



Department of the Director of Public Prosecutions

Royal Courts of Justice Belfast BT1 3NX
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RUC Ref: C40/7/97

DPP Ref: 2209/97

Subject: MURDER OF ROBERT HAMILL AT PORTADOWN ON 27 APRIL -
8 MAY 1997
R -v- LUNT, HANVEY, HOBSON, BRIDGETT, FORBES AND
ROBINSON

Chief Constable

FURTHER DIRECTION - PART I

I refer to Direction issued on 29 October 1997 of no prosecution
of -

1. Dean Forbes
2. Allister Harvey
3. Rory Randolph Arthur Robinson

WAYNE LUNT

Lunt has been identified by police as being a person who was arrested by them during the incident, taken to and placed in a landrover and then, after some period, being released to be spoken to later.

Lunt is described by police as being dressed in particular clothing and as wearing a "Ranger's scarf".

Lunt accepts in interview that he was put into the back of a landrover and that he was wearing a "Ranger's scarf".

In a witness statement made to police, Mr Colin Prunty refers to one of the persons in the group which was kicking Robert Hamill, the deceased. Mr Prunty variously refers to the person in the following terms:-

"I saw another policeman grab hold of one of the fellas in the group that was kicking Robert Hamill. He was wearing a Ranger's scarf and he was took away and put in the back of the landrover".

"After 5 or 10 minutes I saw the fella with the Ranger's scarf being let out the back of the landrover".

"What was distinctive about him is the scraf and how he was wearing it. The scarf was mostly blue with red and white bands running across it at intervals. It was tight to his neck".

Consultation had taken place with Senior Counsel and Mr Prunty on 30 October 1997. Mr Prunty presented as a credible witness.

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On the 3 November Mr Kitson of this office was informed by relatives of Robert Hamill that Mr Prunty had seen a television news programme and had observed a person (subsequently identified as Dean Forbes) being released from custody and that this was the person whom he had observed as being involved in the attack on Mr Hamill.

In the light of this information a further consultation was arranged for Tuesday 5 November. During this consultation Mr Prunty confirmed that the person he had referred to as being involved in the attack on Hamill was Dean Forbes. He further stated that, if asked, he would say in evidence that Lunt was not the person he was describing in his witness statement.

Senior Counsel's advices on Lunt's reliability and credibility as a witness have been received and considered.

The position now stands that, as against Lunt, the evidence of Mr Prunty cannot be relied upon.

Evidence is available from A that she observed Lunt carrying a bottle and running at a crowd at the junction of Thomas Street. However, neither A nor any other witness can place Lunt as one of the people kicking at the man (Hamill) lying on the ground.

In the absence of other evidence implicating Lunt in the attack and without Prunty's evidence there is no reasonable prospect of a conviction of Lunt for an offence relating to the death of Mr Hamill.

The present police holding charge against him will be withdrawn at the earliest opportunity.

STACKY BRIDGETT

The forensic report of Laurence Marshall has been obtained and considered. On the 12th November Mr Davison of this office spoke at length with Mr Marshall by telephone. Mr Marshall indicated that one small spot of Bridgett's blood was found on Hamill's right trouser leg. This blood was about the size of a one pence coin and was positioned about an inch from the bottom of the trousers.

This evidence at its height indicates that at some stage Bridgett was sufficiently close to Hamill that his blood dripped directly onto Hamill. There is no other evidence available to show what Bridgett was doing or had done. During interview he denied being near Mr Hamill. However, this denial taken with the forensic evidence is not sufficient to provide a reasonable prospect of his conviction for an offence relating to the death of Mr Hamill.

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The present police holding charge against him will be withdrawn at the earliest opportunity.

MARC HOBSON

There is evidence from Constable Neill that Hobson was kicking at an injured man (known to be Hamill) on the ground.

A direction in respect of Hamill will pend further clarification as to whether Constable Neill saw a kick or an attempted kick. A further statement on this point should be taken from Constable Neill.


DEAN FORBES

As stated above, re Lunt, Mr Prunty has alleged that the person he saw kicking Robert Hamill is, in fact, Dean Forbes.

He has seen Forbes on a video recording and on a still photograph. Police should make the following enquiries and report back as soon as possible (with supporting statements of evidence if that is appropriate).

1. Mr Prunty said during consultation that at one point he struck the person he saw kicking Robert Hamill. Was this seen by anyone and if so what description can they give of the person Mr Prunty struck?
2. * Was anyone other than Wayne Lunt brought to the landrover? If so who were they?

The police investigation files are being retained in this office.



R A RITSON
for Director of Public Prosecutions

18th November 1997

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TOTAL P.04