

R313

TAPED INTERVIEW - R/CONSTABLE ROBERT CECIL ATKINSON, R4610

Testing. This interview is being tape recorded. It is a discipline only interview. The interview is being conducted in a interview room correction office at Portadown by the way it is a solicitor's office, Sean Hagan's. I am Chief Inspector Richard Samuel Bradley, RUC Complaints and Discipline Branch, Gough, Armagh. There are no other police officers present. The date is Monday the 7th of February 19, correction 2000. The time by my watch is 4 29 pm. Also present is -

Sean Hagan, Solicitor, Portadown.

Q What is your full name.

A Robert Cecil Atkinson.

Q Your rank.

A Reserve Constable.

Q Your number.

A R4610.

Q Your station.

A Craigavon.

Q At the conclusion of the interview I will give you a notice explaining what will happen to the tapes. I will now inform you the nature of my enquiries. I understand that on the 27th of April 1997 at 1 45 am or thereabouts a public order disturbance developed in the vicinity of

Market Street/High Street junction with Thomas Street in Portadown involving a crowd of Protestants with Catholics in which Robert Hamill, a Catholic, was beaten and subsequently died from his injuries and a D, a Catholic, was beaten unconscious. There was a police landrover with police on board parked in the vicinity of Market Street/Woodhouse Street junction almost opposite the junction or correction almost opposite the disturbance. [REDACTED], Solicitor, Lurgan on behalf of Diane Hamill, [REDACTED] Portadown and the deceased Robert Hamill alleges in a letter dated the 6th of May 1997 - I act on behalf of Mr Robert Hamill and his sister in relation to an incident which occurred in the early hours of the 27th of April 1997, my incient, correction my client instructs me that her brother was seriously injured in an assaulted which occurred at the junction of Thomas Street/Market Street, Portadown. On that date my client instructs me further, she has been informed that certain police officers witnessed this assault and did not intervene as promptly as possible. There followed from [REDACTED] much later prepared statements of 2 civilian witnesses basically alleging neglect of police, interruption - a lady entered the room and is leaving now. There followed from [REDACTED] much later prepared statements of 2 civilian witnesses basically alleging neglect of police in the landrover in dealing with the disturbance. Police remained in the landrover ignoring a plea for help and did nothing until

arrival of the ambulance. During the criminal investigation and court hearing relating to the death of Robert Hamill many witnesses related that police remained in the landrover until the attack was over and were not doing much to stop what was happening although many witnesses related that police from the landrover were actively involved in attempting to quell the disturbance. During the criminal investigation offences of withholding information and assisting offenders were considered against you in light of revelations that you were possibly in touch by telephone with a suspect in relation to the matter. This basically is the allegation and evidence. Now I have to ask you were you the occupant of a landrover parked in the vicinity of Market Street/Woodhouse Street junction in Portadown on the 27th of April 1997 at 1 45 am or thereabouts.

A I was.

Q In view of the allegation which is tantamount to neglect of duty I am required to caution you under the RUC Discipline Regulations. Before continuing you are aware that the matter was investigated from a criminal point of view and was referred to the Director of Public Prosecutions who directed 'No Prosecution' against any police officer. Is that correct.

A That's correct.

Q Is it correct that you were served with discipline Forms 17/3 - Notice of Allegation of Complaint Against Police by [REDACTED], Solicitors, [REDACTED] Lurgan

on behalf of Diane Hamill, [REDACTED] Portadown representing the late Robert Hamill arising at Portadown on the 27th of April 1997.

A That's correct.

Q Is that a copy of the Form 17/3 which you signed confirming receipt.

A It is.

Q Is that your signature.

A It is.

Q Date.

A Yes.

Q Rank.

A Yes.

Q Is it correct that during Form 17/3 service you also received a form relating to Evidence by Inference which basically explains that if you do not answer relevant questions or provide explanations during the interview it could be detrimental to you giving evidence at your possible disciplinary proceedings inference could be drawn by the Tribunal at your refusal or failure to answer the questions. Did you receive that form.

A I did.

Q Did you also receive a list of representatives.

A I did.

Q I have already explained the allegation which is contained in Form 17/3 and I now caution you. I say 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 any subsequent disciplinary proceedings it may harm your defence. If you if you so desire make a written or oral statement to the Investigating Officer or the Chief Constable or the Police Authority as appropriate. Anything you mention when questioned or any written or oral statement you make may be given in evidence at such disciplinary proceedings. You have a right to consult a friend at all stages of the investigation. Do you wish a friend present at this interview.

A Just my solicitor, Mr Hagan.

Q And he is present. You will recall that during the criminal investigation you participated in PACE taped recorded interviews in which a prepared statement in your name, map and itemised telephone bill were referred to and you answered questions. Is that correct.

A That's correct.

Q You will recall that on the 11th of January 2000 I made available to you copy of your taped PACE transcripts and prepared statement, the reason was to afford you the opportunity of reading them as they are lengthy and to save blank running time on the tape during interview. Those are copies of the taped PACE interviews. Is that right.

A That's correct.

Q If you wish to read them.

A No, I've already read them.

Q I also produce to you the statement, is that there's a

copy of the statement.

A Yes that's my statement.

Q Do you wish to read it.

A No.

Q I now produce to you copies correction I now produce to you copy of the map. That's the map.

A That's correct.

Q And itemised telephone bill.

A That's correct.

Q Do you wish to read them.

A No.

Q You have already been interviewed from a criminal point of view and I have no further questions other than to ask do you wish your taped PACE interviews which includes your prepared statement, map and itemised telephone bill to be used in the disciplinary enquiry.

A Yes.

Q Do you wish to add anything or clarify anything that you have already stated.

A No only to say that I have during the whole investigation I have helped in any way that I can and that's all.

Q Okay. The interview is now complete but before turning off the tape I will provide you with a form explaining what will happen to the tapes. They will be retained at RUC Complaints and Discipline Branch, Gough, Armagh. That is the form. I am now turning off the tape. By the

way before I turn off the tape, Mr Hagan do you wish to state anything.

(Solicitor) No I don't wish to state anything. Thank you.

Q I am now turning off the tape. The time by my watch is 4 39 pm.

Certified a true copy of the original

A handwritten signature in black ink, appearing to be 'D. J. Hagan', written over a horizontal line.