inspector **P39** to go and have a look and make our observations. I recall there were some uniformed officers there but I cannot recall how many. I think the scene had already been cordoned off and police were there to stop the public entering the scene and contaminating it. I think from memory there was a police Land Rover about making sure no one stepped into the scene who shouldn't be there. I do not know who was responsible for securing the scene but I presume a uniformed officer had made the decision much earlier that the scene needed to be preserved. I had no concerns about the way the scene had been preserved.
6. We looked for any hard evidence such as blood or any instrument that may have been used in the assault. I don't recall seeing any blood. Detective Constable Keys and I found nothing at the scene and if anything had been found before our arrival I would have expected to have been informed. The senior detective was DCI **P39**, so anything that would have been done at the scene would have been done at her behest. We left the scene at about 10.20 am.
7. After leaving the scene I recall vaguely that Detective Constable Keys and I visited the Craigavon Area Hospital to find out what the position was with the injured men. I think we spoke to medical staff while we were there but I do not recall which member of staff it was. There may be a record of a name in the occurrence book. I think Mr Hamill was unconscious and it became obvious that the men were not in a fit condition to be interviewed. I do not remember seeing any members of the family or other friends there.
8. I don't recall taking anything away from the hospital from either or the injured parties. If we had been aware of clothing of either of the injured parties still there, we would have taken possession of it and taken steps to have it removed.

9. I note that on 27 April 1997, I also visited D's home and recovered jeans and a t-shirt from his wife E for examination purposes. My statement at page 6555 deals with that. I can't say if they were forwarded to forensics but it would be fair to say they probably were. I do not recall what happened after these items were sent to forensics for examination. If anything of significance had been found, however, I assume it would be mentioned in the forensic report. I think I also recorded a statement [Page 9098] from F on this date.
10. I cannot remember exactly what happened in the early stages of the GBH investigation but the next logical step would have been to find out who was present at the time of the assault, what they saw and to try to commit them to a statement of evidence. As a CID enquiry we would have said, "We need statements from the people who were involved." However, I was not the one who made the requests for these statements. In fact, later on that day I recall statements from the uniformed police officers who had been at the incident started to come in. I do not recall the names of any of them. I read them to get a picture of events and for evidential purposes e.g. to identify people at the scene. I would assume that DCI P39 would also have read these statements.
11. The investigation team considered whether it was appropriate to arrest straight away but felt it was too early. It would have been different obviously if we had witnesses identifying perpetrators because then we could have considered the arrest and interview of suspects. That scenario was not however presented to us in those first few days. I accept there were some descriptions starting to emerge by the Sunday evening but there were no names that fitted those descriptions. I do not recall any names coming up at that stage.
12. I cannot recall when names were first attached to descriptions. I assume the Detective in charge of the investigation would have started that process off. Quite often in situations like that CID would have called in the uniformed officers and

asked them to put names to descriptions. They were the ones who knew the locals best. At that stage Detective Chief Inspector P39 was still the Detective in charge.

13. If it had been my investigation I would have made sure that any officer who had any degree of involvement or any information to assist the inquiry, made a statement of evidence immediately.
14. I have been asked when the police became aware of witnesses at the scene. I do not know exactly. I do not know when the police became aware of witnesses A and B. I can't even remember who they were but we certainly did not become aware of them on the day of the incident.
15. I have been asked whether there was any record kept of the GBH investigation as it went along. I cannot remember precisely but there would usually have been two occurrence books kept. One would be filled in by the Station Duty Officer and once CID was notified we would have kept our own book. If a reported crime took place there would also be a crime form completed. If it is a serious assault where it is decided that CID should get involved quite often we would complete the initial crime form, which would have been a "form 38".
16. When Mr Hamill died and the investigation changed from GBH to murder, the investigation was moved up a gear and the officers in charge decided that they would have to carry out searches and arrests. When it became a murder investigation Detective Chief Superintendent McBurney, who was the head of CID for the region, took a major interest in the case and started making the decisions. At the same time an incident room was set up and I became the Exhibits Officer. Thereafter, save for one search and arrest operation my time was taken up as Exhibit Officer, which included liaising with FSANI. I do not know who would have been dealing with items sent to forensics before my role commenced.

17. My role as Exhibits Officer meant I had to ensure exhibits were handled properly. Uniformed personnel and detectives would complete a search and come back with exhibits that they had seized or had been handed to them. I would make sure that they were properly bagged, sealed and labelled. Each item would be entered in a property register and brought to the attention of the Detective Inspector or another officer who would decide what was to be done with them and they would be stored in the meantime. If he decided the item had to go to the forensic laboratory, it was my job to deliver it. Occasionally, there would be discussion about what we wanted the forensics lab to do, for example to look for fibres, blood prints or DNA.
18. On 27 April 1997, I received copies of the communications tapes from the night of the incident. I am shown my statement of 6 June 1997 page **9249**, which deals with that receipt. It appears I received them from Detective Constable McAteer. I then sat down and listened to the tapes and transcribed what I heard. From memory the original tapes were kept as possible evidence and I transcribed from copies. There were two channels in use at that time; one was for contact between the radio in the vehicle and the operation room (channel 19) and, one was for the officers' pocket phones (channel 37). Sometimes if an officer tries but fails to contact the operations room from the vehicle he will try on his pocket phone. Pages **6583 to 6588** are the transcript of channel 19 and pages **10550 to 10561** are the transcript of channel 37.
19. On 9 May 1997, I collected blood samples of Stacey Bridgett and Dean Forbes from the fridge in the custody suite at Lurgan and delivered them to the FSANI. Pages **6560 - 6561** are my statement dated 16 June 1997, dealing with that. I do not know what happened to them after that.
20. On 10 May 1997, I attended the search of Stacey Bridgett's premises and subsequently arrested him. My statement of 15 May 1997 at page **9692** deals with that operation. I do not recall the brief for the operation or indeed any of the circumstances.

21. Also on that day I received items from Detective Constable [REDACTED] My statement of 27 May 1997 is at page **6557**. I do not know who those items belonged to. If the ownership of the items was relevant, I would have expected to have been told but in that case I don't know if it was relevant.
22. I received other items on 10 May 1997 and these are set out in a compilation statement dated 22 June 1997 containing page numbers **6562** to **6563**. I cannot add to what is recorded there other than to say the date of receipt of the items is the date I received them not when the items came into the possession of the police.
23. I have been asked about a "CAT" jacket. I don't recollect making any inquiries with the retailers of this kind of jacket.
24. On 10 May 1997, I also appear to have attended two interviews. The first was an interview of Marc Hobson conducted by Detective Constables Honeyford and [REDACTED] My statement dated 12 June 1997 is at page numbers **9699** to **9702**. The second was the interview of Allister Hanvey conducted by Detective Constable Paul McCrumlish. My statement dated 12 June 1997 also deals with that, at pages **9703** to **9705**. I did not recall those interviews when asked about my involvement in the investigation however I accept that I did attend them.
25. On 15 May 1997, I received clothing items from Detective Constable Honeyford. My statement of 21 May 1997, which deals with that, is page **6556**. I do not know to whom these belonged but the police identification mark on the form sent to forensics should have identified the source of the items. I assume that Detective Constable Honeyford had carried out a search that day and seized the items or had them pointed out to him and he decided to seize them. Usually, items are handed over by the officer who found them and are bagged and labelled on the same day. It is important for the purposes of continuity that all steps can be accounted for and they do not pass through unidentified hands.

26. On the same day, I received some items from Detective Inspector Michael Irwin. My statement of 27 May 1997 page **6558** refers to that. Those items were a pair of Adidas shoes belonging to Andrew Allen. I assume DI Irwin would have made a statement dealing with those shoes for continuity purposes but I have not seen one. I would expect to see a statement signed by him saying he handed such and such item to me. I don't know how and when they had been received by the police. I conveyed the item to FSANI but I don't recall who briefed me to do so.
27. I note from that statement that the items EH10 and EH11 were returned to Detective Constable Honeyford the same day and received back from him. I do not know why I wrote that. I can only assume that he had finished with them but what he did in between times because I was not with him. For whatever reason he handed them back to me and the next day I sent them to the FSANI.
28. On 26 May 1997, I recorded a statement from Shelley Liggett. It is at page numbers **6208 to 6210**. She named a number of individuals whom she was with on the night of the incident and when and where she saw them. I did not receive any particular briefing other than interview and record a statement from her. I do not know whether the names she mentioned were new to the inquiry or not. I don't know what action was taken after the interview and recording the statement.
29. In June 1997, my involvement in the Robert Hamill case came to an end because I was transferred to the HOLMES unit based at Gough barracks in Armagh. At that time, HOLMES and CID were separate units. I had no involvement in the investigation into alleged police misconduct.
30. On 10 August 2001, however, I was interviewed by **J**, who asked me whether the names Tracey Clarke or Victoria Clayton were mentioned to me on 27 April 1997 while on duty in the CID office. I say in my statement of the same date, at page **25669**, that I had no recollection of that. I do not know why I was asked that

question in 2001. I still have no recollection of their names being referred to specifically other than as potential witnesses at the scene.

SIGNED: *(Signature)*  
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JOHN MCDOWELL

DATED: *5.6.08*  
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