

Eh this is a continuation of eh an interview with Robert eh Atkinson. The time is 10 33 pm ehm it's, persons present still in the room, Mr Atkinson, his solicitor eh DS McDowell, [redacted] and [redacted]

OMBUDSMAN

[redacted] Eh right, Robert just again to remind you that you remain under caution eh as per Article 3 of the Criminal Evidence (Northern Ireland) Order 1988, that you do not have to say anything, but I must caution you that if you do not mention when questioned, something which you later rely on in Court, it may harm your defence. If you do say anything it may be given in evidence and that's in relation to the alleged Conspiracy to Pervert the Course of Justice on the 27th of the 4th 97 and the 25th of the 11th 97 relating to the Murder of Robert Hamill. Do you understand that.

ATKINSON

I do.

OK - back to eh Alistair Hanvey in the morning in question

ATKINSON

Yes.

I refer to an item called JD23 and copy of, it's a financial document which shows ATM bank transactions, cash card transactions and it shows one in particular that we want to focus on which is a bank card transaction by Alistair Hanvey's card, a First Trust card; it's from the Ulster Bank in Portadown, it's for ten pounds on the 27th of the 4th 97 at 8 46 am, that's in Portadown town so

SOLICITOR

8 46 am

8 46 am

SOLICITOR

Ten pound.

Ten pound, UBL Portadown, Ulster Bank Limited, Portadown, now again you are getting tired but what Alistair has said during interview and I know it's nothing for you, you can't answer for him but what he's saying in interview is he went to his Uncle Tommy's house at three, half three in the morning

ATKINSON

Uh huh.

And goes in and sleeps there until his father comes and collects him, Kenneth comes and collects at Uncle Tommy's house at ten o'clock or so

ATKINSON

Again I can't comment on that.

However, people with Alistair, people put him at the party until five, half five, people with Alistair leave the party, say they see the tape which says which goes up at half seven, we have a cash card transaction by Alistair taking ten pound out of the Ulster Bank thing at 8 46 am, they talk about him getting a taxi, at a quarter to nine or ten to nine he's getting ten pound out of a cash machine, I would say he was not at Uncle Tommy's, certainly he wasn't at Uncle Tommy's at 3 am

ATKINSON

And again

I would say he wasn't there at any stage during that night, he has more than likely got ten pound for a taxi and gone home. The point I'm leading on to whenever we look at telephone analysis again it's sort of an extract, I refer to here as item DL24 which is a sequence of calls between your house and then Thomas and Kenneth Harvey eh it brings in Jonathan Wright again. The very first call we have in the analysis is your call, the call from your house to Kenneth Harvey's house

ATKINSON

Uh huh.

Which we have talked at length, 8, the 27th of April, 8 37 am for one minute thirty-five. We then have a call, this is all taken from various bills, extracted from various accounts but eh it's actually extracted from DL12 and 13 which is your telephone accounts eh Thomas and Kenneth Harvey's. Given that you make a, or sorry

ATKINSON

Uh huh (inaudible)

A call is made from your house to Kenneth Harvey's house and we would allege that was a call made saying get Alistair to destroy his clothing and that's why we say we don't know, we do not believe that Alistair was actually home at that time, the call was made to the home, to tell him of this, if the allegation is true; get him to destroy his clothing. The initial reaction would be for someone to try and get in touch with, with Alistair if he wasn't there at home. The next call we have on our list here would be one from Tommy's house to 192, which is eh what do you call it, I'm trying to find a number eh

ATKINSON

Directory enquiries.

Directory enquiries 261 directory enquiries

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and a number they don't know. Immediately after ringing 192 and with, it's the kind of system we can't establish, it's not possible to know what 192 call was asked for, it's just a, it's 192 goes on this, it

SOLICITOR

Uh huh, uh huh.

But immediately after 192 dials Tommy Hanvey or the house, Tommy Hanvey's house rings Wright's house, Mr [REDACTED] Wright's house which is Jonathan Wright's father, that's the house where Jonathan Wright would be, again it's a call to that house

ATKINSON

Who is

From Tommy Hanvey's house

ATKINSON

Who is Jonathan Wright if you don't mind me asking.

Jonathan Wright is the lad, one of the lads that was with Alistair that night. He was one of the lads that describes Alistair in the town centre

ATKINSON

Oh right, right, I wasn't, I wasn't

One of the people who was kicking about with Alistair that night.

ATKINSON

I wasn't party to that, right.

Jonathan was very, was close to Alistair that night, he spent a lot of time with Alistair that night so he was one of probably his best mates. Tommy Hanvey rings Wright's house, well Tommy Hanvey's house rings Wright's house to be fair, it's at 9 46, it's only for eighteen seconds. At 10 03 Kenny Hanvey's house rings Tommy Hanvey's house for fifteen seconds and on the 27th of April again the same time, 10 58 there is a call from Thomas' house back over to Kenneth's house for fifty-two seconds. Now you can interrupt that in many ways, people trying like mad to try and track down Alistair at that time of the morning, which is probably the most logical, you could put any (inaudible) on it but there is an awful lot of traffic between those three houses and for the first time Mr Wright's house, who doesn't appear normally but then he suddenly appears. We come on again to Jonathan Wright, Jonathan Wright makes a statement in relation to, where he describes Alistair Hanvey having a silver jacket with orange stripes down the sleeves. R/Con Warnock at the scene talks about Jonathan Wright, talks about Alistair Hanvey and the jacket, he describes him at the scene having a jacket with grey sleeves.

Mr Jim Murray, [REDACTED] husband,  
father, father-in-law, step-father of Tracey

ATKINSON

Ehm.

He says he recalls Alistair having a silvery jacket with orange stripes on the sleeves yet each and every person that was interviewed in relation to Alistair including himself all say he was wearing a black Cat jacket. Now I'm referring to Kenneth and Elizabeth Hanvey, Tommy Hanvey, Alistair, everybody say oh he definitely had a black Cat jacket which low and behold Alistair had at the house whenever he was searched.

ATKINSON

Right.

The point we are making here is that a number of independent witnesses, R/Con Warnock, Jonathan Wright on the night in question refer to Alistair having a grey jacket

ATKINSON

Right.

And Jim Murray recalls him having a grey jacket. There also was, if you recall backwards there eh Irene Clarke, Tracey's mother said that she had heard or eh Tracey had told her, was giving off about Alistair burning his jacket. Alistair had a jacket which he had burnt.

ATKINSON

Right, did Sergeant P89 say what he was wearing.

No.

ATKINSON

I can't recall myself.

You can't recall what he was wearing. You see the point we are making is that a number of witnesses, Jonathan Wright being the main one and also R/Con Warnock refers to Alistair on the night of the incident having a grey, something grey on him, a grey jacket. Jonathan Wright refers to a grey jacket with orange stripes. Jim Murray says he recalls him wearing a grey track suit type jacket or a jacket of some kind with grey, with, with orange stripe on the sleeve. It would seem to be the indication that Alistair was wearing a greyish type, silver type jacket that night.

ATKINSON

I don't know.

Yet that disappears off the face of the earth and we would believe that's possibly the coat that may well have been one of the coats that he had burnt, the clothing that

he burnt. The point we are making here is the sequence of telephone calls, is following your, following a call from your house to Kenneth Hanvey's house, 8 37 in the morning there is a lot of flurry of activity; we do believe that Jonathan

ATKINSON

I don't know.

Was not at home. We know that Jonathan was not at home, he was wandering about the town, he was getting cash from cash points; he was walking past the tape, he was at parties, he was kicking about the town and when Kenneth Hanvey was first interviewed he refers to the fact of going over to Tommy's house to collect him, that could well have been true or it's very unlikely to be true.

ATKINSON

I have no comment to make on that, it's nothing to do with me.

I don't want to dwell a whole lot more on that, there is a couple of minor issues I want to just question you about, to see if you have any eh indication to it. The 10th of May, the 10th of May is the date that Alistair Hanvey was arrested, a number of people were arrested following the statement of Tracey Clarke, a number of arrests were made and Alistair and a few others were arrested. You were actually on Rest Days, that was a weekend off for you

ATKINSON

Right.

And shift, you were off that day, the 10th of May, there are a couple of calls here eh I'm referring here to DL16, it's telephone billing from Portadown Police Station and I know it's difficult for you to remember back at that stage, the 10th of May at 1352 Portadown Station rings to your home, 1352 hours which is eight minutes to two

ATKINSON

Right.

There is a call for seventeen minutes to your home; can you recall

ATKINSON

God, bless you.

And I'll add to this as well now, I refer to DL17 which is a further sheet of page of, of billing from Portadown Police Station. Again the 10th of May at 1627 which is twenty-seven minutes past four in the afternoon there is a call again to your home, [REDACTED] which is your phone number [REDACTED]

ATKINSON

Uh huh, yeah.

For twenty minutes twenty-six seconds and that's the two calls

ATKINSON

Right.

One for seventeen minutes nineteen seconds

ATKINSON

I don't know

Eight minutes to two and then again at twenty-seven minutes past four

ATKINSON

I don't know, you don't

A further call for twenty minutes

ATKINSON

Know what extension it was made from or

No

ATKINSON

I would have no, it's, like it's a long time ago I have no recollection of that at all, no.

If Portadown Station is ringing to your house I would presume it's ringing to you rather than any other member of your family, would that be the case.

ATKINSON

Oh probably, yes, aye but you would get eh an odd time eh some of the SB boys would have rang the wife looking an address because she was able to

Through the Electric Board but have you any recollection of either those two calls

ATKINSON

I can't, no

Seventeen minutes and twenty minutes, it was a considerable length of calls

ATKINSON

It is, aye, you know it's too long ago I can't. An odd time some of the boys would have rang me about football or something, you know but it's just hard to put your finger on a call near four years ago, isn't it.

Yeah, it's of interest that that's the date that Alistair Harvey is arrested.

ATKINSON

Well, again it could be sure, pure just

I just want to check to see what else we have to cover, would you have called then at Michael McKee's house following that time, would you have called at McKee's, to Michael's would you at [REDACTED] on duty.

ATKINSON

It's very occasionally but not, I never really called on duty at all, no.

We do have a statement of a Constable South, it was an Officer someone who refers to the fact that he had been with you at one stage and you called out on duty to the house.

ATKINSON

I might've, I might've just called, I didn't, like I wouldn't have made a habit of going.

Well the reason I'm asking that is that Jim Murray of the Estate would say that he does recall, he lived across the Square from

ATKINSON

Yes.

Michael McKee in [REDACTED] and said that he saw you on occasions calling at Michael's on duty, calling in, up and down

ATKINSON

The only time, they were away on holidays a couple of times, I called to check the house

Right.

ATKINSON

I know that.

Did you explain (inaudible)

ATKINSON

As I did with several other houses in [REDACTED] at the same time

Yeah.

ATKINSON

We had a vacant house book.

Yes, I think all Stations have a vacant house book

ATKINSON

Uh huh.

Which is more or less used, sometimes more and sometimes less. I have it here, Myrtle South. It's a statement made on the 1st of February 2001. I do recall being on duty with R/Con Atkinson when he called at [REDACTED]. I always remained in the Police vehicle as I knew the householder, Michael McKee was a personal friend of R/Con Atkinson and he has taught his daughter Tai Kwando. This has come up in general conversation many times. I also saw his daughter on TV with Michael McKee doing her training. I am unable to recall how many occasions this calling occurred but once specific occasion which I do recall him, recall him calling at [REDACTED] when the householder had been reported missing by his wife.

ATKINSON

Yeah, you see he had a habit of going on the bender so he had.

These calls would have lasted more than fifteen minutes. I don't recall if anyone else was in the Police vehicle.

ATKINSON

I probably did call on that occasion as she says.

I want to refer here to eh item JCMc or JMcC, if I can find the exhibit number here on it, JDMcC1, it's your overtime form

ATKINSON

Right.

It's on, to cover the day of the phone call, the 27th of April

ATKINSON

Right.

Now we have covered this earlier perhaps I should've done it then is that you were recalled to duty at six o'clock and you stayed on to shortly after eight

ATKINSON

Yeah.

Seven minutes past eight as we say

ATKINSON

Uh huh.

That phone call you were still in the Station.

ATKINSON

Right.

You initially submitted your F40 and you had put on it 0745

ATKINSON

Yes.

I've photocopies of your F40 here on the, 0745 is initially you put the F40 in.

ATKINSON

Yes.

It was returned to you under query saying that you had claimed seven hours but that wouldn't make seven hours

ATKINSON

Right.

And you re-submitted your F40 putting on it amended 05 hours to 0845

ATKINSON

Right.

Why did you amend that up to 0845.

ATKINSON

Oh

What I'm saying is did you move that up to 8 45 to say I am still at work to 8 45 so therefore I could not have made that call.

ATKINSON Not at all, no I did not.

To pass your eh duty time past the call,  
period of that call

ATKINSON When was that ehm it was sent it back to me.

There is covering notes here now

ATKINSON And you're, you're alleging this conspiracy  
happened in October sometime and that was  
sent back to me

Well that, there's, there's a minute out to  
you on the 20th of June 97

ATKINSON Uh huh, uh huh, you know what I mean, I  
don't honestly know what the difference was  
in hours I know it was sent back to me.

That's your writing there, you have, written  
on it

ATKINSON Uh huh.

Hours for the 26th of the 4th 97 are as  
follows 1545

ATKINSON Uh huh.

To 0300, recalled to duty ie Hamill Murder,  
05 to 0845

ATKINSON I don't know.

Sorry for the mistake on my sheet,  
R Atkinson, R/Con.

ATKINSON I don't know, it's that, it's that long back  
I just can't recall what the change was. I  
know they sent it back to me for some  
reason.

They sent it back because you had put it in  
saying

ATKINSON Aye.

7 45 and what they actually said to you

ATKINSON Uh huh.

On the (inaudible), I think it says on the  
front here is that if you did 7 45 then you  
wouldn't have seven hours overtime you  
probably would only have six hours overtime

ATKINSON Right.

If you finished at 7 45

ATKINSON I don't know.

So you didn't send it back and said no that's actually 8 45, I had seven hours overtime not six. I have seven, it's actually 8 45.

ATKINSON

Usually Sergeant [REDACTED] checked those, you know what I mean.

Yeah.

ATKINSON

So there is bound to be a reason why I did that. He could've told me to fill those hours or something, I just, I don't recollect, I don't know.

Could it have been that you were aware in your own mind that I made that call

ATKINSON

No.

In round that time and I

ATKINSON

Definitely not

Was at the Station

ATKINSON

No.

I am at the Station at work here, that call has nothing to do with me.

ATKINSON

Well if you, if you put that thing forward then ehm the story about going into the house doesn't hold; you're putting me in the house when everybody else is walking about the house. Do you understand what I'm saying.

Well I don't say that your F40 is true, I mean at 8 07 when you speak to Constable Neill you are basically saying I'm leaving here now so I have no doubt that you probably were leaving very shortly after that.

ATKINSON

I did, yes, uh huh. I don't understand why it's 8 45, I've, it's just I have no explanation for it and obviously eh

What I'm saying a possible explanation is saying I'm on duty to a quarter to nine in the morning

ATKINSON

I don't

OK, there is a call from my house at twenty to nine

ATKINSON

Yeah.

But I'm still at work.

ATKINSON

But then if I, if I put that explanation

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forward then what you're saying is that I  
 would have been walking through  
 Michael McKee and then having breakfast  
 which I didn't do.

Well I believe you probably did.

ATKINSON

Well I didn't.

They probably didn't do because they weren't  
 there.

ATKINSON

Well that's your thought on the matter, I  
 know what happened.

Because let's be honest Michael McKee and  
 Andrea McKee were sitting at home at 1 30 am

ATKINSON

No.

Ringin' for a taxi for Joy Kitchen and  
 Rodney Smith.

ATKINSON

No.

I just want to check through the things I  
 have to cover here, I think I have covered  
 most of the stuff that I wish to cover  
 tonight eh we do intend to bail you to come  
 back a six months time

ATKINSON

That's all right.

And if there is many issues that we have  
 not covered, small issues we can do it then  
 rather than

ATKINSON

Right.

Struggle through, you are happy enough with  
 that

ATKINSON

That's all right.

Because there may be issues that I want to  
 ask you but I think we have covered a fair  
 bit of stuff there during interview  
 (inaudible)

SOLICITOR

Well you can confirm that you have no  
 problem in attending voluntarily.

ATKINSON

Well it's a point I would like to make

What - (inaudible) mentioned in an earlier  
 interview or anything or - yeah, I suppose  
 if we go through that, James Michael McKee's  
 statement - I'm thinking about, about  
 earlier today - well sure go ahead there if  
 you want - (inaudible) - no, I'm just asking  
 do you, I mean do you want or not. I mean  
 if you want to leave it or (inaudible) - no,  
 no, no, I'll - oh right, OK

James Michael McKee, I think we maybe covered most of his statement - yeah, oh aye that statement has been covered - has it - yeah - that's fair enough, no that's fair enough. No the issues that we have not, what I see there that I, t hat needs to be addressed are very minor

SOLICITOR

OK.

Issues which, which would be fool

ATKINSON

Right.

It would be foolish of me to try and eh to dig into them now.

ATKINSON

Could I say something now.

You certainly can.

ATKINSON

Right eh you are the Ombudsman's representative here

OMBUDSMAN

Uh huh.

ATKINSON

Right, over the last period of about a year, eighteen months my phone has been tapped, I have been followed about, my wife has been followed about, my son has been followed about, I feel that eh my family's human rights have been affected. The day for instance one phone call to the solicitor last night I would gladly have been here at nine o'clock this morning as would, as would my wife eh she was arrested outside her work. I followed down the road to Saintfield and arrested in a Starsky and Hutch type operation which is bound to have cost the public a fortune where one phone call to Mr Hagan would suffice.

Uh huh.

ATKINSON

And I feel eh very much aggrieved about that.

Uh huh.

ATKINSON

I asked today could someone be present, an independent person be present when my house was being searched, that wasn't seen to at all as far as I'm aware. I haven't got an answer to that yet. I phoned my daughter there a while ago and she says the house has been trashed, I haven't seen it either but I intend to take a few photos if it is.

Uh huh.

ATKINSON

But I would just like to make that point to you that I would gladly have attended here, have done previously twice with Mr Hagan, no

problem at all without a Starsky and Hutch type operation to have the two of us arrested.

Uh huh.

ATKINSON

Eh I believe the whole thing is reported on the radio, Ombudsman has did this and Reserve Policeman arrested and all that eh in my opinion that is all, could've been done without and I just want to make that plain to you.

OMBUDSMAN

OK, that's fine

ATKINSON

All right and I hope you take that on board.

OMBUDSMAN

Uh huh.

Is there anything else you want to say in relation to the content of the interview.

ATKINSON

No.

Very particularly as we leave, is there anything else you want to comment on the aspect of, you have previously

ATKINSON

I have said all I wish to say regarding the matter.

You have previously been interviewed and you have given or has implied that Michael and Andrea McKee were at your home and made a phone call

ATKINSON

I have already given you a

And we have now

ATKINSON

Any explanation for that the day already.

Yeah.

ATKINSON

I intend to say nothing more on the matter.

Not more in relation to that matter.

ATKINSON

All right.

Is there anything you wish to say, Mr Hagan.

SOLICITOR

Nothing more at the moment.

Anything you want to add at this stage.

OMBUDSMAN

No.

Thank you. You have previously been served a PACE 21 which

ATKINSON

Yes.

You gain access to copies of the tapes, if you wish them and eh that being the case we will terminate the interview at 10 51.

CHECKED & CERTIFIED AN ACCURATE TRANSCRIPT OF PACE TAPE NO T255483A INTERVIEW OF ROBERT CECIL ATKINSON ON 10 APRIL 2001 BETWEEN 2233 HOURS AND 2251 HOURS.

*Howell*

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