

**STATEMENT OF WITNESS**

**STATEMENT OF JOY SMYTH (nee Kitchen)**

**DATED THIS**

**DAY OF**

**2008**

I, JOY SMYTH, 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. In April 1997, I was in a relationship with Rodney Smyth who is now my husband. Rodney and I started going out in early-mid April 1997. At the time, we socialised with Andrea and Michael McKee who we knew through the Tae Kwon Do Club where we both trained. I had joined the Tae Kwon Do Club in I believe September 1996 and Michael McKee was my instructor. Rodney and I do not have contact with Andrea or Michael now, as we had a falling out with them years ago probably around 1998. The falling out was over matters not involving the events of 26/27 April 1997 but linked to Rodney's own Tae Kwon Do classes.
3. I do remember hearing about a fight in the town centre of Portadown and someone dying I must have heard it on the news or read about it in the paper, it is now so long ago I cannot say how I heard about it. I cannot recall seeing any fighting in the town centre. Rodney and I did not socialise in Portadown town centre.

4. I was not friendly with Eleanor and Robert Atkinson, but I did know their daughter quite well through Tae Kwon Do. I also knew of Allister Hanvey through the Club although I would not say we were friends.
5. I went to the McKees' house with Rodney on three or four occasions over the course of the friendship, but I do not recall whether we were at their house on the night of 26/27 April 1997. Rodney and I would normally use taxis to go to their house if we were drinking and would always arrive and leave together. I do not recall ever watching a boxing match at the McKees. I did not have independent access to the McKees' house and do not recall ever being in their home without Andrea or Michael being present.
6. I have also been asked about how I came to make the statement, [page 17382] to the police. That statement is signed by me and is dated 13 November 2000. Although I was not aware that I was making a statement I accept what is said in the statement as correct.
7. I recall that I was at Rodney's house when I spoke with police on 13 November 2000. The Police had been at my home earlier and my parents had told them I was at Rodney's. When speaking with the police, I was not informed at any stage that the document I signed was a statement and could be used as evidence.
8. Sometime after speaking with the police, Rodney overheard a conversation in which it was said that he and I had given police a ten-page statement to police naming people who were involved in the fight in the centre of Portadown in the early hours of 27 April 1997. We knew this was not true and were concerned that people were talking about us.
9. Rodney and I then saw our solicitor, [REDACTED] about this and Mr [REDACTED] wrote a letter to the police on our behalf requesting that our statements be withdrawn and destroyed. However, I can confirm that the contents of that statement [page 17382] are true to the best of my knowledge and belief.

10. Some time after Mr ██████ sent the letter, I was approached by police about my request to have my statement withdrawn. I cannot now recall when this took place. I have been shown the statement of Acting Detective Inspector H dated 16 May 2002 [pages 19959 to 19960]. In that statement H states that he went to my home on 15 May 2002 to speak to me about the statement I had made and the letter from Mr ██████. I recall telling the police that I did not want my name involved, that Rodney and I had nothing to do with what happened and did not want our names brought up in the context of the incident. At the time I had not been threatened and was not in fear.
  
11. I was never asked to give evidence at a trial, nor do I recall ever having contact with the Director of Public Prosecutions.

**SIGNED:** .....

**JOY SMYTH**

**DATED:** .....