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18 DEC 2008

STATEMENT OF WITNESS

STATEMENT OF P41

DATED THIS 4<sup>th</sup> DAY OF December 2008

I, P41 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 am married to P42. Our relationship started on 14 April 1997, less than two weeks before the attack on Robert Hamill. P42 and I got married four years later on 14 April 2001.
3. In April 1997 P42 lived alone in a flat in Thomas Street, Portadown. I am not sure how long he had been living there. At that time I lived with my parents in Portadown.
4. I cannot recall the exact number of P42's flat but I do remember that the front door was brown with slits in it. I have been shown some photographs of Thomas Street and these have refreshed my memory of the location. The flat was in a big row of brown buildings on the bend of Thomas Street on the same side of the street as number 7B3. I know that P42's flat was up some stairs but I cannot remember whether it was on the second or third floor.

5. I visited P42's flat about once or twice a week, mainly in the evenings. Most of the time P42 would come to visit me at my parents' house. I remember that P42's bedroom and living room overlooked Thomas Street but I cannot describe the view out of the windows because I never actually went into his bedroom and the curtains were usually drawn when I was in the living room.
6. P42 did not go out to pubs and bars in Portadown or Banbridge at that time because he does not drink and he does not go out socialising. I do not know what P42 would do on Saturday nights before he started going out with me but when we got together we would spend the evenings either at my house or at his. However, I never stayed over at the flat in Thomas Street. My mother or father would drop me off at P42's flat and pick me up again.
7. I was not aware at the time that the junction of Market Street, High Street and Thomas Street was a flashpoint for violence between Protestants and Catholics. I do not know whether P42 knew it was or whether he had witnessed any violent incidents in the town centre prior to the attack on Robert Hamill. I never witnessed any violence myself because I always went home early.
8. I first heard from P42 that he had witnessed a fight when he came around to have lunch with my mother and father on Sunday 27 April 1997. I think he mentioned it around the dinner table. My father had seen the story of the attack on Robert Hamill on the news and made the connection with what P42 had witnessed.
9. My father was a police officer until he retired in around 1995. When P42 described what he had seen the previous night, my father said that it would be a good idea to tell the police about it. P42 said he would do as long as he could remain anonymous. My father suggested that he could make an anonymous statement to the police and he agreed to contact someone in the RUC to see if this was possible. I do not know whether my father tried to encourage P42 to go to

the police directly or whether he suggested other ways of P42 being able to assist the police whilst protecting his identity. He may have spoken to P42 when I was not present.

10. My father did then get in touch with someone and was told by them that P42 could make an anonymous statement. I do not know who my father's contact was. I believe that my father worked in Portadown during his career but I do not know whether he had maintained any contacts in the police there when he retired. I also do not know whether he had dealt with any similar incidents in Portadown in the past.
11. I have been asked why P42 wanted to remain anonymous. I think he was concerned about what might happen if he told the police about what he saw. He did not want any harm to come to himself or my family. My father, being an ex-police officer, was also concerned about what might happen to him or his family if P42 went forward to the police.
12. P42 dictated his anonymous letter to me in my bedroom and I typed what he said on a typewriter. There was no one else present. The letter is contained at page 1038. I cannot remember whether P42 dictated the letter before or after my father confirmed with the police that P42 could remain anonymous. After I had finished typing I handed the letter to P42 and he read it through to check he was happy with it and that he had covered everything. He then put it in an envelope which I think was sealed and he handed it to my father. My father had no input into the contents of the letter and I did not see him looking at the letter at any time.
13. I do not know how the police got the letter and whether my father delivered it to the station himself. The cover stamp at page 1037 shows the letter was not logged as received by the police until 29 May 1997. I do not know where the letter was in the interim. I am told that the letter had 13 unidentified fingerprints on it when it was received by the police but I have no idea about who else could have handled the

letter beforehand. The A4 paper the letter was typed on was probably kept in a drawer in my bedroom.

14. I am told that after Robert Hamill died on 8 May 1997. Crimestoppers made an appeal for witnesses to call in with information. P42 and I did not hear that appeal. I do not know whether P42 ever thought of telephoning the police to tell them what he had seen rather than writing a letter.
15. I am also told that DC McCrumlish visited my parents' house on 5 June 1997. I was not aware a police officer had made this visit. I do not know whether this meeting came about as a result of my father contacting DC McCrumlish himself.
16. At some point during or after 1999 someone from the police contacted my father or said they needed to know who had written the anonymous letter. The person said they were going to subpoena my father if he did not tell the police who it was. I do not know who contacted my father or precisely when it was.
17. Sometime before our marriage in 2001 P42 was invited to the police station in Portadown to be interviewed. This is how I knew that the police had traced the letter to him. I cannot remember how the interview was arranged but he did have an appointment to go to the police station at a particular date and time. I dropped P42 off at the police station and he went into the interview on his own. The interview lasted about two hours and when I picked him up afterwards he was very shaken up. His hands were shaking and his face was red.
18. P42 told me that he had been given a hard time during the interview. He said he was pushed for answers and the police officer made him feel like as though he had attacked Robert Hamill. I think the interview was conducted by only one police officer but I do not know the officer's name or rank. I do not recall whether P42 said the interview was recorded or not.

19. I think the next contact P42 had with the police was when they came to the house on 8 October 2002 and again on 27 November 2002. I have been told that the notes made during the first visit state that P42 would not be able to speak to the police for about six weeks because he had been electrocuted at work. This is correct. P42 was electrocuted whilst he was turning a vacuum cleaner either on or off. He could not move his arm after it happened and he had about seven weeks off work. It was the stress of the electrocution that meant P42 could not talk to the police in October 2002.
20. We did not go and seek any legal or other advice after the police visited in October. I may have mentioned the visit to my father but we mainly kept it to ourselves. When the police came back on 27 November 2002 both P42 and I were interviewed. I think I remember the police offering to treat P42's evidence in confidence but I do not know why he declined to make a statement. I personally did not have much confidence in the police's offers because they had originally said P42 could write an anonymous letter but they then tracked him down.
21. P42 was unable to remember much during the interview in November 2002. It was five years after the events in 1997 and he had been through a lot in between. He has had difficulties with his long-term and short-term memory in the last year or two but I do not know whether he had these problems at the time of the interview in November 2002.

SIGNED:

P41

DATED:

.....4th December 2008