

NOTE OF CONSULTATION

BAR-LIBRARY
CONSULTATION ROOM
30 OCTOBER 1997

Present: Ms Brady (Solicitor) [REDACTED]
Mr Prunty
Gordon Kerr QC
R McCarey

Mr Dunne
① Mr McCarey has provided
the note of consultation.
② Please attach to Director's Office
papers in the Hamill file.
③ Thank you. RJK
18/02/97.

Mr Prunty (in consultation with Mr Kerr QC)

Last saw my statement 3 to 4 weeks after Robert was killed. I believe it is accurate. I am content to give evidence in this case. Had 5 or 6 pints that night. I was ok - not really drunk. Were at St Patrick's. Went up Thomas Street. Mr Hamill at front then F [REDACTED], D [REDACTED], myself and Maureen. Saw police landrover. Didn't see any crowds before this. Landrover was facing the Halifax diagonally close to the Halifax side of the road. Doors of landrover closed. I think there were 3 in the landrover - 3 got out. We were intending to go into Woodhouse Street. Robert in front. A crowd came from left-hand side (clothes shop). E [REDACTED] was also there. I hadn't seen crowd before this. About half way across the near carriageway and crowd came towards him.

Shouting "Get them. Get the fenian bastards."

Saw Robert getting dragged to the ground. He was trying to protect himself before he went down. D [REDACTED] went to help. I watched what happen. I saw 15-20 people around Robert. Could see Robert - not at first but when he was lying on the ground. Anybody who was there 15-20 were booting at him. I didn't know any of them - not even to see. D [REDACTED] went to help Robert. Saw him getting hit with a bottle - was thrown at him. D [REDACTED] and Robert no more than 6 feet apart. Some of the crowd were going over to D [REDACTED]. Police then came. Police got out of landrover when Robert was on ground. Tried to get in to break it up. No effect - wasn't enough of them.

Five - ten minutes before other police came.

Robert was being kicked on the head. Appeared to be unconscious early - didn't try to protect himself.

They were saying "kill him". Was a number - one I can picture, in the crowd hitting Robert. Police pulled him out and put him into landrover.

Was pulled out of crowd when Robert was on ground. At least 5-10 minutes after he was on the ground. I would say he was getting kicked for a good 5 minutes.

When he was in the landrover my girlfriend was cradling Robert's head. Was still an angry crowd - no kicking.

Man was pulled into landrover further back before kicking stopped.

But I went to identify him when pulled in by police - so it must have been near the end of the kicking - girlfriend was cradling Robert when I went to the landrover.

W.A.R.
M.A.
1/12/97

Didn't see anyone else with a Rangers scarf. Tied up tight to his neck. Think he was wearing a jacket.

He was tall, jet black hair, fringe down - gelled - clean shaven. He was in the landrover laughing. I swung at him when he was in the landrover because he was laughing, shouting "fenian bastard up the UV."

Can't say where he was kicking him. Can't even say which area of the body he was at.

Everyone was kicking him.

He was one of the people shouting - he shouted kill him.

Rice

W A R McCAREY - Tel [REDACTED]
Eastern Circuit
for Director of Public Prosecutions

December 1997